### Organizations

Letter O1 League of Women Voters of Santa Cruz County

Barbara Lewis, President  
February 23, 2021

Comment O1-1

Thank you for the opportunity to comment on the UCSC 2021 Long Range Development Plan Draft Environmental Impact Report (LRDP DEIR). On a statewide level, the League of Women Voters supports a comprehensive system of public higher education that serves the personal, professional, and occupational goals of all adult Californians and advances the social, economic, and civic needs of the state. To achieve these objectives, public higher education must prioritize access, affordability, equity, and excellence. These priorities require state funding, including student financial aid that is stable, predictable, sustainable, and timely.

While we appreciate the university’s contribution to our local community in terms of educational, intellectual, cultural and economic assets, we are concerned to read in the DEIR that multiple significant and unavoidable negative and cumulative impacts would result from the proposed LRDP for the Santa Cruz campus. Even after implementation of feasible mitigation measures, significant negative impacts would occur with respect to: air quality, historical resources, noise, population and housing, and water supply.

Although there are many important areas of negative impact, we will focus our comments primarily on air quality and transportation, population and housing, and wildfire hazards.

Response O1-1

The comment is introductory in nature and is noted. This comment does not address the adequacy of the EIR analysis. Additional detailed comments follow this comment and responses are provided below.

Comment O1-2

As you have pointed out on page 3.16-1 of the DEIR, Senate Bill (SB) 743, passed in 2013, eliminates consideration of traffic congestion in the CEQA process. However, we believe that the DEIR has underestimated the level of greenhouse gas emissions that result from traffic backups as students, faculty and staff arrive in the morning and head home at the end of the day. Because of its unique geographic location, the UCSC campus does not have easy access to major transportation corridors or freeways. The campus is accessed primarily through two-lane residential streets. This limited vehicular access creates congestion along the few streets leading to the campus. Cars and trucks are routinely stopped with engines running for blocks along these residential streets while waiting for gridlock to clear. Residents who live on or in proximity to these streets are not only subjected to the effects of carbon emissions, but also find it difficult, if not impossible, to enter or leave their own homes during these times.

Response O1-2

As noted in Table 3.3-4 on page 3.3-19 of the Draft EIR, the emission factors used to model GHG emissions for the 2021 LRDP were derived from the EMFAC 2017 emissions database, which has been approved by the U.S. Environmental Protection Agency for use in State Implementation Plan and transportation conformity analyses. As these emissions factors are based on vehicle miles traveled, they are considered the most appropriate and valid method of assessing potential GHG emissions resulting from 2021 LRDP implementation. EMFAC 2017 is also considered an aggregate emissions database, in that it considers emissions associated with a variety of different processes of a given vehicle, including running exhaust emissions and idle exhaust emissions that would occur during typical stop-and-go traffic. While stop-and-go traffic may be routine around UC Santa Cruz during peak times, this type of traffic pattern is also routine in many California cities. Consequently, the emissions projections identified in the Draft EIR are considered reasonable estimates and in accordance with CARB-approved modeling techniques.

Comment O1-3

The neighborhood middle school and elementary schools that exist on these same residential streets begin and end the school day at times that overlap the hours during which commuters are arriving and leaving the UCSC campus, creating potentially hazardous conditions for the students. These significant adverse impacts have existed for years with no indication that conditions will improve. On the contrary, we believe that campus growth as described in the LRPD DEIR will exacerbate these problems.

Response O1-3

Consistent with CEQA requirements, the Draft EIR evaluates the potential for the 2021 LRDP to increase risks related to roadway volumes, including those to nearby schools, in two separate locations within the document. Refer to Impact 3.9-4 on page 3.9-25 and Impacts 3.16-3 and 3.16-4, beginning on page 3.16-38, of the Draft EIR, where impacts were determined to be less than significant (with mitigation, in the case of Impact 3.9-4 which requires the preparation of site-specific construction traffic management plans.) The comment does not specify how campus growth would exacerbate impacts, nor does it comment on the analysis of safety provided in the Draft EIR or otherwise. No further response is necessary.

Comment O1-4

As you may know, early campus planners were very much aware of the potential negative impacts on neighborhoods adjacent to the new campus and suggested what they called an “eastern access” road that would bypass the neighborhoods and somehow connect Coolidge Drive to the Highway 1 and/or Highway 17 Freeways. The concept was met with strong opposition from the local community. The FEIR should explain why an “eastern access” was never constructed and why it is very unlikely to ever become a reality.

Response O1-4

UC Santa Cruz acknowledges that the history of development and continued cooperation between UC Santa Cruz and the local community has evolved and is continuing to evolve over time. While early planners may have considered an eastern access, the City of Santa Cruz acquired land, currently designated as Pogonip open space, creating a physical constraint for implementation of an eastern access roadway connection to campus. An eastern access is not proposed as part of the 2021 LRDP, so analysis of it is not required. For comments on the 2021 LRDP project, please see Master Response 2. As this comment does not address the adequacy of the EIR analysis, and no further response is necessary.

Comment O1-5

We do not believe that housing more faculty and staff on campus would reduce vehicle miles travelled (VMT) or greenhouse gases. Indeed, it could even increase VMT. To the extent that faculty and staff have families, we expect that household members will need to make regular trips off campus to commute to work or to access services provided in the community, such as: elementary and secondary schools, day care facilities, grocery stores, pharmacies, and a multitude of other destinations in the course of normal daily life. The DEIR does not seem to address the fact that most household members living on campus would need to travel off campus on a regular basis.

Response O1-5

The VMT estimates used in the Draft EIR were based on the Santa Cruz County (SCC) Regional Travel Demand Model (SCC Travel Model) and take into consideration the need for students, faculty, and staff who may live on campus to travel to other destinations for shopping, etc. As noted in the modeling results provided in Section 3.16, “Transportation,” employment VMT per capita, which includes non-UC Santa Cruz residents, would exceed the 2019 Countywide Average, which indicates that the modeling accounts for more than faculty/staff traveling on a daily basis within the LRDP area. The comment provides anecdotal considerations but provides no evidence to dispute the analysis in the EIR. The Draft EIR analyzes and discloses these impacts appropriately. No further response is necessary.

Comment O1-6

The DEIR acknowledges that the proposed LRDP will create significant and unavoidable negative impacts by directly or indirectly inducing substantial unplanned population growth and housing demand.

Santa Cruz is one of the most expensive housing markets in California. Local governments struggle to find ways to provide affordable housing for lower income workers and their families. Service employees are priced out of the market as higher income buyers and renters compete for housing. The DEIR cites the volume of housing units expected to come on line in the City of Santa Cruz. But, these new housing units are mostly market rate units that do not help to fulfill the need for low-income housing. Moreover, the growth of population further increases the need for low-income housing as the demand for services increases to meet the needs of additional residents. As a result, service and workforce employees must look for affordable housing further and further from local places of employment, defeating efforts to reduce VMT and address global warming. Indeed, affordable housing for service workers is now so rare that those workers are leaving the county for areas with less expensive housing markets, leading to a dearth of those workers for the university and other local employers.

Response O1-6

It is reasonable to assume that low-income/affordable housing in the City of Santa Cruz and in unincorporated Santa Cruz County would be provided in accordance with local ordinances and requirements, as well as in a manner consistent with local housing elements. The demand for low-income housing in the comment is acknowledged. UC Santa Cruz is committed to increasing housing opportunities on-campus in an effort to meet demands. The additional 8,500 beds provided under the 2021 LRDP will combine with the existing on-campus housing stock and proposed projects to offer a variety of housing types to students. The campus maintains a variety of different housing types, from colleges that serve first year and continuing students, to apartments and suites that serve continuing students, graduate students, and transfers. Please also refer to subsection “Housing Affordability and Other Socioeconomic Considerations” in Master Response 2 for a discussion of housing affordability and other socioeconomic considerations.

Comment O1-7

Compounding the problem is the high cost of on-campus student housing. On-campus rental rates create an incentive for students to look for cheaper housing off-campus, competing with low-income City residents for affordable housing. Although the UC Administration promises to house 100% of the projected increase in student population, this will not alleviate the shortage of affordable housing if on-campus student housing continues to be too expensive and drives students to look for cheaper housing off-campus. Moreover, the DEIR fails to explain where the funds will come from to subsidize new student housing in order to offer on-campus rental rates that will be affordable and attractive to students. Historically, UCSC’s track record for providing enough on-campus student housing at affordable rates has been grossly inadequate.

Response O1-7

Please refer to subsection “Housing Affordability and Other Socioeconomic Considerations” in Master Response 2 for a discussion of housing affordability and other socioeconomic considerations.

Comment O1-8

The City and County of Santa Cruz require major developments to include a certain percentage of low-income units in their development plans or pay in lieu fees to help local governments provide low-income housing. Is the University prepared to honor this low-income housing inclusionary requirement in its development plans?

Response O1-8

The requirements referred to by the commenter are specific to local jurisdictions (i.e., county and city governments) and is not a requirement of the UC, as a state entity. With respect to the affordability of on-campus housing, please refer to subsection “Housing Affordability and Other Socioeconomic Considerations” in Master Response 2.

Comment O1-9

**Wildfire**

In the wake of global warming and the probability of increase in wildfires, we are alarmed to see the University propose additional development in the Wildland-Urban Interface areas of the campus. While the described mitigation measures seem good on paper, wildfires are unpredictable in the presence of increased human activities, dry vegetation, and high winds. It’s not clear how required and costly hardening measures and vegetation maintenance will ensure the feasibility of safely developing in areas susceptible to the hazards of wildfire. It seems irresponsible to unnecessarily put students, faculty, and staff and adjacent communities at risk when viable and more cost effective alternatives may be available, such as growing the UC system at other UC campuses not threatened by potential wildfires.

Response O1-9

The comment does not address the specific contents of the Draft EIR, so further response is not possible. Please refer to Section 3.18, “Wildfire,” and Master Response 4, regarding the potential for the 2021 LRDP to exacerbate wildfire risk.

Comment O1-10

**Alternatives**

Together with the No Project Alternative, the FEIR should consider the possibility of utilizing distance learning as a mitigation measure for increasing the student population. For example, if lower division classes in selected majors were offered online at reduced tuition rates, this could not only mitigate environmental impacts of additional student enrollment, but also would make higher education at UCSC more affordable for Freshmen and Sophomores. Encouraging students to transfer in as Juniors and streamlining the transfer process would be another way to leverage availability and affordability.

Response O1-10

The Draft EIR did include information regarding a remote/distance learning alternative, as requested by the commenter. Please refer to page 6-6 of the Draft EIR. Please refer to Master Response 3 regarding a reasonable range of alternatives considered in the 2021 LRDP Draft EIR.

Comment O1-11

**Conclusion**

In view of the significant and unavoidable negative impacts of the proposed 2021 LRDP, we urge the University of California to maintain the UC Santa Cruz campus at its present student population of 19,500 so that this campus of higher learning will continue to be an asset to the local community in which it resides and not become an impactful liability through unmitigated growth. We believe it would be more environmentally acceptable for the University of California to achieve its mission and goals by increasing student enrollment at some of the other excellent UC campuses that are better suited to safely accommodate growth.

Response O1-11

UC Santa Cruz acknowledges the opinions expressed by the commenter on the project, the 2021 LRDP. However, the comment does not address the adequacy of the EIR analysis. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP. Further response is not required.

Letter O2 Springtree Home Owners Association

Ron Goodman, Board Member  
March 2, 2021

Comment O2-1

The Long-Range Development Plan (LRDP) will have significant impacts on the region surrounding and including the Springtree HOA. The attached comments on the DEIR enumerate concerns and questions we have. We request that you address these comments.

Response O2-1

The comment is introductory in nature and is noted. This comment does not address the adequacy of the EIR analysis. Additional detailed comments follow this comment and responses are provided below.

Comment O2-2

Mitigation measures 3.10.2, 3.10.3, 3.10.4 and 3.10.5: UCSC currently drains runoff from the east side of campus into Kalkar Quarry Pond. This water is rapidly funneled into the pond causing extensive silt deposition, leading to significant environmental damage to the pond and placing the burden of maintenance on a poorly resourced HOA. The mitigations described in the DEIR failed to protect the pond ecosystem either in UCSC’s current or future state as described in the LRDP.

Response O2-2

As noted in Chapter 1, “Introduction” of the Draft EIR, the analysis of the 2021 LRDP is programmatic in nature and does not provide project-specific analysis, including site-specific changes in drainage patterns. The Draft EIR does include a campus-wide evaluation of potential changes in permeability and increased runoff and provides mitigation that can address the range of environmental impacts. As shown in Table 3.10-7, potential impacts to Kalkar Quarry were considered as part of this programmatic analysis. The mitigation measures presented in the Draft EIR address the identified impacts in accordance with CEQA requirements. The comment, while raising important issues, does not specifically address the analysis in the EIR. In addition, and with respect to the perceived impacts to Kalkar Quarry, similar comments were previously offered by the commenter and UC Santa Cruz provided evidence that indicated otherwise, as explained below. As evidence in support of the 2021 LRDP EIR’s analysis, the following excerpt from the Student Housing West Final EIR, as certified in March 2019, with respect to similar comments by the commenter is provided:

With respect to the commenters’ concerns of potential increased sediment loads to spring-fed stream channels, Kalkar Quarry Pond, and/or Neary Lagoon, it should be noted that current and historic stormwater that is captured from Faculty Housing and Coolidge Drive flows to Kalkar Quarry Pond has shown relatively low sediment loads via a measure of turbidity and Total Suspended Solids (TSS). Specifically, turbidity monitored during first flush (i.e., worst case) stormwater sampling events between 1990 and 2009 ranged from 1.1 to 92 NTU (nephelometric turbidity unit) and during the past nine (9) years of monitoring “first flush” stormwater entering Kalkar Quarry Pond, TSS remained below 100 mg/L with one exception when TSS was detected at 250 mg/L in October 2009. To put these values in perspective, a statewide turbidity *Numerical Action Level* (NAL) has been set at 250 NTU for runoff generated from construction sites under the Construction General Permit, and a numeric action level (NAL) of 100 mg/L has been set for sites with industrial activities under the Industrial General Permit. These threshold values have been adopted to be protective of receiving waters and both current and historic results of first flush stormwater sampling indicate that campus pollution prevention structures and best management practices effectively control offsite sediment transport during stormwater run-off events to levels below thresholds that would indicate a significant impact.

It is also important to note that, under current conditions, stormwater from employee housing does not discharge directly into Kalkar Quarry but is conveyed to a detention vault where it is detained (allowing sediment to filter out) and then released to Kalkar Quarry. Refer also to Master Response 10 regarding hydrology and water quality.

Comment O2-3

1) `The V-channel along Coolidge is inadequately maintained and collects vast quantities of dirt during dry months. Rain events send this dirt and debris into the pond.

* How can we have confidence that new construction and new projects will address this better?

Response O2-3

The comment generally questions the conclusions of the EIR but does not specifically address the content or provide evidence in support of another determination. The V-ditch along Coolidge is owned and maintained by the County of Santa Cruz. As stated in Section 3.10, “Hydrology and Water Quality,” any development under the 2021 LRDP would be required to comply with applicable National Pollutant Discharge Elimination System (NPDES) requirements and UC Santa Cruz Post-Construction Requirements, including through continued implementation of the campus Storm Water Management Program (SWMP). With respect to the connection of drainage facilities along Coolidge Drive and water quality at Kalkar Quarry, refer to Response O2-2.

Comment O2-4

* Would UCSC commit to clearing this channel of debris before rain season?

Response O2-4

The comment also does not provide substantial evidence that the analysis is inadequate or why the clearing of channel debris is necessitated as a result of 2021 LRDP buildout. As noted above in Response O2-3, UC Santa Cruz implements its SWMP in conformance with NPDES requirements. Any additional commitment to specific maintenance activities or additional mitigation measures are not considered necessary to prevent significant impacts associated with implementation of the 2021 LRDP.

Comment O2-5

* What consequences would UCSC commit to if it continues to fail to manage this channel and associated runoff?

Response O2-5

As noted in Response O2-3, the UC Santa Cruz SWMP includes specific requirements and recommendations for campus to implement to manage storm water quality within the LRDP area, including recommended actions in the event of a discharge. However, the comment does not address the adequacy of the EIR analysis. No further response is necessary.

Comment O2-6

2) The drain at the intersection of Hagar and Coolidge is poorly maintained and the runoff from the field above feeds significant quantities of silt into the pond. New construction would likely lead to less runoff absorption and more runoff entering the various drains that deliver untreated water to the pond.

* How will UCSC mitigate this impact which is not described in the DEIR?

Response O2-6

It is unclear what potential development is referred to in the comment as the nearest area of potential development identified in Figure 2-4 would largely involve redevelopment of existing developed areas. Development under the 2021 LRDP along Hagar and Coolidge Drives is not anticipated proximate to the intersection of these two roadways. Please refer to Response O2-2 for the programmatic nature of the analysis. No further response is possible.

Comment O2-7

* If mitigations are proposed that redirect the water, how will the impacts of reduced recharge to the karst (and resulting reduced spring flows) be mitigated?

Response O2-7

Please refer to Response O2-2. The Draft EIR, beginning on page 3.10-33 and as part of Impact 3.10-5, evaluates the potential need for mitigation related to changes in drainage conditions and the potential for the 2021 LRDP to affect groundwater recharge within the Karst aquifer. As noted on pages 3.10-33 and 3.10-34, compliance with UC Santa Cruz Post-Construction Requirements and the State Water Resources Control District Phase II NPDES requirements would ensure that changes in drainage patterns would not substantially reduce groundwater recharge potential within the LRDP area.

Comment O2-8

* What responsibility will UCSC take in assisting the HOA in managing the pond if despite its best efforts, LRDP projects cause further damage to the pond?

Response O2-8

Regarding potential impacts to Kalkar Quarry, please refer to Response O2-2. As noted above, both current and historic results of first flush stormwater sampling indicate that campus pollution prevention structures and best management practices effectively control offsite sediment transport during stormwater run-off events to levels below thresholds that would indicate a significant impact or substantial damage to the pond. In addition, as stated under Impacts 3.10-2 and 3.10-3 of the Draft EIR, construction-related projects in the LRDP area would be required to comply with the State Water Resources Control Board 2009-0009-DWQ CGP, and each new facility would be required to adhere to UC Santa Cruz Post-Construction Stormwater Management Requirements to reduce potential water quality impacts. If, due to unforeseen circumstances, it is determined that potential impacts (i.e., exceedance of applicable water quality requirements) may occur/have occurred as a result of 2021 LRDP implementation, UC Santa Cruz would coordinate with the appropriate agency(ies) regarding and implement appropriate corrective actions, consistent with water quality requirements.

Comment O2-9

* Would UCSC consider raising the drain so the sinkhole acts as a settling pond, allows more water to seep into the karst, and reduce inundations to the pond?

Response O2-9

Please refer to Response O2-2 for clarification regarding existing detention/settling facilities provided on campus.

Comment O2-10

3) The drainage from Hagar Dr. and Hagar Ct. flows into multiple gutters along Hagar Ct. delivering whatever road debris/pollutants have collected on those roads from preceding dry months.

* How will the University ensure that increased runoff and increasingly toxic runoff does not cause additional harm to the ecosystem of the pond?

Response O2-10

As noted in Response O2-2, the commenter has misunderstood the manner in which drainage facilities are provided. Further, a description of the applicable regulations and UC Santa Cruz’s requirement to comply with them (e.g., Phase II General Permit for Small Municipal Separate Storm Sewer System) are provided in the Draft EIR (refer to Impacts 3.10-2 and 3.10-3, beginning on page 3.10-30 of the Draft EIR. Also please refer to Master Response 10 regarding ongoing stormwater quality monitoring that occurs on campus.

Comment O2-11

* What responsibility will the University take if despite their best efforts, the pond ecosystem is further degraded as a result of LRDP projects?

Response O2-11

Please refer to Response O2-8 and Master Response 10 for further discussion of issues related to hydrology and water quality.

Comment O2-12

4) According to the California Air Resource Board, pollution from tire and brake wear is a serious environmental pollutant (http://relynk.me/carimpacts). Furthermore, auto speed is correlated with levels of wear (<http://relynk.me/tirewear>).

* Can UCSC commit to lowering speed limits on Hagar and Coolidge to reduce the impact of this type of pollution in runoff (as well as improve safety for bicyclists, wildlife and drivers, and reduce noise pollution)?

Response O2-12

The Draft EIR considered potential impacts related to polluted runoff (Impact 3.10-3), roadway noise (Impact 3.12-4), and transportation safety (Impact 3.16-3) and determined that impacts would be less than significant without mitigation. However, the LRDP Physical Planning Principle of Integrated Transportation includes enhanced walking and biking pathways and limiting vehicular traffic. All new roadways are envisioned as multimodal “complete streets” which would embrace design concepts such as traffic calming to encourage more bicycle use. Automobile access restrictions are proposed to prioritize transit, bicycle and pedestrian access and reduce vehicle/pedestrian conflicts. Reducing speed limits on campus roads will be considered, in addition to other potential traffic calming measures, where feasible and enforceable, however it is not required as mitigation to reduce significant impacts associated with 2021 LRDP implementation. Also please refer to Master Response 10 for further discussion of hydrology and water quality analysis provided in the Draft EIR, including information regarding ongoing stormwater quality monitoring that occurs on campus.

Comment O2-13

* What other solutions can UCSC implement to ensure this type of pollution does not increase if, as is anticipated, overall VMT increases?

Response O2-13

Please refer to Response O2-12. In general, the Draft EIR provides appropriate mitigation to reduce the significant environmental impacts of the 2021 LRDP where necessary. Further mitigation, beyond that identified in the Draft EIR, as amended through responses to comments, is not considered to be required. Also refer to Master Response 10 for further discussion of hydrology and water quality analysis provided in the Draft EIR.

Comment O2-14

As a result of an informal agreement to allow UCSC to pipe collected runoff into the pond, and an abdication of UCSC’s responsibility to abide by its agreed management of this runoff, the current situation is that UCSC’s runoff delivers substantial silt and pollutants directly into the pond without any settling or treatment. This has resulted in several problems that are difficult for the HOA to manage.

1) Multiple feet of silt deposition have provided habitat and shallow water that have led to complete inundation by California bullrush (Schoenoplectus californicus). This has eliminated the open water and created a maintenance problem that exceeds the technical and financial capabilities of the Springtree HOA.

* How will UCSC address this ecosystem damage?

Response O2-14

Under CEQA, mitigation (and/or corrective actions) are required when a proposed project (i.e., the 2021 LRDP) would result in significant physical environmental impacts as a result of its implementation. The commenter’s description of the perceived current conditions at Kalkar Quarry are an existing condition (but see Response O2-2) and are not impacts associated with the 2021 LRDP.

Comment O2-15

* Will UCSC agree to pay a portion of maintenance to restore the ecosystem?

Response O2-15

Please refer to Response O2-14.

Comment O2-16

2) The loss of open water has eliminated habitat for waterfowl, western pond turtles, red-legged frogs, fish larger than a few centimeters, etc. This loss of species has radically impacted the diversity of the open space and created disease vector impacts like increased mosquito population.

* How will UCSC monitor the biota of the pond to ensure LRDP projects are not causing damage?

Response O2-16

Regarding the need for monitoring of Kalkar Quarry by UC Santa Cruz, refer to Response O2-3. However, if it is identified, either through project-specific evaluations or otherwise, that runoff from UC Santa Cruz as a result of 2021 LRDP implementation would result in impacts to biological resources within Kalkar Quarry, UC Santa Cruz would arrange for appropriate measures to be implemented on a project-by-project basis and in conformance with existing regulations/requirements (as identified in Section 3.10, “Hydrology and Water Quality.”) Additionally, the comment does not provide evidence that UC Santa Cruz has contributed to this existing condition, nor evidence to suggest a potential impact of the 2021 LRDP.

Comment O2-17

* What responsibility will UCSC take for any damage LRDP projects do cause to the pond?

Response O2-17

Please refer to Response O2-16 regarding impacts to Kalkar Quarry.

Comment O2-18

3) UCSC runoff may be causing fish die-offs - Kalkar pond fish population disappeared in 2020 coinciding with first 2020 rain event in late November – http://relynk.me/rain . Although these events may be associative rather than causally related, this should be investigated further.

* If UCSC runoff is killing mosquito eating fish, what responsibility will UCSC take to address the health risks associated with a large mosquito population?

Response O2-18

Please refer to Response O2-16 regarding impacts to Kalkar Quarry.

Comment O2-19

4) LRDP projects may, according to Impact 3.10-5 cause further reductions to spring flows on top of reductions that have been noted. As noted by historian Dean Silvers, “[The Dodero Spring in Kalkar Quarry] bears a complicated relationship to the Santa Margarita Sandstone aquifer located on the UCSC campus. Stanley (Warrick, Sheridan F., ed. The Natural History of the UC Santa Cruz Campus. Santa Cruz, Environmental Field Program, UCSC, 1982, pp. vi-vii and 81-85) notes that when the old city reservoir (near today's UCSC Arboretum) was built around 1900, people were at first unaware that it leaked through the fractured marble at a rate as high as 750,000 gallons a day! When the Cowell Reservoir was emptied in 1948, the flow of water at the Dodero Spring at the Kalkar Quarry (0.7 miles east) decreased by an equal amount of water.”

* Mitigation 3.10-5b states UCSC will compare flows to historic spring discharge. Flow variation is significant, so how can UCSC guarantee that the metric used to determine impact significance is sufficient and captures all impacts?

Response O2-19

As required by Mitigation Measure 3.10-5b as amended through the Final EIR (refer to the edit below and Chapter 4, “Revisions to the Draft EIR” of this document), UC Santa Cruz would require annual monitoring of groundwater levels (in the event that additional groundwater supplies are extracted) at multiple locations to ensure that groundwater levels do not decrease as a result of 2021 LRDP implementation. In the event that a decrease is realized, groundwater extraction by UC Santa Cruz would be halted/reduced until such time as the groundwater levels have recovered to ensure that UC Santa Cruz does not result in a net decrease in available groundwater supplies and associated impacts. It is understood that spring flows and precipitation may vary year over year, which is why the mitigation requires a multi-year period of observation to determine whether impacts would occur. However, based on available information, the potential level of groundwater extraction would not exceed the sustainable yield of the groundwater aquifer.

Mitigation Measure 3.10-5b on page 3.10-36 of the Draft EIR was revised as follows:

**Mitigation Measure 3.10-5b: On-Going Groundwater Level and Spring Flow Monitoring**

If the existing well WSW#1 or a new groundwater well is used for extraction, UC Santa Cruz shall perform monitoring of water levels within that well and any other campus wells completed in the karst aquifer on a~~n annual~~continuous basis when groundwater pumping occurs. UC Santa Cruz shall also conduct, at a minimum, monthly ~~equivalent~~ flow monitoring of those springs in the vicinity of the LRDP area shown to be connected to the well via a dye tracing study or other applicable testing method for the duration of groundwater pumping to determine whether there is any long-term decline in water levels or spring discharge. Monitoring of the springs shall also include an assessment of surface water resources (i.e., habitats, plant species, and wildlife species) for a distance of 500 feet downgradient from the daylighting of connected springs at least 30 days prior to and after groundwater pumping to determine if there are any adverse changes (i.e., reduction in ordinary high water mark, changes in plant or wildlife species assemblages such that a species is no longer present, or reduction in plant cover) in the condition of these resources that may be directly attributed to changes in spring discharge as a result of groundwater pumping.

If monitoring of water levels and spring flows indicates that UC Santa Cruz extraction of groundwater is contributing to a net deficit in aquifer volume, as indicated by a substantial decrease in average base flow water levels in any monitored wells or a substantial reduction of base flows in monitored springs, the campus will terminate or reduce its use of groundwater from the aquifer. A substantial decrease shall constitute observations of a continual decreasing trend in base groundwater water levels over a 3-5 year period ~~that includes both wetter and drier years~~ coupled with a decrease in spring base flow conditions, beyond the standard deviation for any given spring, for a corresponding ~~rainfall season~~water year type. The average base water levels and base flows in springs will be defined through a statistical analysis of historic data~~, with consideration of associated seasonal rainfall~~ grouped by water year types. As new monitoring data becomes available, UC Santa Cruz will continually update the statistical analysis.

Comment O2-20

* Mitigation 3.10b states that if spring flows decline per a defined formula, groundwater extraction would be reduced or terminated. But changes in spring flow would likely also result from drainage pattern modifications that reduce karst absorption. The DEIR doesn’t state what UCSC would do if the reduction in flow is a product of modified drainage patterns. How will UCSC mitigate reduced spring flow if the cause is due to factors other than groundwater extraction, such as modified drainage?

Response O2-20

The Draft EIR evaluates the potential for new impervious surfaces to affect groundwater recharge within Impact 3.10‑5, which begins on page 3.10-33. As noted in Impact 3.10-5, compliance with UC Santa Cruz Post-Construction Requirements would involve the retention of runoff to pre-development conditions which would prevent a reduction in flows to springs and seeps. As a result of regulatory compliance, no mitigation measures are considered necessary to address the impact of 2021 LRDP implementation.

Comment O2-21

The DEIR fails to address these existing issues, how UCSC would mitigate these issues as they worsen, and what level of responsibility UCSC would take if they are unable to mitigate issues. New development proposed on the eastern portion of campus would exacerbate these existing problems by adding more concrete and increasing surface flow and runoff and reducing absorption of water into the karst. That would lead to more polluted water inundations, with less consistent clean spring flow throughout the year.

These issues should be mitigated in section 3-10 by:

1) Eliminating the V-channel along Coolidge and instead creating drainage systems that slow and trap precipitation, allowing it to be absorbed into the karst.

2) Installing a system at the Hagar/Coolidge intersection to collect rainwater and allow it to seep into the karst as it would naturally do if there were less pavement and no drainage pipe.

3) Requiring that any newly created storm runoff should be dispersed as sheet flow along the landscape or captured to seep into the karst, and not funneled into streams.

4) Stopping use of any potentially dangerous chemicals that could end up entering the watershed (e.g., for landscaping, maintenance, pest control).

5) Monitoring Kalkar spring flows (these have not been historically measured, so this should start) and ensuring that projects do not reduce these flows.

6) Creating settling tanks for any runoff collected rather than allowing free flow into the pond.

7) Committing to reducing automobile pollution on campus (see below).

Response O2-21

As demonstrated above in Responses O2-2 through O2-20, the Draft EIR provides appropriate programmatic analysis of environmental conditions associated with 2021 LRDP implementation. The suggested mitigation measures are noted but based on available evidence, inclusion of additional mitigation measures is not considered necessary. Further, CEQA does not require the evaluation of potential improvements to existing conditions and instead requires that a project is responsible for proportionally mitigating its contribution to a physical environmental condition.

Comment O2-22

Two final questions:

* If the University cannot commit to these or similar mitigations, how can it guarantee that the projects described in the LRDP will not have significant adverse impacts on the hydrology, flood patterns, karst, and groundwater quality?

Response O2-22

Please refer to Response O2-21. Further, as part of its consideration of the 2021 LRDP, the UC Regents will also consider and (if the 2021 LRDP is approved) adopt the mitigation measures identified in the EIR and a mitigation monitoring and reporting program (MMRP), as provided in Chapter 3, “Mitigation Monitoring and Reporting Program” of this document. Consistent with CEQA requirements (State CEQA Guidelines Section 15097), the MMRP outlines the process by which and parties who are responsible for the implementation, monitoring, and reporting of the commitments necessary to ensure that the potentially significant impacts of 2021 LRDP implementation are mitigated to less-than-significant levels.

Comment O2-23

* What consequences can the University commit to if it is unable to protect the Kalkar Quarry Pond as well as the downstream waterways, additional ponds, lagoon and ocean?

Response O2-23

As noted previously in Response O2-21, UC Santa Cruz would comply with existing hydrology and water quality regulations related to changes in runoff and water quality conditions such that significant environmental impacts are not anticipated. In the event a violation of the requirements occurs, UC Santa Cruz would be subject to corrective actions as determined by the appropriate regulatory agency (e.g., Regional Water Quality Control Board).

Comment O2-24

Mitigation measure 3.3-2 and 3.16-2: The measures described do not adequately address impacts of cars, and critically, lack substantive consequences for failing to meet targets.

Response O2-24

UC Santa Cruz acknowledges the concerns expressed by the commenter, however the measures, as presented in the Draft EIR and amended through the Final EIR (refer to Chapter 4, “Revisions to the Draft EIR” of this document), include reasonable and feasible solutions for UC Santa Cruz to meet the desired performance standard. Due to the number of available reduction measures, UC Santa Cruz could implement one or more suggestions within each measure and would be expected to adaptively manage their implementation based on timing and availability until the required reduction is achieved. With respect to Mitigation Measure 3.16-2, in particular, this measure presents a feasible approach to mitigating the VMT impact identified, in the form of a travel demand management program, setting of the performance standard, annual monitoring, and development of a corrective action plan in the event that the target is not met. The comment provides anecdotal considerations but provides no evidence to dispute the analysis in the EIR. The Draft EIR analyzes and discloses these impacts appropriately.

Comment O2-25

Additionally, reducing residential VMT per capita, even if successful, would lead to substantially greater total VMT. Increased automobile use has significant negative impacts on the campus, the surrounding neighborhoods, and the community at large.

Response O2-25

UC Santa Cruz acknowledges that while reducing residential VMT per capita, an increase in total VMT would still occur. Nevertheless, the goal related to traffic in California has shifted, under SB 743, to a focus on efficient transportation in new development. The increase in total campus residential VMT is a direct result of adding residents and employees and is unavoidable because the transportation system does not support a completely auto-free lifestyle for all residents. As stated in Section 3.16, “Transportation,” of the Draft EIR under Impact 3.16-2, campus development under the 2021 LRDP would generate lower VMT per resident when compared to the countywide average, which demonstrates that locating UC Santa Cruz students and staff on campus will do more to reduce statewide VMT than locating them off-campus.

Comment O2-26

UCSC should make a stronger commitment to a future prioritizing telecommuting, bikes, electric bikes, and electric vehicles. California’s governor has committed to banning the sale of gas-power vehicles by 2035 (http://relynk.me/phaseout). UCSC’s commitment to do this would address:

1) Mitigation 3.10-2 and 3.10-5 by eliminating or reducing several types of auto pollution from collecting on roads (oil, exhaust, lubricants, brake pad dust). This would reduce pollution in runoff that enters streams, Kalkar Quarry Pond, and other regional water fed by UCSC runoff.

2) Mitigation 3.3-2 by reducing air pollution from autos.

3) Mitigation 3.12-14 by reducing noise pollution on campus and to nearby neighborhoods.

4) Mitigation 3.8-1 by helping reduce the campus’ contribution to climate change.

5) Reduce the pressure to build new access roads and new campus circulation roads.

The TDM described in mitigation 3.16-2 and mitigations in 3.3-2 should address this.

Response O2-26

It is important to note that the implementation of the September 2020 executive order by Governor Newsom related to the sale of zero-emission single-occupant vehicles (SOVs) by 2035 would affect emissions associated with UC Santa Cruz, as faculty, staff, and students would, at some point in the future, have vehicles that comply with this order. Further, requiring such vehicles in advance of state requirements could place additional economic burdens on students to buy generally more expensive vehicles. With the exception of operational roadway noise, UC Santa Cruz acknowledges that the use of electric SOVs would reduce impacts. However, it is not clear that the reductions (if UC Santa Cruz established a similar requirement in terms of timing and implementation) would occur in time to affect impacts associated with 2021 LRDP implementation. The mitigation measures within the EIR, upon adoption, would serve as requirements of UC Santa Cruz and are considered to be consistent with the commenter’s request. In particular, telecommuting and bicycle programs are included in the suite of travel demand management strategies described in Mitigation Measure 3.16-2. As electric bicycle availability and adoption increase, UC Santa Cruz will consider potential measures such as subsidies for e-bike purchase, e-bike share services, or other strategies to encourage use of this travel mode. The role of fewer gasoline/diesel-powered vehicles in GHG reduction is described as part of Mitigation Measure 3.8-1, and compliance with the UC Sustainable Practice Policy would also serve to reduce vehicle emissions ahead of the Governor’s executive order. Additionally, the comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.

Comment O2-27

* Can the LRDP specifically state that where auto infrastructure is built or maintained, there is a requirement to phase out infrastructure for gas cars in favor of EV support?

Response O2-27

The UC Carbon Neutrality Initiative and UC Sustainable Practices Policy set UC-wide goals for carbon neutrality, including a campus fleet mix to include zero emission or hybrid vehicles in new vehicle procurements. The UC Santa Cruz Campus Sustainability Plan furthers these initiatives with campus goals to reduce commuter greenhouse gas emissions, reduce vehicle miles traveled and reduce per capita parking demand. Campus has converted existing parking spaces to electric vehicle charging stations in the Core West Parking Structure and East Remote Parking lot and will continue to convert existing parking spaces to electric vehicle charging stations and develop new electric vehicle charging infrastructure during implementation of the LRDP to meet carbon neutrality and sustainability goals. Additionally, the comment does not pertain to the adequacy of the Draft EIR’s analysis, and no further response is possible.

Comment O2-28

* Can the LRDP encourage EV use over internal combustion engines (ICE) cars by:

a. requiring that a progressively increasing amount of charging infrastructure for EVs and electric bikes shall be installed throughout the campus;

b. specifying that existing auto parking spaces should be converted to EV-charging, at a minimum, to keep pace with statewide EV sales;

c. apportion new parking passes to a progressively higher ratio of EV to ICE cars, phasing out passes for ICE cars entirely by 2035;

d. offering other incentives to EV drivers as possible;

Response O2-28

Please refer to Response O2-27 above. The 2021 LRDP has goals that support a more efficient roadway network to support transit with peripheral parking and mobility hubs, provide infrastructure to optimize trip- and vehicle-miles-travelled and to reduce single-occupant vehicles. As part of the 2021 LRDP, parking supply on campus will continue to be limited for on-campus housing and SOV commuters to encourage carpooling, transit and other non-SOV alternatives. The 2021 LRDP envisions the availability of an electric bike (eBike) fleet for faculty and staff use, and working with partner agencies on a campus/regional bikeshare program. Parking permit eligibility will be considered as a parking management strategy to reduce parking demand. Any new proposed parking structure will require a business-case analysis to document how a capital investment in parking aligns with the campus’ sustainability policies.

As noted in Section 3.8, “Greenhouse Gas Emissions and Climate Change,” the UC Santa Cruz Campus Sustainability Plan has a goal of reducing commute travel mode impacts relative to the 2017 baseline by reducing Scope 3 commuter greenhouse gas emissions 10 percent by 2022; reducing commute VMT five percent by 2022; and reducing per capita parking demand by 10 percent by 2022. UC Santa Cruz will comply with the strategy of increasing electric vehicle (EV) charging infrastructure/programs to achieve a 4.5 percent mix of zero emission vehicles (ZEVs) for personal commute by 2025. Additionally, the comment does not pertain to the adequacy of the Draft EIR’s analysis, and no further response is possible.

Comment O2-29

* Can UCSC encourage more bicycle and electric bike usage by:

a. subsidizing staff purchases of bikes and electric bikes;

b. equipping existing bike racks with electric bike charging stations?

c. offering other incentives to bicyclists as possible?

Response O2-29

UC Santa Cruz’s Transportation and Parking Services provides a bicycle lending library for students. The program offers bike loans along with a safety orientation, maintenance assistance, and general support. Recipients also receive a helmet, lock, and set of lights to borrow. Bikes are loaned on a quarter-by-quarter basis, with eligibility determined through an essay application process.

UC Santa Cruz is currently implementing eBike testing, eBike 101 trainings, a 2-week eBike loan for campus affiliates, and collaborating with other agency partners on a regional bikeshare proposal. UC Santa Cruz will evaluate existing and future bike rack locations for feasibility of electric bicycle charging based on demand for such facilities.

UC Santa Cruz will evaluate expansion of existing TAPS bicycle programs and incentives, such as bicycle shuttles, bike locker rentals operated by BikeLink, indoor bicycle parking rooms, bicycle classes, clinics, fix-it stations, lending library, bicycle commuter shower program at East Field House and a 0 percent interest bicycle loan program up to $1,500. Additionally, the comment does not pertain to the adequacy of the Draft EIR’s analysis, and no further response is possible.

Comment O2-30

* Can UCSC reduce all speeds on campus to a maximum of 25MPH to improve bicyclist and wildlife safety and encourage more bicycle commuting?

Response O2-30

The LRDP Physical Planning Principle of Integrated Transportation includes enhanced walking and biking pathways and limiting vehicular traffic. All new roadways are envisioned as multimodal “complete streets” which would embrace design concepts such as traffic calming to encourage more bicycle use. Automobile access restrictions are proposed to prioritize transit, bicycle and pedestrian access and reduce vehicle/pedestrian conflicts. Reducing speed limits on campus roads will be considered, in addition to other potential traffic calming measures, where feasible and enforceable. This comment does not address the adequacy of the EIR analysis. No further response is necessary.

Comment O2-31

* Can UCSC redesign existing roads using accepted traffic engineering techniques to induce slower driving speeds to help ensure compliance with lower speed limits?

Response O2-31

Please refer to Response O2-30.

Comment O2-32

* Can UCSC join other local agencies and commit to Vision Zero (http://relynk.me/visionzero), in part by committing to include bicycle/pedestrian improvements in all new LRDP projects?

Response O2-32

A commitment to Vision Zero will be evaluated and considered by UC Santa Cruz in collaboration with other regional agencies, and separate from the 2021 LRDP. Further, similar to bicycle and pedestrian considerations noted in Response O2-30, the 2021 LRDP, as shown in Draft EIR Figures 2-8 and 2-9 on pages 2-26 and 2-27, respectively, identify numerous pedestrian and bicycle improvements that would be implemented throughout the LRDP area. This comment does not address the adequacy of the EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O2-33

* Can UCSC continue offering options for students to attend classes remotely when appropriate? Can UCSC commit to a transportation equity policy that emphasizes bicycles, transit, and emission-free vehicles rather than by facilitating ICE vehicles?

Response O2-33

In light of the COVID pandemic and in response to state and county health orders, remote learning and working were implemented to varying levels in 2020 and 2021. UC Santa Cruz will continue to evaluate remote learning opportunities for students as appropriate, but this is not an ideal solution to learning, in general, and in keeping with UC Santa Cruz’s objectives of having the campus function as a place where students can learn from their environment and as a center for public cultural life. With respect to transportation equity, refer to Response O2-28. Further, the comment does not pertain to the adequacy of the EIR analysis. No further response is necessary.

Comment O2-34

* New road capacity and auto parking increases VMT, contrary to the intent of California SB 743 (http://relynk.me/sb743). Can UCSC commit to address transportation issues on campus via methods other than increasing road capacity and parking capacity?

Response O2-34

The 2021 LRDP does not propose to increase existing roadway capacity, however the 2021 LRDP does propose to restrict vehicular access on roadways in the vicinity of the academic core to prioritize transit, bicycle and pedestrian access. All new roadways are envisioned as multimodal “complete streets” which would embrace design concepts such as traffic calming to encourage and promote the use of sustainable transportation modes, such as transit, bicycling and walking. New roadways are intended to improve internal campus circulation for transit and restrict vehicles within the campus core through improvements at the periphery of campus. The Draft EIR appropriately evaluated the potential increases in VMT associated with 2021 LRDP implementation and determined that impacts would be less than significant with mitigation, due in large part to the required Transportation Demand Management (TDM) Program (Mitigation Measure 3.16-2). The LRDP 2021 TDM Program would include parking management, in part by limiting parking supply on campus for on-campus housing and SOV commuters to encourage carpooling, transit and other non-SOV alternatives.

Letter O3 Valley Women’s Club, Environmental Committee for the San Lorenzo Valley

Nancy Macy, Chair  
March 3, 2021

Comment O3-1

The Valley Women’s Club appreciates this opportunity to comment on UCSC’s Long Range Development Plan Draft EIR. Started in 1978, our organization is dedicated to community action, awareness and leadership in environmental, educational, social, and political concerns that affect the health and welfare of the San Lorenzo Valley and our community.

Please find our comments as follows, organized by section.

Response O3-1

The comment is introductory in nature and is noted.

Comment O3-2

***Vegetation Communities***The vegetation communities section 3.5.2 states that the recent “2019 mapping effort was conducted at a coarse scale” and not used because known sensitive natural communities from the 2005 LRDP were not represented, including coastal prairie and northern maritime chaparral. The purpose of the 2019 vegetation mapping project was to produce fine scale vegetation data that would be comparable to that of surrounding counties. The minimum mapping unit is reported to be “a quarter to a half acre” according to a 2020 webcast: https://youtu.be/QQi88BvwyNk

The Conservation Network vegetation layer would be comparable if not finer scale than the 2005 layer shown in figure 3.5-2, and it is more recent. This information should be presented and reviewed to determine the actual vegetation, and address any additional concerns raised therein.

Response O3-2

This comment does not accurately represent the introduction to the Vegetation Communities discussion on page 3.5‑8 of the Draft EIR. The 2019 mapping from the Conservation Lands Network project was used to generate vegetation community mapping in the LRDP area. This recent mapping was amended with known mapping of sensitive natural communities (i.e., coastal prairie, northern maritime chaparral) from the 2005 LRDP; mapping which was confirmed as still accurate by x biologists at UC Santa Cruz as well as the project consultant team. Adequate vegetation mapping and data was used to determine impacts at a programmatic level per CEQA.

Comment O3-3

In tables 3.5-2 & 3 it is stated repeatedly that many sensitive sandhills species are not expected to occur because the LRDP area “does not contain” Zayante soil habitat or sandhills habitat. However, according to the Santa Cruz County GISWeb, potential sandhills habitat is located within the LRDP area in much of the same area that is identified as Northern Maritime Chaparral. Additionally, there are no soils reports shown for that area: See attached map from the County GIS application.

The project area is also in close proximity to Zayante band-winged grasshopper critical habitat (Figure 3.5-4). Further, under Sensitive Natural Communities on page 3.5-31 the document states “It is assumed that other sensitive natural communities may occur in the LRDP area based on the vegetation communities known to occur in the LRDP area, including the Northern Maritime Chaparral.”

More detailed vegetation community and soil surveys are necessary to support the conclusion that “the LRDP area does not contain Zayante soil habitat” and “the LRDP area does not contain *sandhills* habitat,” and how to respond if there are *sandhills* issues of concern.

Response O3-3

The output from the Santa Cruz County GISWeb application, which does show sandhills habitat in the LRDP area, is not consistent with multiple sources, including those used in preparation of the Draft EIR (e.g., the U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey [<https://websoilsurvey.sc.egov.usda.gov>] and the County of Santa Cruz Information Services Department [<http://purl/stanford.edu/bf413wv4722>]). In addition, and specific to soils within the LRDP area, Section 3.7, “Geology and Soils,” of the Draft EIR does not identify sandhills or Zayante soils in the LRDP area. As a result, UC Santa Cruz considered the information cited by the commenter, but due to the degree of evidence/information that did not identify such habitat, it was not included as part of the EIR’s analysis.

Comment O3-4

***Special Status Species***The LRDP zone includes habitat and terrain for 66 special-status wildlife species and 64 special-status plant species, many holding statuses CRPR 1B (Endangered in CA) and known to occur in the development zone.

The LRDP DEIR mitigation measures proposed, regarding mountain lion dens and other carnivores, are inadequate to address potential impacts of construction. They include only a time-limited survey for occupied or potential dens in the specified area within 30 days of commencement of project activities. “If the den is determined to be unoccupied by any carnivore species...no further mitigation will be required.” (ES-36)

However, in 2020 Santa Cruz County suffered the most severe wildfires in its history, directly affecting the forested lands adjoining and surrounding the UCSC campus, including Bonny Doon and the San Lorenzo Valley, and displacing many animal species, resulting in more frequent incursions into the wildland/urban interface areas by animals whose normal patterns of migration, denning, hunting and young-bearing and raising have been substantially disrupted by habitat loss. None of this is accounted for by the DEIR. In 2017, UCSC Professor Chris Wilmers, who runs the Santa Cruz Puma Project, estimated the total mountain lion population of the Santa Cruz Mountains to be 50-60, each requiring a territory of approximately 50-100 square miles. When mountain lions are displaced from their territories they come into competition with each other and humans for resources, increasing population stress and malnourishment, as well as affecting the animals’ ability to successfully reproduce. The DEIR sections dealing with wildlife were drawn up prior to the wildfire season of 2020 and should not be used as reliable guides. They fail to address harm to wildlife and offer mitigations BEFORE such harm occurs. By the time damage to species is observed, it is often too late to ameliorate or correct it. This must be addressed.

Response O3-4

In general, and consistent with State CEQA Guidelines Section 15125, baseline conditions are normally interpreted to be and are expressed in the Draft EIR as the physical environmental conditions as they exist at the time the NOP is published. To provide additional context regarding the 2020 California Department of Forestry and Fire Protection, San Mateo–Santa Cruz Unit (CZU) Lighting Complex fire, Section 4.3.5, “Biological Resources” on pages 4-24 and 4-25 of the Draft EIR has been edited as shown in Chapter 4, “Revisions to the Draft EIR” of this volume. Also see Master Response 4 related to the assessment of wildfire risk provided in the Draft EIR. The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the UC Regents for certification.

As a program-level analysis, the Draft EIR requires all projects under the 2021 LRDP to undergo project-level review, which would include updated data review and project-level biological reconnaissance surveys for sensitive species and habitats, as described in Mitigation Measure 3.5-1a on page 3.5-39 of the Draft EIR. During this review, the full context, including potential impacts resulting from wildfire, would be considered for future projects under the 2021 LRDP. The comment also states that Mitigation Measure 3.5-2k on page 3.5-61 of the Draft EIR is inadequate but does not specifically identify why it is inadequate. In addition, Mitigation Measure 3.5-2k is required to be implemented prior to disturbance of habitat and mountain lions (individuals and dens) through reconnaissance and other preconstruction surveys and implementation of avoidance measures, as necessary. Further response is not required.

Comment O3-5

Other animals affected by the campus expansion include coyotes, gray foxes, bobcats, bats (including Townsend’s bat, western red bats and pallid bats), ringtails, San Francisco dusky-footed woodrats, invertebrates such as the Ohlone tiger beetle (critically imperiled) and amphibians like the California red-legged frog (a federally listed threatened species), deer, and other vital prey animals. UCSC campus also contains the San Francisco Campion, Point Reyes Horkelia, Santa Cruz Manzanita, San Francisco Popcorn Flower and Marsh Microseris, among many others, all listed as State Endangered and all known to occur in the LRDP area. What has made UCSC one of the most important of the UC campuses, for the study of natural sciences, is exactly this abundance of wildlife in a vibrant ecosystem accessible for observation and study. By so extensively altering the natural landscape of its campus the University runs the risk of damaging the very programs which have made it so attractive to students, and so important to preserve.

Response O3-5

This comment does not address the adequacy of the Draft EIR, and further response is not required. However, the Draft EIR’s assessment of potential disturbance of sensitive biological resources, including special status wildlife, is included within Section 3.5, “Biological Resources.” The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O3-6

Karst formations under the campus can, and have created sinkholes when too much or too little water is flowing through them. Will each of the proposed buildings need to have 300 feet of foundational pillars? These karst formations under the campus are also highly susceptible to earthquakes. It is troubling to imagine that so many students and faculty are currently, or in the future, may be sleeping in structures that could be swallowed in the night by a giant sinkhole. This cannot be ignored and should limit construction.

Response O3-6

The issues raised in this comment have been adequately addressed in Section 3.7, “Geology and Soils” of the Draft EIR (e.g., Impact 3.7-5: Increase the Risk of Exposure of People or Buildings to Unstable Conditions Due to Karst Topography, Including Subsidence or Collapse, which begins on page 3.7-27 of the Draft EIR). As noted in Impact 3.7‑5, all structures constructed or redeveloped would be required to comply with the California Building Code (CBC), UC Seismic Safety Policy, and UC Santa Cruz Campus Standards Handbook, which require site-specific geotechnical studies and soil engineering reports to address potential karst hazard risks. Because project-specific design requirements and conditions of approval would be incorporated for all development pursuant to the 2021 LRDP, the potential for structural damage due to karst topography would be less than significant. Further, as provided on page 3.7-28, consistency with CBC requirements and taking into account location-specific information provided by geology studies conducted (and to be conducted for individual projects under the 2021 LRDP) by UC Santa Cruz (e.g., UC Santa Cruz Campus Geology Report [UC Santa Cruz 2005]) would require full consideration of potential hazards from dolines, including the potential for collapse of cavern roofs, settlement of doline fill or low density soil zones on top of the marble, and failure or sliding of materials adjacent to the cavities. Foundations adjacent to the solution chambers, and not just those overlying the voids or chambers, are therefore potentially at risk and will be evaluated in the site-specific geotechnical studies and soil engineering reports.

It is unlikely that "each of the proposed buildings need to have 300 feet of foundational pillars" primarily based upon past development over dolines within the LRDP area. It is also impossible to specifically respond to the comment regarding depths of piers for any given building since the site-specific studies that come later have not been completed. The approach of completing site specific studies for specific buildings is typical in regions where geological hazards are ubiquitous. Proposed development in known karst hazard areas has followed the standard protocol of characterizing the geological hazard and attendant risks to the proposed development and then reducing the risk to an acceptable level where warranted with typical engineering solutions (i.e. spread footings with grade beams to span low-density zones, structural mats and post-tensioned slabs, pier and grade beam foundations with either end-bearing or side-wall friction for support, driven piles, geotextile-reinforced compacted fill, pressure or compaction grouting of underlying sediments combined with the aforementioned footings, and deep dynamic compaction).

Site-specific geological, geotechnical engineering and sometimes geophysical investigations are performed in areas where the habitable structures might be underlain by dolines that could present a hazard to the structure. The engineering properties of the underlying soil that are contained in a doline are evaluated by the geotechnical engineer and the team comprised of the geologist, geotechnical engineer and structural engineer look at the strength of the soil and loading created by the building to calculate the settlement and potential ground displacements that could occur under the building. Foundation and/or ground improvements are considered where warranted to mitigate the risk and bring it to an acceptable level.

Comment O3-7

Right now city rental costs are almost unbearable, how can campus employment live nearby? The LRDP commits to housing 100% of new students, and only new students, and to housing 25% of the increase in faculty and staff. It currently costs $1330 per month for students to use available on-campus housing--nearly $4000 per month for a 3-bedroom shared apartment--which is driving many to seek cheaper housing off-campus, including in the San Lorenzo Valley, further impacting an already inadequate local housing market. Additionally, the loss of 925 Bonny Doon and San Lorenzo Valley (SLV) residences in the 2020 CZU fire has exacerbated the situation, forcing previously housed SLV residents into the rental market or into houselessness. How will the University ensure not just housing, but affordable on-campus housing for its students, faculty and staff, to reduce the impacts on housing in surrounding communities?

Response O3-7

Section 3.13, “Population and Housing,” of the Draft EIR includes an evaluation of potential housing opportunities (with and without the 2021 LRDP) and reflects conditions as a result of the 2020 wildfires. Refer to Master Response 2, specifically the discussion under “Housing Affordability and Other Socioeconomic Conditions” subsection regarding the consideration of housing affordability for students. The comment does not pertain to the adequacy of the EIR analysis, and further response is not necessary.

Comment O3-8

Right now, traffic rates an “F” around the campus. The LRDP proposes creating a “mobility hub” around its Westside Research Park facility, including bus and shuttle routes, but it does not specify any mitigation for the increased traffic along feeder roads to the hub such as Mission Drive, Swift St., Delaware Ave., and Natural Bridges Drive.

Response O3-8

As noted in Master Response 6 on transportation, level of service (LOS) is no longer considered the appropriate metric for evaluating transportation impacts under CEQA but has been replaced by VMT as the appropriate metric for transportation analyses. Refer to Section 3.16, “Transportation” for an evaluation of transportation, specifically Impact 3.16-2 on pages 3.16-33 through 3.16-38 of the Draft EIR for evaluation of VMT. As a result, the EIR’s lack of traffic/LOS analysis is considered adequate, appropriate, and in accordance with CEQA requirements.

Comment O3-9

The LRDP also fails to include any increase in the grossly inadequate number of carpool parking spaces set aside for students and employees. It is currently listed at 50 spaces out of a total of 5,800 spaces on the main campus. The DEIR recognizes the importance of parking policies to reduce SOV auto use and VMT, but it does not specify the number of additional parking spaces required to serve a larger campus.

Response O3-9

As noted in Response O2-2, the EIR’s analysis is programmatic in nature. The level of parking to be provided under the 2021 LRDP will be dependent on the type, function, and level of development considered for individual projects, which will be subsequently evaluated (at a project-specific level) within the context of CEQA (as noted in Master Response 10). Additionally, parking or the lack thereof, in and of itself, is not considered an environmental impact subject to CEQA.

Comment O3-10

The failure of the University to supply sufficient on-campus housing also worsens the transportation issue, as it forces students to become commuters, adding more traffic to the area surrounding campus. This is untenable.

Response O3-10

UC Santa Cruz acknowledges the commenter’s opinion. Please refer to Section 3.16, “Transportation,” where the Draft EIR appropriately evaluated the potential increases in VMT associated with 2021 LRDP implementation and determined that impacts would be less than significant with mitigation, due in large part to the required TDM Program (Mitigation Measure 3.16-2). Mitigation Measure 3.16-2 includes mechanisms for periodic monitoring of the campus generated VMT and incorporation of additional TDM measures if the campus VMT average exceeds those thresholds. The comment does not provide any additional information regarding the inadequacy of the Draft EIR impact analysis or the mitigation measure. As the comment does not address the content of the analysis and no further response is possible. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O3-11

***Wastewater***It is difficult to see how implementation of the LRDP would not exceed the available capacity of existing wastewater infrastructure or require the construction or expansion of treatment facilities or conveyance systems. Like the energy and fresh water networks, climate change is already exposing the potential shortcomings of our existing infrastructure. Long term droughts and intense storms such as the atmospheric rivers already threaten the capacity of the existing sewer system, without increased demand. This must be addressed.

Response O3-11

Section 3.17, “Utilities and Service Systems,” specifically Impact 3.17-3 on pages 3.17-36 and 3.17-37, evaluates the potential need for additional facilities/infrastructure beyond that included as part of the 2021 LRDP (e.g., pipeline extensions, connections, etc.) and determines that impacts would be less than significant based on available information related to the current capacity and flows of existing infrastructure. Impacts were determined to be less than significant without mitigation. The comment does not address the content of the analysis and no further response is possible.

Comment O3-12

***Water Supply***The DEIR correctly states that implementation of the LRDP will result in significant, unavoidable impacts. The county is going to run out of water. Currently the county is at less than 50% of normal precipitation for the year, with surrounding population gains, the aquifers continue to be depleted. The damage to surface water sources due to the CZU Wildfire will impact water supply for years, exacerbating limited water supply, becoming impossible to meet demand. This must be addressed.

Response O3-12

UC Santa Cruz acknowledges the commenter’s opinion regarding county water supplies, which are not inconsistent with the conclusions of the Draft EIR. No further response is possible.

Comment O3-13

***Impacts to Karst Aquifer***This impact is identified as POTENTIALLY SIGNIFICANT, which should be of concern to all county residents, already dealing with severe water supply issues: “...lowering of aquifer water levels as a result of reduction in recharge due to increased impervious surfaces.” (Impact 3.10-5, ES-59) The expansion requires millions of square feet of new paving on campus, as well as expanding from 2 million square ft. of buildings to 5 million; this will affect water runoff, percolation and aquifer recharge enough to be listed as a potentially significant impact. The city of Santa Cruz supplies UCSC with water as a condition of the 1965 charter agreement, but the city itself relies on the surrounding river and watershed systems. The Santa Margarita Groundwater Basin underlies 30 square miles of the Santa Cruz Mountains and on top of it is the San Lorenzo River watershed, which supplies 59% of the city’s water. The SMGB has lost an estimated 28,000 acre feet in groundwater storage, resulting in diminished local water supply and reduced sustaining base flows to streams supporting fishery habitats. Although pumping from the SMGB has been reduced by 45% since 1997 and supply and demand have been in balance for the last 10 years, the addition of new residents in the county poses a significant draw on resources, and we are facing current and long-term water deficits due to drought, wildfire, and climate change. The Santa Margarita Groundwater Agency (SMGWA), a joint powers authority comprised of the SVWD, the SLVWD, the County of Santa Cruz, and well-owners, was formed in 2017 to protect and sustain the over-drafted groundwater basin by the development of a Groundwater Sustainability Plan, as required by State law. The GSP must be completed by 2022, and the basin must reach sustainability by 2042. How can the University mitigate the long-term strain on water resources placed on the county of Santa Cruz by its growth from 18,518 current students to 28,000 by 2040, as well as an additional 2200 faculty and staff from its current 2800, for a potential total of 33,000?

Response O3-13

As stated on page 3.17-24, the demand for water supplies would be less than the projected demand from UC Santa Cruz that is already accounted for in the City’s 2015 Urban Water Management Plan (UWMP). In regard to groundwater and as noted on page 3.10-18 of the Draft EIR, the LRDP area is not located within the boundaries of the Santa Margarita Groundwater Basin (SMGB), and as such, the procedures for strategic groundwater management and conditions associated with the basin are not considered directly applicable to the Draft EIR’s evaluation provided in Impact 3.10-5. As noted in Impact 3.10-5 of the Draft EIR (beginning on page 3.10-33), mitigation measures are identified to reduce the potential for groundwater quality impacts associated with pressure grouting and to ensure that, if groundwater pumping within the lower campus subarea is considered, UC Santa Cruz does not extract groundwater supplies beyond sustainable levels. Further, as noted in Response L9-16, the evaluation of potential water rights issues would be conducted if future development would necessitate development of a groundwater pumping system. The mitigation, as provided in the Draft EIR, would provide for the long-term protection and availability (to the extent it is within UC Santa Cruz’s control) of water supplies within the groundwater aquifer within the lower campus.

Comment O3-14

Findings of previous UCSC LRDPs

Finally, we would like to underline the City of Santa Cruz’s findings regarding campus growth resulting from 1988 and 2005 LRDPs as memorialized in the Santa Cruz Municipal Code:

**16.22.030 FINDINGS.**It is hereby found and determined as follows:

1. Importance of UCSC. UCSC is a vital part of the Santa Cruz community and provides substantial economic, social, cultural, and intellectual benefits to the community at large.

2. Growth Under 1988 Long Range Development Plan (LRDP) Has Been Excessive. The 1988 LRDP provided for an enrollment increase of four thousand five hundred students, and this increase has caused massive problems for the community, particularly in the areas of traffic congestion, housing costs, and neighborhood livability.

3. 1988 LRDP Housing Mitigation Not Carried Out. The 1988 LRDP contained goals to the effect that the university would house seventy percent of the undergraduate student body, fifty percent of the graduate students, twenty-five percent of the faculty, and twenty-five percent of the staff newly attracted to Santa Cruz. However, the university in 2003-2004 provided housing for less than fifty percent of the undergraduates, about fifteen percent of the graduate students, and approximately twenty-four percent of the faculty and eighteen percent of staff recruited from outside the county of Santa Cruz.

4. Housing Crisis Has Intensified. Housing prices in Santa Cruz are among the highest in the nation. While only one of many factors, university growth and the failure of the university to implement the housing goals in the 1988 LRDP contribute to this crisis.

5. 2005 LRDP Proposes Significant UCSC Growth. According to the Environmental Impact Report (EIR) for the university’s 2020 LRDP, the LRDP provides for a four thousand five hundred student increase, for a total student population of nineteen thousand five hundred. Faculty and staff would increase by one thousand three hundred forty over the number of employees in 2003-2004. In total, the increase by 2020 of the campus population would be five thousand six hundred ninety people, bringing the total campus population to twenty-five thousand three hundred twenty-five, almost half of the city’s current population.

6. Numerous Significant Unavoidable Impacts from UCSC Growth. According to the 2005 LRDP EIR, UCSC growth would result in ten significant, unavoidable environmental impacts despite the measures included to reduce those impacts, including impacts in the areas of air quality, cultural resources, hydrology and water quality, and noise.

7. Traffic Impacts of Proposed UCSC Growth. The 2005 LRDP EIR traffic analysis findings included the fact that “campus growth under the 2005 LRDP would cause unacceptable levels of service at ten off-campus intersections” and these cumulative impacts were significant and unavoidable.

8. Housing Impacts of Proposed UCSC Growth. The 2005 LRDP EIR found that “development under the 2005 LRDP would directly induce substantial population growth in the study area by accommodating increased enrollment and additional employment” and that this impact was significant and unavoidable.

9. Public Service and Safety Limitations. The proposed university growth, by increasing demand for public services without providing compensating revenues, will severely tax the city’s ability to provide adequate police and fire services as well as other necessary public services such as road maintenance, parks, and child care.

10. UCSC Growth Threatens Community Quality of Life. The proposed UCSC growth, by seriously increasing traffic and parking congestion, deepening the housing crisis, placing pressure on city services, and making it increasingly difficult for families and workers to live in the city, will cause the quality of life throughout the city to significantly decline.

11. UCSC Housing Commitment Inadequate. According to the proposed LRDP’s EIR, the university intends to provide housing for about fifty percent of its undergraduates, twenty-five percent of its graduate students, twenty-five percent of its faculty, and three percent of its staff. This represents a significant reduction in the student housing goals contained in the 1988 LRDP and will worsen the housing crisis in the city of Santa Cruz. Moreover, since student housing is unsubsidized and the university has added a number of administrative costs to the housing fees, the on-campus housing costs are unaffordable to many students, resulting in greater student demand for housing in the community, thereby causing an inflationary effect on community rent levels.

12. Limited Water Supply. In normal rain years, the city has a limited supply of water available to serve future growth. The 2005 LRDP EIR found that, as a result of the proposed enrollment growth, in conjunction with other anticipated city growth, the city’s remaining supply would be inadequate and it would need to expand its water supply capacity even during normal rain years. In drought years the current water supply serving the city is inadequate to meet existing demand.

13. Emergency Access. The streets leading to the university are so congested that lack of access during emergencies constitutes a public danger. Proposed university growth will significantly worsen this danger.

14. Federal and State Environmental Protection Laws. Past university growth has resulted in potential violations of the Endangered Species Act and the Clean Water Act. Proposed growth will result in additional threats, both on and off campus, to habitats of rare and endangered species and Clean Water Act discharge requirements.  
(Ord. 2008-19 § 1 (part), 2008).

Response O3-14

The comment cites historic positions adopted by the City with respect to UC Santa Cruz, as codified within the City’s Municipal Code. This comment does not address the adequacy of the EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O3-15

In closing, we would ask you to consider, “What will the City’s future findings be? And how do you respond to these crucial findings.

Again, thank you for your time and the opportunity to offer comment on the UCSC LRDP DEIR.

Response O3-15

The comment provides a closing statement related to the City’s potential position in light of its historic position on UC Santa Cruz growth. This comment does not address the adequacy of the EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Letter O4 Campaign for Sustainable Transportation

Rick Longinotti, Co-chair  
March 4, 2021

Comment O4-1

I notice that our document submitted during the scoping period did not get included in Appendix B of the Draft EIR. I have included it here in addition to our comments on the Draft EIR for the 2021 LRDP.

Could you please reply that you have received this email?

Response O4-1

UC Santa Cruz apologizes for the oversight in omitting the email attachment/memo, dated December 3, 2019, which was provided by the commenter on February 28, 2020. While the attachment was not included as part of Appendix B of the Draft EIR, the suggestions related to trip reduction were considered and are reflected, where appropriate, in Mitigation Measure 3.16-2, beginning on page 3.16-35 of the Draft EIR. This response serves as confirmation that the commenter’s Draft EIR comment was received.

Comment O4-2

The Campaign for Sustainable Transportation, organized in 2002, advocates for policies that reduce auto dependency in order to improve the sustainability and social equity of our community. The 2021 Long Range Development Plan would allow growth in student enrollment and number of employees that would result in significant increases in auto travel. Accordingly, our organization is concerned that the Draft EIR does not accurately analyze a reasonable range of alternatives to the LRDP that would result in lower environmental impact. We advocate that the EIR formulate legally binding mitigations of significant impacts such that enrollment growth envisioned by the LRDP is contingent on fulfillment of those mitigations. We propose that UCSC fulfill prior commitments to provide adequate classroom space and infrastructure for the current level of students as a condition for increasing enrollment.

Response O4-2

Contrary to statements in this comment and as provided in more specific comments and responses below, the Draft EIR provides a reasonable range of alternatives, consistent with CEQA requirements. The comment also does not provide any substantial evidence or specific comments to substantiate the opinion that the EIR does not analyze a reasonable range of alternatives, nor does the commenter propose any additional alternatives.

Furthermore, the mitigation measures, as presented in the Draft EIR, would become legally binding requirements upon adoption of a mitigation monitoring and reporting program for the 2021 LRDP, consistent with the commenter’s request. The commenter’s statement regarding the level of classroom space and infrastructure at UC Santa Cruz is noted but is not considered to address the adequacy of the Draft EIR’s analysis. No further response is necessary.

Comment O4-3

P&H 1. **The Draft EIR’s analysis of housing demand impact should account for the economic multiplier effect**

According to the *Systemwide Economic and Social Impact Analysis* (2021) commissioned by the University of California, “every one job directly supported by General Campuses supports an additional 0.5 indirect and induced jobs”. The EIR needs to analyze the effect on the housing market of the job-generating impact of adding new staff and students at UCSC.

Response O4-3

The evaluation of the potential induced growth that may occur as a result of 2021 LRDP implementation is already provided in the Draft EIR within Chapter 5, “Other CEQA Sections.” More specifically, the comment is referred to Section 5.3, “Growth-Inducing Impacts,” beginning on page 5-3, which takes into consideration the potential for implementation of the 2021 LRDP to foster growth within the surrounding areas. No further analysis or response is warranted.

Comment O4-4

P&H 2. **The Draft EIR’s analysis of displacement is inadequate**

The Draft EIR acknowledges “the project would result in a potentially significant impact on population and housing if it would…displace substantial numbers of people.” However, the Draft EIR denies that displacement will occur as a result of implementing the LRDP and does not further evaluate displacement:

“No housing would be permanently removed through implementation of the 2021 LRDP, nor would there be any actions that would displace substantial numbers of existing people.”

The Draft EIR’s narrow definition of displacement (removing housing) misses the substantial displacement of economically stressed households that will occur with the increased housing demand due to increased population of students, staff and job-holders in induced jobs. The US Dept. of Housing and Urban Development explains, “Displacement can happen in many ways:

direct displacement, in which residents are forced to move out because of rent increases, building rehabilitation, or a combination of both…”1

CEQA case law maintains that the statutory goals of the EIR process are thwarted when the failure to include relevant information precludes informed decision-making and informed public participation. The EIR needs to present adequate information on the housing crisis in the Santa Cruz area. The following claim in the Draft EIR suggests that adequate analysis of the housing crisis in Santa Cruz has not been conducted:

“Existing data on vacancy rates, as well as planned development nearby, suggest that housing is generally available or planned to be available within the county and city of Santa Cruz to accommodate the additional students, faculty/staff, and non-UC employees for whom on campus housing would not be accommodated.”

The Draft EIR does not describe the vacancy rates or provide references. Nor does it analyze factors that might influence vacancy rates other than housing supply.

The EIR needs to more thoroughly analyze *the impact of additional demand from UCSC population growth on existing residents as well as new residents*. The following are some resources to begin to analyze that question.

* *According to the Out of Reach Report* (2019) 2, Santa Cruz is the least affordable small city in the US.
* According to reports from Apartment List over the last seven years, an average 60% of renter households in Santa Cruz County are cost-burdened (spending over 30% of household income on housing).
* No Place Like Home, a research project of UCSC Professors Miriam Greenberg and Steve McKay, indicates that the rent burden is even worse for households in proximity to UCSC: 73% for the Westside; 68% for Downtown; and 76% for Beach Flats/Lower Ocean.
* State legislation capping rent increases of 5% plus inflation will not prevent displacement. In the four years ending in December 2020, the consumer price index for the San Francisco Bay Area has risen on average between 2%-3%. At a 7% annual increase, the rent of a unit will double in ten years. Few households will experience a doubling of income. Some households will decide to relocate out of the area. Other households will double up in overcrowded units. HUD reports, “Overcrowding is associated with a range of negative outcomes, including for physical and mental health; personal safety and well-being; and childhood growth, development and education.”
* For years many UCSC students have coped with unaffordable housing by living in their cars or camping in the woods. Students from low-income households are especially stressed in trying to meet the cost of housing on campus and off campus. The EIR needs to analyze the affordability of on campus housing for low-income students.
* Chapple, et al, Developing a New Methodology for Analyzing Potential Displacement

In summary, the EIR needs to analyze the extent to which area housing is unaffordable to large sectors of the community, including UCSC students, and how increased demand resulting from the 2021 LRDP may affect the housing market.

1 HUD, *Displacement of Lower-Income Families in Urban Areas Report* (2018)

2 National Low Income Housing Coalition, *Out of Reach Report* (2019)

Response O4-4

The 2021 LRDP does not prescribe rent increases or building re-habilitation within the City of Santa Cruz or surrounding communities. The 2021 LRDP does provide for on-campus housing for the net increase in anticipated student enrollment above 19,500 and 25 percent of the projected increase in employment. As a result, the Draft EIR properly evaluates the potential for the remaining increase in employment under the 2021 LRDP and some student enrollment to seek housing outside of the LRDP area. The attempt at connecting this increase to potential increases in rent, however, does not consider the already low vacancy rate in the local area and provides no evidence to support the assertion that increases in rent would occur as a result of the LRDP. Santa Cruz is an attractive community, and its rental and housing prices are affected by a variety of factors, including proximity to a highly paid workforce. As stated by the US Department of Housing and Urban Development:

A growing number of high-income households have moved into the HMA since 2010; 15 percent of all households had incomes of $200,000 or greater in 2017, up from an inflation-adjusted 10 percent in 2010 (2010 and 2017 ACS, 1-year estimates and estimates by the analyst). A significant proportion of those new high-income households is from the neighboring San Jose-Sunnyvale-Santa Clara metropolitan area, where the median income in 2017 was 49 percent higher, and home prices are significantly higher, than in the Santa Cruz HMA. Net immigration from San Jose increased 27 percent between the 2010-to-2014 and 2012- to-2016 periods. (U.S. Department of Housing and Urban Development 2019.)

Additionally, the assertion that the Draft EIR does not present current vacancy rates is not correct. As shown in Table 3.13-3 of the Draft EIR, publicly available data from the California Department of Finance was used to characterize vacancy rates in the area. Furthermore, the Draft EIR acknowledges on page 3.13-5 that vacancy rates could reflect second-home ownership and other factors, such as some housing in disrepair, contrary to the assertions made in this comment.

For further general discussion of the issue of housing affordability within the context of CEQA, refer to Master Response 2, specifically the discussion under “Housing Affordability and Other Socioeconomic Considerations” subsection regarding the consideration of housing affordability for students.

Comment O4-5

P&H 3. **The EIR Needs to Formulate an Enforceable Mitigation for the LRDP’s Impact on Housing Demand**

The Draft EIR concludes that:

“The total on-campus population increase accommodated by the 2021 LRDP may directly or indirectly induce substantial housing demand in the region. This impact would be significant.”

However, the Draft EIR fails to propose a mitigation of this significant impact:

“No feasible mitigation measures are available to reduce the anticipated impact…. Lesser development and/or lesser enrollment could reduce the potential impacts associated with population growth but would not achieve the anticipated necessary level of development consistent with UC and UC Santa Cruz policy direction.”

In formulating a mitigation for the impact of housing demand, the EIR should take into account the principles developed by the Community Advisory Group that the University convened to meet with the Chancellor and take input into development of the LRDP. The first principle (published in the Draft 2021 LRDP) called for “a binding commitment to housing 100 percent of net new on-campus student enrollment.” While the LRDP articulates a goal of housing 100 percent of new students, the LRDP makes no legally binding commitment to meet the goal. Nor is there a mitigation in the Draft EIR that would bind the University to the goal. Without mitigations requiring the University to provide the housing that is proposed or tying enrollment growth to the provision of housing, the analysis of the impacts and mitigation measures proposed are inadequate under CEQA.

Similarly, the LRDP intends to “increase on-campus housing opportunities for faculty and staff at the main residential campus and the Westside Research Park, to allow up to 25 percent of the increase in faculty and staff, based on demand, to be housed on campus.” That is not a binding commitment to provide the housing, only a vague goal to “allow up to” 25 percent of new staff to be housed. The goal is further weakened by the contingency, “based on demand”.

The Draft EIR is deficient because it solely analyzes environmental impacts as if the goals for housing students and staff will be met. The assumption of meeting housing goals cannot be substantiated by the terms of the LRDP or any mitigation in the Draft EIR. Nor does the history of performance on past LRDP goals suggest that the housing goals of the 2021 LRDP will be met. The 1988 LRDP set a goal of housing 70% of undergraduate students, 50% of graduate students, and 25% of faculty and staff. Actual performance never approached that goal. For decades, the actual percentage of students housed on campus has hovered around 50%. According to the Draft EIR, there are currently enough beds on campus to house 50% of the student population (9283 student beds; 18,518 student population (2018-19 baseline). There are 270 on-campus housing units for a faculty and staff population of 2800.

There are formidable structural obstacles to meeting the goal of housing 100% of new students and 25% of new staff. The principle obstacle is the cost of housing on campus. With a dorm room shared by three students costing above $4000/month (over $1333/mo. per student), students are motivated to find cheaper (but still expensive) housing off campus.

The DEIR does not describe how providing housing that would be more affordable to students can be accomplished. To the contrary, it fails to include or analyze extensive existing data and information from both the Campus Community Rentals Office and the April 2018 Student Housing Demand Report associated with the proposed Student Housing West Project (SHW) that demonstrate just the opposite: that the University’s student housing is not affordable to a large sector of students or competitive with off campus housing.

According to the Campus Community Rentals Office data, average student rental rates are between $500-$1,000 per month (as of 2017), less than half of campus rates. On February 7, 2020, during the last pre-pandemic academic quarter, City On A Hill Press reported that according to the University’s Associate Director of Colleges, Housing and Educational Services, there were 711 vacant beds on campus, while at the same time there were over 9,000 students living off campus. Proposed rents for SHW units show an increasing disparity between campus and off campus rates. For examples: 2 Bedroom/1 Bath unit with four students, no kitchen,

$5,580/month; 2 Bedroom/2 Baths, four students, small kitchenette, $5,880/month; 5 Bedroom/2 Bath, 6 students, $10,020/month. Without including or analyzing this essential data, the DEIR fails to accurately describe or analyze housing demand and impacts.

Without a credible plan to provide affordable housing, it can be assumed that meeting the housing goal is infeasible. In the absence of an enforceable means of achieving housing targets, the EIR would need to analyze the impacts of the more likely scenario in which the housing goals of the LRDP are not met. However, since it is feasible to mitigate the housing impacts of expansion by limiting enrollment growth, we propose the following mitigation:

*Each incremental step in campus enrollment growth shall be contingent on UCSC actually housing 100% of new students and 25% of new faculty and staff.*

Response O4-5

UC Santa Cruz acknowledges and shares the commenters concerns about the availability of housing, including affordable housing, for residents of Santa Cruz, including students, faculty, and staff. This is why the 2021 LRDP proposes housing for 100% of all new students above 19,500 and up to 25% of new faculty, staff, and employees. The 2021 LRDP, as proposed for consideration by the UC Regents, is a land use plan that is intended to guide campus development over the next 20 years to meet the needs and goals of UC Santa Cruz and the University of California as a whole. One of those goals is to provide housing to 100 percent of new students; accordingly, the project has been designed to provide that housing. The EIR analyzes the impacts of the project, considering the “whole of the action,” which includes development of the proposed housing totals. The EIR analyzes and discloses the reasonably foreseeable environmental impacts of the LRDP based on reasonable, data-based assumptions at a program level, much like a City or County would as part of its consideration of a General Plan. Moreover, the assumption that housing would be provided as proposed is reasonable based on evidence. As noted in Master Response 2, UC Santa Cruz has met or exceeded its housing commitments under the 2005 LRDP CSA year over year.

However, specific development and its sequencing under the 2021 LRDP would be determined over the next 20 years based on the needs of the campus and the UC Santa Cruz community and the availability of funding to support particular endeavors. This inhibits linking housing and enrollment in lockstep with each other. For one, housing cannot be provided on a scale of individual beds or even dozens of beds. In fact, each housing project on campus provides hundreds of beds, whereas enrollment changes gradually and fluctuates over time. Therefore, it is infeasible to “tie” enrollment to housing production, simply from the perspective of timing. Nevertheless, this does not alter the project or its intended outcome: provide housing for 100 percent of students above 19,500 and for 25 percent of new employees. Accordingly and consistent with the requirement of CEQA applicable to a Program EIR, this EIR evaluates the environmental impacts of the project in its entirety as it will be presented to the UC Regents.

Each individual project proposed under the 2021 LRDP would be subject to CEQA and would undergo additional environmental review. At that time, the specific project would be analyzed in the context of the physical environmental conditions existing at that time as well as other campus projects under consideration. If the assumptions and conclusions in the 2021 LRDP EIR do not adequately address the environmental impacts of the specific project, additional analysis and mitigation may be required, consistent with CEQA requirements (refer to CEQA Guidelines Section 15168(c)). Accordingly, project-specific environmental review and documentation is the best tool to ensure that the conclusions in this EIR are sound and would provide opportunities to further mitigate impacts with regard to housing, if necessary.

With respect to affordable housing, refer to Master Response 2, specifically the discussion under “Housing Affordability and Other Socioeconomic Considerations” subsection regarding the consideration of housing affordability for students. With respect to phasing of the 2021 LRDP, refer to Master Response 9. Regarding mitigation that limits enrollment growth, as explained in the discussion above and under Impact 3.13-1, on pages 3.13-3 and 3.13-4, of the Draft EIR, lesser development and/or lesser enrollment is not feasible mitigation for potential impacts associated with population growth because “it would not achieve the anticipated necessary level of development consistent with UC and UC Santa Cruz policy direction. As a result, and because they would result in substantively different projects, these actions are not considered feasible as mitigation.“ Further, a reduced enrollment alternative is discussed in Chapter 6, “Alternatives” of the Draft EIR. In addition, UC Santa Cruz is planning to provide at least 8,500 student housing beds and 558 employee residences under the 2021 LRDP along with additional beds and residences for students that are expected to be provided under the 2005 LRDP as part of the Kresge Housing and Student Housing West projects. The significant and unavoidable determination is conservative based on an abundance of caution due to the unpredictability of the future housing market in Santa Cruz County. Therefore, additional mitigation limiting enrollment to avoid potential housing impacts is not required. Refer also to Master Response 9 under “Plan Implementation” regarding the mitigation measures presented in the Draft EIR and the degree to which these would serve as binding commitments by UC Santa Cruz during implementation of the 2021 LRDP.

Comment O4-6

P&H 4. **The EIR Needs to Further Mitigate the Impact on Housing Demand**

The Draft EIR concludes that there may be a significant impact on housing demand even though it makes the speculative assumption that 100% of new students and up to 25% of new staff will be housed on campus. If a commitment to house 100% of new students and 25% of new staff were made legally binding, this would not alter the Draft EIR’s conclusion that a significant impact on housing demand remains. Hence there is a need for additional mitigation.

Given the housing crisis in Santa Cruz, we propose an additional mitigation that would require 100% of new students and new faculty and staff to be housed in UCSC facilities. This mitigation would be enforced by a freeze on enrollment growth whenever new student and staff actually housed on campus falls beneath 100%.

Based on the multiplier effect of additional job creation, we conclude that a significant impact on housing demand is likely to exist after implementing this proposed mitigation. To prevent this and other significant and unavoidable impacts, we advocate that the EIR name the No Project Alternative as the preferred alternative. See below.

Response O4-6

The suggestion by the commenter would result in a substantially different project, compared to the 2021 LRDP. It would add approximately 1,700 more residential units, which would increase construction impacts and impacts to aesthetic, biological and other resources, as substantially more development would be needed. The commenter’s preference for the No Project Alternative is noted. Further and as noted in Master Response 2, CEQA does not require the analysis of economic/social issues.

Comment O4-7

Alts 1. **The Draft EIR Fails to Substantiate that the Alternatives Examined Will Not Meet Project Objectives**

The Draft EIR examines a No Project Alternative in which enrollment would not grow beyond the 19,500 student cap set by the Comprehensive Settlement Agreement (2008). The concept of no new growth was approved by 77% of Santa Cruz City voters approving Measure U in 2018, which read: “There shall be no additional enrollment growth at UCSC beyond the 19,500 students allowed by the current 2005 LRDP.”

The Draft EIR concludes that the No Project Alternative “would potentially meet” project objectives 2, 4, 5, and 7, and does not meet project objectives 1, 3, 6, 8, 9, and 10. Below we list in italics the project objectives that the Draft EIR considers unmet by the No Project Alternative, followed by our critique in regular type.

*1. Expand campus facilities and infrastructure to allow for projected increases in student enrollment through 2040 based on statewide public educational needs and to support the academic mission, including housing for 100 percent of the additional FTE students (above the 2005 LRDP total of 19,500 FTE students) in both colleges and student housing developments, and commensurate academic and support space.*

CEQA law prohibits the formulation of project objectives that are so specific as to disqualify alternatives that could meet the goals of the project. Expanded enrollment at UCSC is not the only strategy available to accommodate projected increases in statewide student enrollment. Other strategies that would meet statewide enrollment goals include:

* Expansion of the UC Merced campus beyond the 15,000 enrollment in 2030 anticipated by its 2020 LRDP. There is a large amount of land under UC ownership for this purpose.
* Establishment of a new campus. The University of California has established only one new campus since 1965, UC Merced, which was approved by the Regents in 1995.
* Increasing enrollment at satellite campuses
* Increasing the ability of students to spend a quarter or more taking online courses.

*2. Potentially met*

*3. Provide for establishment of two new college pairs at the main residential campus to provide academic services and a close-knit intellectual and social environment.*

CEQA law prohibits the formulation of project objectives that are so specific as to bias the alternatives analysis in favor of the project. Objective 3 is so specific as to unnecessarily disqualify otherwise worthy alternatives.

*4. Potentially met*

*5. Potentially met*

*6. Increase on-campus housing opportunities for faculty and staff at the main residential campus and the Westside Research Park, to allow up to 25 percent of the increase in faculty and staff, based on demand, to be housed on campus.*

A No Project Alternative should be formulated so as to allow more housing for faculty and staff on campus.

*7. Potentially met*

*8. Develop an improved, more efficient roadway network to support transit with peripheral parking and mobility hubs.*

This project objective is solely formulated for the purpose of supporting the proposed growth envisioned by the LRDP. The LRDP’s proposed additions to the roadway network and additional parking facilities are unnecessary if the campus enrollment does not grow. Therefore an alternative should not be disqualified on the basis that it does not allow more growth in parking and streets.

*9. Promote Transportation Demand Management (TDM) and provide infrastructure to optimize trip- and vehicle-miles-travelled-reduction benefits and efficiency of transit, bike, and pedestrian access to, from, and within the campus to reduce the use of single-occupancy vehicles.*

A No Project Alternative should be formulated so as to allow more TDM programs.

*10. Foster long-term physical and social resilience, including a response to climate change through climate resiliency and adaptation strategies and integrating sustainability leadership into campus teaching, learning, research, design, and operations.*

A No Project Alternative should be formulated so as to foster long-term physical and social resilience, etc.

In summarizing this list, the Draft EIR fails to substantiate that statewide enrollment goals cannot be met through a variety of strategies. The LRDP fails to formulate a No Project Alternative that would allow housing a higher percentage of staff on campus; measures to reduce vehicle miles traveled; and measures to improve physical and social resilience. The LRDP formulates objectives that are so specific as to unnecessarily bias the analysis towards rejectio--n of viable alternatives.

Response O4-7

Regarding the range of alternatives, refer to Master Response 3. With regard to the comments on project objectives, the underlying purpose of the 2021 LRDP is to provide additional classroom and housing capacity for additional students at UC Santa Cruz. This is not an objective that is so specific as to not allow consideration of other alternatives, as several alternatives are evaluated in the EIR. Moreover, the comment suggests that other communities, such as UC Merced, shoulder the burden of additional students, but not Santa Cruz. All universities in the UC system have LRDP’s that accommodate additional students. Specifically related to this comment, the consideration of alternatives that involve an expansion of student enrollment related to UC Santa Cruz, in light of projected statewide education needs (UCOP 2020c), is considered appropriate and in accordance with CEQA requirements. The projected student enrollment takes into consideration the initial vision for the UC Santa Cruz campus, historic enrollment trends, and the system-wide increase in enrollment. Further, the potential expansion of satellite campuses is discussed and evaluated beginning on page 6-4 of the Draft EIR. Consistent with the commenter’s request, the Draft EIR includes consideration of expansion of four satellite campus and one online learning alternative within this section. In addition, Alternative 4 on pages 6-23 through 6-31 of the Draft EIR, includes an expanded online learning component. As a result, the range of alternatives presented in the Draft EIR is considered reasonable and in accordance with CEQA requirements. Furthermore, the project objectives are not considered impermissibly narrow or biased, as asserted by the comment, because they allow for a reasonable range of alternative to be developed, analyzed, and considered. (See *North Coast Rivers Alliance v Kawamura* (2015) 243 Cal.App.4th 647, 668 (finding that project objectives are narrow when they preclude consideration of reasonable alternatives for achieving the project's underlying purpose).)

Comment O4-8

The Draft EIR further elaborates why the No Project Alternative does not meet project objectives:

The transportation improvements described in Chapter 2, “Project Description,” would not be implemented within the LRDP area, which would impede UC Santa Cruz from providing a close-knit intellectual and social environment and improving means of active and alternative transportation within the campus.

The Draft does not explain how *not adding* new roads, parking, and transit stops to the campus would impede UCSC from providing a “close-knit intellectual and social environment”. Nor does it explain how the proposed additional transportation infrastructure will improve means of active and alternative transportation. Without credible explanations, these grounds for dismissal of the No Project Alternative are unpersuasive.

Response O4-8

The commenter is referred to Chapter 2, “Project Description,” specifically pages 2-21 through 2-30, which describes the integrated transportation strategy of the 2021 LRDP. This would include new transportation hubs, as well as new connections for transit, bicycles, and pedestrians. As stated on page 2-21 of the Draft EIR, the 2021 LRDP’s transportation strategy will “integrat[e] alternative modes of transportation (transit, pedestrian and biking) with peripheral parking to promote a walkable campus core with an interconnected pedestrian corridor spine linking colleges and housing to academic and student support destinations.” This integrated transportation strategy and mobility hubs enhances connectivity within campus for students, including better connection between students in various colleges and residential halls and improving access of students to support services; thus, providing better opportunities for students to connect and interact. All of the suggested improvements are not currently included as part of the 2005 LRDP, and as such it is reasonable to assume that they would not occur; thus, continued implementation of the 2005 LRDP (under the No Project Alternative) would impede UC Santa Cruz’s ability to provide the physical improvements that would create such connections/facilities.

Comment O4-9

The Draft further explains why the No Project Alternative does not meet project objectives:

Additionally, because this alternative would provide a lesser amount of new academic/administrative space, it would limit the ability for UC Santa Cruz to continue to create a dynamic environment for learning and discovery through the provision of new academic programs and disciplines.

While it is reasonable to conclude that more academic/administrative space would increase the breadth of programs and disciplines, the Draft EIR does not explain why those programs should not be made available at a new campus or satellite campuses. The EIR makes an unexamined assumption that larger size and more programs equate to a more “dynamic environment for learning and discovery”. The EIR offers no research or analysis of the relationship between the size of enrollment and the quality of education.

The EIR needs to take into account the research on alienation associated with large institutions. UCSC’s founding Chancellor Dean McHenry wanted UCSC to be a major research university, yet his vision for the small colleges was to encourage intimacy.

Response O4-9

With respect to the potential expansion of satellite campuses, the commenter is referred to Response O4-7, as well as the Draft EIR’s discussion of Alternative 4 and “Alternatives Considered But Dismissed” (beginning on page 6-3 of the Draft EIR). The original vision for UC Santa Cruz was to provide a large university that included several small colleges. One of the project objectives is to continue to provide small colleges versus transitioning to a larger, unidirectional university. The statement in the Draft EIR, as quoted by the commenter, refers to the limited ability for UC Santa Cruz to provide new programs and opportunities without additional programming space. None of these comments address the environmental impacts of the 2021 LRDP.

Comment O4-10

Alts 2. **The Draft EIR is invalid under CEQA since the decision on assigning enrollment growth among campuses in the UC System has not been subject to environmental review.**

It is not legal under CEQA to segment a project so that the cumulative impacts of the total project are not subject to environmental review. The prior UC decision allocating statewide enrollment growth among the UC campuses means that UCSC’s 2021 LRDP is a segment of a larger master plan.

The Draft EIR asserts that the No Project Alternative does not meet the UC system’s goal of enrollment growth to serve California students:

Student enrollment would be limited to 19,500 FTE students approved under the 2005 LRDP, which would be considered counter to the overarching goal of the UC to provide a dynamic learning environment for residents of California…

Because the 2005 LRDP does not reflect the current planning goals of UC Santa Cruz or the State of California’s public education plans and policies, this alternative would not provide the best framework for growth and development within the LRDP area.

The Draft EIR’s assumption is that the University of California’s decision to allocate a portion of system-wide enrollment growth to UCSC is indisputable and beyond the scope of the EIR. This sidesteps the CEQA requirement to examine a full range of reasonable alternatives to the dramatic growth in population proposed for the Santa Cruz campus. If UC’s policy for distributing enrollment growth had been subject to an environmental impact report, the UCSC’s 2021 LRDP would be tiered from that EIR. Since no EIR exists for the UC System’s enrollment plan, the EIR for UCSC’s 2021 LRDP is not compliant with CEQA.

Response O4-10

The comment suggests that the University of California’s projected need to provide quality education to a growing number of people throughout the state is a master plan, subject to CEQA. The University of California “attracts the best and brightest. UC undergraduates … from all over California, and they work hard to make it to college. In fact, 37 percent of UC students come from low-income families”) (UC Website, accessed March 24, 2021). The UC projects statewide education needs but does not dictate or allocate specific growth to specific campuses. Each campus uses the statewide projections to anticipate growth and, through each campus LRDP, identify (on a programmatic scale) the physical development that would be necessary to accommodate such growth. Refer to Master Response 2, specifically the discussion under “Planned Development” and “Growth Projections” subsections.

The UC’s forecast of the number of students it needs to serve is not a project under CEQA, but a projection. No physical changes to the environment occur based on the forecast. Rather, changes to the environment occur at individual universities, based on their LRDPs, which provide a land use and planning framework to develop land at the universities and provide student capacity. Each university within the UC system is responsible for its own LRDP, but the UC coordinates with the universities on their LRDPs to ensure that, overall, the forecasted needs are met. The LRDP’s of all UC campuses could be argued to cumulatively affect the environment if, in fact, they did; that is, if the development at one campus exacerbated the environmental impacts at another campus or group of campuses. The commenter does not provide any evidence that development of the UC Santa Cruz LRDP would collectively result in greater impacts to the environment when considered along with development at UC Berkeley, UC San Francisco, UC San Diego, etc. Simply stated, these campuses are in different regions of the state, and the only possible impact that could be exacerbated is contribution to global climate change, and that analysis considers overall cumulative growth in California.

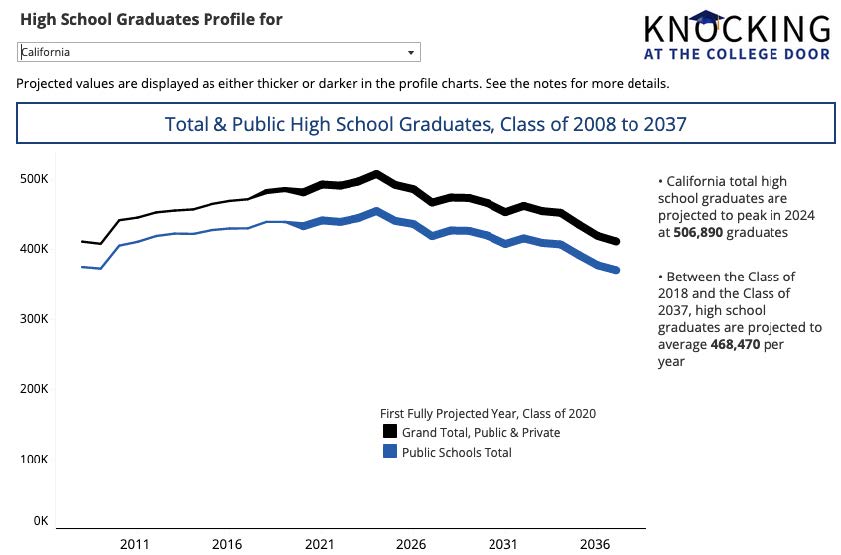
As to a reasonable range of alternatives that examine different enrollment scenarios, the 2021 LRDP EIR evaluates Alternatives 1 and 2, which consider reduced enrollment, and the No Project Alternative, which limits enrollment to the 2005 LRDP projected total. This allows for informed decision making, as required by CEQA.

Comment O4-11

Alts 3. **An Environmental Impact Report on enrollment growth in the UC system is needed**

The assumption that the UC system needs to increase enrollment needs to be reconciled with the latest projections for high school graduation rates conducted by the Western Interstate Commission for Higher Education. California’s high school graduation rates are expected to peak in 2024 followed by a steady decline. By 2026 the number of high school graduates will be lower than the number who graduated in 2019. (See the graph below taken from the report.)

The EIR on UC’s enrollment plan should account for this decline in high school graduation rates. It should also explain UC policy on admitting out-of-state and foreign students and the impact of that policy on growth projections.



Response O4-11

With respect declining enrollment, UC Santa Cruz acknowledges that data has been published recently that suggests declining enrollment is occurring on a national and even regional scale due to pandemic conditions, the increase in online education opportunities, and other factors. However, there is also data to suggest that UC enrollment is not declining and may increase. A recent article by EdSource noted that the UC systems as a whole has “bucked national enrollment trends” and that, in a related note, enrollment within the California State University system has increased at more than half of its campuses (EdSource 2020). Further, applications for fall 2021 enrollment exceeded 74,000 applicants (an 11 percent increase from the previous year), indicating that enrollment growth may continue into the foreseeable future. With respect to funding, the 2021 LRDP includes a reasonable estimate of potential new facilities based on the projected enrollment at UC Santa Cruz by 2040 and considers the potential for funding, including through public-private partnerships, part of the overall feasibility of the 2021 LRDP. If enrollment growth does not meet projections, fewer students would attend UC Santa Cruz than are accommodated under the proposed 2021 LRDP, and not as much facility development would occur. The LRDP does not require development of the land uses it includes; it provides a framework to develop campus facilities if they are needed.

Comment O4-12

Alts 4. **The Draft EIR Lacks a Reasonable Range of Alternatives**

The Draft EIR names the No Project Alternative as the environmentally superior alternative. All impacts that the EIR considers significant and unavoidable for the 2021 LRDP would be rendered less than significant in the No Project Alternative. The Draft EIR considers three alternatives besides the No Project Alternative. None of those three alternatives have been designed to eliminate the water, housing demand, and other impacts that the EIR names as significant and unavoidable. The EIR should correct this deficiency and formulate alternatives that significantly reduce or eliminate those impacts.

Response O4-12

As provided in Section 15126.6 of the CEQA Guidelines, “[a]n EIR shall provide a range of reasonable alternatives to the project, … which… would avoid or substantially lessen any (emphasis added) of the significant effects of the project….” The Draft EIR’s range of alternatives, including the No Project Alternative all address reductions in environmental impacts and, along with consideration of other alternatives that were not evaluated in detail for reasons explained in the EIR, provide for informed decision making and permitting a reasoned choice, as required under CEQA. Also refer to Master Response 3.

Comment O4-13

Among the alternatives considered, but dismissed from further consideration is an expansion of UC’s MBEST facility at Fort Ord. The reasons for dismissing this option are not substantiated. The Draft EIR states:

The development of a full university campus at MBEST and the addition of another UC campus to the UC system is not considered feasible at this time, given State fiscal constraints.

CEQA case law requires that an EIR must provide substantial evidence why it is not fiscally feasible to pursue an alternative. In this case, this evidence must reconcile this claim of fiscal infeasibility of a new campus or expanding the MBEST campus with the fiscal feasibility of building an additional 5.6 million square feet of building space on the UCSC campus, which is 1.5 times the amount of new building space as currently exists on campus.

Response O4-13

The Draft EIR’s determination regarding the financial feasibility of Alternative 4, contrary to the assertions made in this comment, was based on the anticipated level of enrollment, preliminarily anticipated financial costs, and historic costs incurred within the UC system (including the development of UC Merced between 2002 and 2005.) Additionally, the development of UC Merced as a full university campus occurred approximately 17 years after the UC Regents recommended the addition of another campus. In addition, and as noted on page 6-25 of the Draft EIR, the use of UC Monterey Bay Education Science & Technology (UC MBEST) would also require students and employees to travel to an off-site location for academic support and instruction, which would conflict with the objective supporting compact and clustered development, as well as convenient access. In the same location, the Draft EIR also notes that, due to spacing requirements, on-campus student housing would not be available for students at UC MBEST, which would also conflict with objectives related to student and faculty housing.

Comment O4-14

Trans 0. **The Draft EIR’s choice of VMT per capita as a performance standard is not consistent with state and UC goals for greenhouse gas emissions reduction**

California has set a goal of reducing greenhouse gas emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050 (SB 32 and AB 32). While lead agencies are given leeway in choice of performance standards for a project’s transportation impacts, the Draft EIR’s choice of vehicle miles traveled per capita serve to mask large increases in total greenhouse gas emissions that will result from the project. The EIR should plainly state the estimated total increase in vehicle miles traveled and greenhouse gas emissions resulting from the project. Failure to do so prevents the public from understanding the large amount of ghg emissions that contribute to a cumulatively significant climate change impact.

Response O4-14

The comment’s suggestion that VMT should not be used to evaluate transportation impacts is inconsistent with the CEQA Guidelines: “Land Use Projects: Vehicle miles traveled exceeding an applicable threshold of significant may indicate a significant impact.” (CEQA Guidelines Section 15064.3) The use of VMT per capita as a threshold is a widely accepted and recommended metric to comply with this guideline and is interrelated to GHG reduction goals (see California Governor’s Office of Planning and Research’s [OPR] Technical Advisory on Evaluating Transportation Impacts in CEQA [2018]). In compliance with this Guideline, adopted in 2018, both the County and City of Santa Cruz have adopted VMT per capita thresholds for use in CEQA documentation. The EIR plainly states the estimated GHG emissions associated with the 2021 LRDP and UC Santa Cruz, in general, within Section 3.8, “Greenhouse Gas Emissions and Climate Change,” and projected VMT (both total and per capita) in Table 3.16-6 on page 3.16-34 of the Draft EIR.

Comment O4-15

The California Air Resources Board’s 2017 Scoping Plan states, “Achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development.” The Scoping Plan does not require net zero emissions. However, it places the burden on a project that does not achieve net zero emissions to “develop evidence-based numeric thresholds (mass emissions, per capita, or per service population) consistent with this Scoping Plan, the State’s long-term GHG goals, and climate change science.” The Draft EIR fails to meet this requirement. There is no evidence that the per capita emissions targets will result in reduced ghg emissions commensurate with state goals as legislated in SB 32. The EIR must be able to prove that the choice of per capita emissions does not mislead the public that this project will not create a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA.

Response O4-15

It is unclear to what threshold (as used in the Draft EIR) is being referred to in this comment. As noted on page 3.8-18 of the Draft EIR, per-capita emissions thresholds were not used to evaluate the potential impacts of the 2021 LRDP.

Comment O4-16

The University of California has signed the American College and University Presidents Climate Commitment (ACUPCC). Each signatory commits to completing an inventory of GHG emissions within one year, and to developing, within two years, an institutional plan to achieve carbon neutrality as soon as possible. This EIR should incorporate UCSC’s plan for carbon neutrality. It should be noted that even if all projects in the State of California adopted a goal of carbon neutrality, we would fall short of the SB 32 goal of reducing ghg’s 40% by 2030. Nevertheless, a carbon neutrality goal for UCSC transportation is an achievable and worthy goal. We therefore propose that an achievable mitigation most aligned with state and UC goals would be: *Achieve net zero increase in vehicle trips to campus from the 2019 baseline. A failure to meet this goal would result in a freeze on enrollment.*

Response O4-16

Carbon neutrality goals, as well as the UC Sustainable Practices Policy, which requires carbon neutrality for Scopes 1 and 2 emissions at all UC campuses prior to SB 32’s 2030 goal, is already incorporated as part of the EIR’s analysis. Refer to 3.8-8 through 3.8-11 and Impact 3.8-1, beginning on page 3.8-21 of the Draft EIR. Furthermore, as described in Impact 3.8-1 on pages 3.8-21 through 3.8-26 of the Draft EIR, UC Santa Cruz has committed to meet and exceed State-mandated GHG reduction goals and meet UC sustainability goals (as established by the UC Sustainable Practices Policy) of net zero GHG emissions by 2050, and the 2021 LRDP will comply with these mandates. Additional mitigation beyond what is provided in the Draft EIR is not considered necessary to reduce the significant impacts associated with implementation of the 2021 LRDP, and this comment provides no evidence to dispute the EIR conclusions. Refer to Master Response 5 Greenhouse Gas Emission Reductions for additional information regarding UC Santa Cruz commitment to carbon neutrality.

Comment O4-17

Trans 1. **The Draft EIR fails to analyze the vehicle miles traveled impact of new roads on campus CEQA requires that agencies must analyze:**

* Direct, indirect and cumulative effects of the transportation project (CEQA Guidelines, § 15064, subds. (d), (h))
* Near-term and long-term effects of the transportation project (CEQA Guidelines, §§ 15063, subd. (a)(1), 15126.2, subd. (a))
* The transportation project’s consistency with state greenhouse gas reduction goals (Pub. Resources Code, § 21099)34

The Draft EIR describes the plan for additional roads on campus, including a new northern entrance to campus. The Draft EIR fails to analyze the increased Vehicle Miles Traveled that would result from the additional roadways. This would require a traffic study. The Draft EIR should use current methods of estimating induced travel resulting from new roadway mileage.

Response O4-17

As described in Impact 3.16-1, the new on-campus roadway connections and new northern entrance from Empire Grade would be supplemented by vehicle access restrictions on limited portions of several campus roadways and new pedestrian/bicycle corridors, to achieve a more inter-connected campus for all modes. The impact discussion notes that the new connections will serve to shorten on-campus trips and thus reduce VMT relative to a condition without these connections. The impact also notes that the new northern entrance would not induce vehicle traffic growth, because virtually all campus traffic must pass through existing intersections to the south. The new northern access would provide for shorter trips to and from the northern area of campus as compared to existing routes, reducing VMT. It is noted that the OPR guidance document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR 2018a) provides considerations for the evaluation of roadway projects and suggests that roadways that improve connectivity as opposed to adding capacity may be considered to reduce as opposed to increase VMT. In addition, *Transportation Analysis Under CEQA, First Edition* (Caltrans 2020) states that certain transportation project types, including “addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, bicyclists, and, if applicable, transit” may be unlikely to lead to a measurable and substantial increase in vehicle travel, and thus could potentially be screened from VMT impact analysis. The proposed new roadway connections in the LRDP would function as collectors for campus traffic and would include multi-modal design elements to serve pedestrians and bicyclists. Thus, the Draft EIR’s calculation of VMT for the 2021 LRDP is adequate, and no further analysis is required.

Comment O4-18

Trans 2. **The Draft EIR fails to analyze the impact on the transit system of new roads on campus**

CEQA requires an analysis of the impact of the transportation project on the development of multimodal transportation networks (Pub. Resources Code, § 21099)

The Draft EIR does not analyze the potential for a negative impact on the bus transit system of adding roads to campus, which would necessitate additional loops in transit service. Transit planners understand how adding a forking branch to a bus line diminishes transit frequency downstream of the branch (as bus service is split between branches). This has an adverse impact on travel time and ridership. See Human Transit, by Jarrett Walker

Instead, the Draft EIR makes the claim that the new roadway system and transit stops will increase the efficiency of the transit system. The EIR should either drop this claim, or substantiate it by demonstrating how transit service will operate.

Response O4-18

The commenter cites a section of CEQA that addresses transit-oriented infill projects, which are specifically defined in Public Resources Code 21099, however the 2021 LRDP is not such a project. Further, this section of CEQA statute has no requirement to evaluate impacts of transportation projects on multimodal transportation networks. In discussing the requirement that OPR develop new guidelines address “the significance of transportation impacts in transit priority areas…those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (Public Resources Code Section 21099(b)(1) This statutory language does not suggest or require an analysis of impacts on multimodal transportation networks, Nevertheless, this issue is addressed in the EIR. The discussion under Impact 3.16-1 notes that the LRDP’s proposed extension of Meyer Drive will facilitate more efficient on-campus transit service by providing a more direct east-west option for shuttle service; this is considered substantial evidence. The proposed new northern entrance would not necessarily be served by campus shuttles, and thus would not represent a new service branch which would make shuttle services less efficient. UC Santa Cruz manages the campus shuttle system to serve the campus’ transportation needs as it grows, and shuttle frequency and efficiency, and other mobility options to serve these areas are key considerations in that process. No information is provided in the comment to dispute this conclusion.

Comment O4-19

Trans 3. **The target for reduced vehicle miles traveled is inconsistent with goals of the Campus Sustainability Plan**

The Draft EIR claims that Mitigation Measure 3.16-2 “is in alignment with the goals outlined in the UC Santa Cruz 2017-22 Campus Sustainability Plan, including reducing commute VMT by five percent and reducing per capita parking demand by ten percent by 2022.”

This statement is not accurate. This mitigation measure intends to “reduce the total campus VMT per capita to 15 percent below baseline campus average and the total employment VMT per employee to 15 percent below the countywide average.” Reducing VMT *per capita* is not the same as reducing total commute vehicle miles traveled.

Response O4-19

The VMT reduction portion of the goal is the one that is relevant to Impact 3.16-2, which is a VMT-based transportation impact analysis consistent with OPR guidance document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR 2018a). The analysis under Impact 3.16-2 is required to assess the VMT impacts of the project and is not required to demonstrate how the project would or would not meet the goals of the Campus Sustainability Plan. The discussion under this impact rather describes how the VMT reducing elements of the project are aligned with the goals of the Campus Sustainability Plan, in that they are expected to reduce, as opposed to increase, the VMT generation rate of the campus as a whole. In addition, as stated on page 3.16-35, Mitigation Measure 3.16-2 requires UC Santa Cruz to prepare and implement a TDM program as part of the 2021 LRDP. The TDM Program is intended to reduce the total daily VMT per capita to 15 percent below the baseline campus average and the employment VMT per employee to 15 percent below the countywide average. This mitigation measure is in alignment with the goals outlined in the UC Santa Cruz 2017-22 Campus Sustainability Plan, including reducing commute VMT by five percent and reducing per capita parking demand by ten percent by 2022. Therefore, the 2021 LRDP complies with the Campus Sustainability Plan.

Comment O4-20

Goal #3 of the *Campus Sustainability Plan 2019 Update* calls for “reducing Scope 3 commuter greenhouse gas emissions 10 percent by 2022. The Draft EIR does not address this goal. Nor will it be possible to achieve this goal with the implementation of the 2021 LRDP, which will result in increased commuter trips to campus.

Response O4-20

The Draft EIR identifies this goal on page 3.8-11 of Section 3.8, "Greenhouse Gas Emissions and Climate Change". The 2021 LRDP is currently anticipated to be considered for approval in the fall of 2021, with initial design and construction of facilities under the 2021 LRDP being initiated in 2022. No new facilities would be constructed under the 2021 LRDP prior to the end of 2022. As a result, the exact timing (i.e., by 2022) of this goal would not apply to any actions associated with the 2021 LRDP. However, the LRDP would require further reduction of single-occupancy vehicle trips to UC Santa Cruz through implementation of the TDM Program (refer to Mitigation Measure 3.16-2), which is considered to be consistent with the direction and trajectory identified in Goal 3. Further, the goals and policies established in the 2019 Campus Sustainability Plan are considered to be a furtherance of the UC Sustainable Practices Policy, which is addressed in the Draft EIR.

Comment O4-21

Trans 4. **Mitigation Measure 3.16-2 needs to be made enforceable regarding parking goals.**

Mitigation Measure 3.16-2 includes, “Establish ‘no net new commuter parking’”. The EIR should further define net new commuter parking or how it would be measured. It should also articulate consequences should the goal not be met, such as a moratorium on enrollment growth.

Response O4-21

The title of this measure describes its intent, which is to not increase parking available to new commuters. This mitigation measure provides a menu of items that the campus can consider in development of its TDM program, and this is one element that will be considered in the development of the VMT reduction strategy.

Comment O4-22

Trans 5. **New parking planned in the 2021 LRDP is inconsistent with Mitigation Measure 3.16-2 and the UC Sustainable Practice Policy**

The LRDP’s proposal “to provide some new commuter parking for staff, faculty and students,” runs counter to the goal of no net new parking demand. You cannot simultaneously provide more parking and reduce parking demand. A recent study by Adam Millard Ball et al demonstrates that the provision of parking induces additional vehicle ownership, and results in more driving.

The *University of California Sustainable Practices Policy* states:

Each location shall develop a business-case analysis for any proposed parking structures serving University affiliates or visitors to campus to document how a capital investment in parking aligns with each campus’ Climate Action Plans and/or sustainable transportation policies.

The Draft EIR does not explain how the capital investment in parking aligns with the *Campus Sustainability Plan* or other campus sustainable transportation policy.

Response O4-22

The 2021 LRDP identify the potential for some new (although largely redistributed) commuter parking to focus commuters parking along the periphery of the academic core to serve the commuters expected with the 2021 LRDP. Further, the UC Santa Cruz Campus Sustainability Plan establishes a goal of reducing per capita parking demand, which (by limiting further parking development) would not be inconsistent with the 2021 LRDP. Further, the Draft EIR proposes, as Mitigation Measure 3.16-2, a TDM program that, as part of on-campus parking management strategies, could include further restrictions on commuter parking. This measure would modify campus parking restrictions in order to achieve a portion of the VMT reduction target described in Mitigation Measure 3.16-2 of the Draft EIR. Mitigation Measure 3.16-2 describes the TDM program development process, performance standards, and monitoring process.

Comment O4-23

Trans 5.1 **The Draft EIR does not incorporate the goals of the UC Sustainable Practices Policy, which states:**

* Each location shall strive to reduce its percentage of employees and students commuting by single occupancy vehicle (SOV) by 10 percent relative to its 2015 SOV commute rate and have at least 4.5 percent of commuter vehicles be ZEVs by 2025.
* Each location shall strive to have no more than 40 percent of its employees and no more than 30 percent of all employees and students commuting to the location by SOV and have at least 30 percent of commuter vehicles be ZEVs by 2050.

The Draft EIR should explain how these goals will be implemented, and what the consequences will be for failing to reach the goals.

Response O4-23

UC Santa Cruz has committed to meet and exceed State-mandated GHG reduction goals and meet UC sustainability goals (as established by the UC Sustainable Practices Policy). Refer to Master Response 5 regarding Greenhouse Gas Emissions and Mitigations. As described in Impact 3.16-2, the 2021 LRDP will reduce the total campus VMT per capita relative to the 2019 baseline level, which demonstrates the expectation that the net effect of vehicle travel by all campus commuters and residents will decrease on a per-person basis as the result of the 2021 LRDP. This would be achieved through the provision of EV charging; transit, bicycle, shuttle, and vanpool subsidies; parking management; and the proposed mobility hubs to be located throughout the LRDP Area. Further, Implementation of Mitigation Measure 3.16-2 would require further measures (e.g., alternative work schedules, expanded vanpool programming, peak pricing, and transit coordination) and annual monitoring of measure effectiveness so as to further reduce VMT per capita, consistent with the UC Sustainable Practices Policy. The 2021 LRDP intends to build on existing TDM programs that reduce the number of single occupant vehicle trips made to campus (and the distance they each need to travel – VMT) and for those remaining auto trips, to shift as many as possible to ZEVs to further reduce GHG emissions.

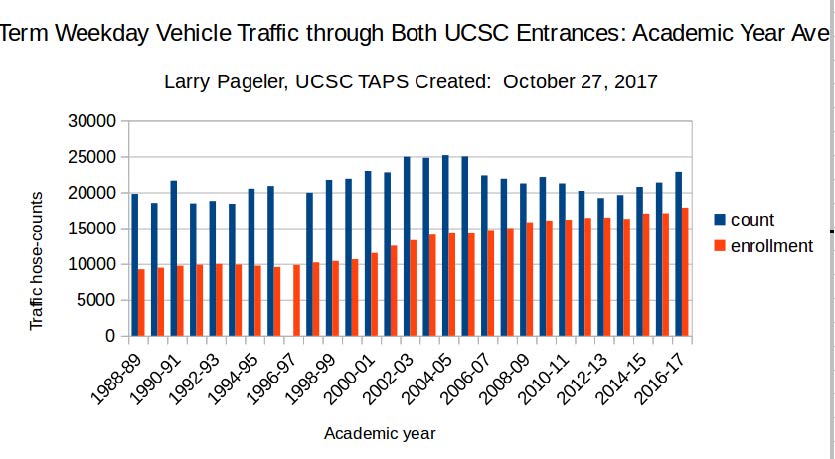
Comment O4-24

Trans 6. **The Draft EIR lacks essential information about parking and commute trips to campus**

The Draft EIR acknowledges the importance of parking policy to achieve goals for reducing VMT. Yet the neither the LRDP nor the Draft EIR specifies the number of additional parking spaces proposed.

The Draft EIR presents the number of vehicle trips to campus for one year, spring 2019. The Draft should include information about prior years in order to observe the trend of vehicle trips to campus. The graph below shows the history of trips to campus (blue bars) compared to student enrollment (red bars). It shows that vehicle trips increased to a peak in 2003-2006, and subsequently declined until 2013. Since 2013, vehicle trips to campus are growing at a faster rate than student enrollment.

The EIR should analyze whether this disproportionate growth in vehicle trips results from longer student and staff commutes as a result of the lack of affordable housing near campus. The EIR should present any other information available on the distance commuters are traveling.



Response O4-24

As noted in Chapter 2, “Project Description” of the Draft EIR, parking would be limited for on-campus housing and SOV commuters through changes to parking policies, pricing, and convenience to encourage carpooling, transit, and other non-SOV alternatives. As required by Mitigation Measure 3.16-2, UC Santa Cruz shall develop and implement a TDM Program, which will identify specific TDM strategies that UC Santa Cruz will implement to reduce campus related vehicle travel. In addition, the mitigation measure provides the expectation that vehicle trips must be reduced and that some TDM strategies are likely to be more effective than others given the nature of the impact. A key reason that UC Santa Cruz is developing a tailored TDM Program is to fully evaluate and then implement and adaptively manage a wide variety of TDM strategies to achieve the 15 percent reduction in per capita VMT over baseline to a maximum of 7.7 VMT per capita. Understanding which strategies will be the most effective requires comprehensive analysis of faculty/staff, student, and visitor travel patterns. Regarding the request for an analysis of commute trends and travel distances, UC Santa Cruz monitors commute characteristics and adjusts its transportation programs to meet student and staff commute needs as they change over time. Trend information is not presented in the Draft EIR because the analysis is based on baseline (2019) conditions. Refer to Master Response 1 baseline conditions for the 2021 LRDP EIR.

Comment O4-25

Trans 7. **Mitigation Measure 3.16-2 fails to be legally binding and enforceable**

CEQA Guidelines require that mitigations be legally binding and fully enforceable.

This mitigation measure is intended to reduce the impact of increased vehicle miles traveled (VMT) to a less than significant level. It calls for implementation of a Transportation Demand Management Program, intended to reduce total campus per capita vehicle miles traveled to 15 percent below baseline campus average and the total employment VMT per employee to 15 percent below the countywide average. As currently drafted, the mitigation measure imposes no consequence for failing to achieve the performance standards for reduced VMT, other than the following:

“an outline of additional TDM measures (i.e., a corrective action plan) to be implemented in subsequent years should the VMT performance standard of at least 15 percent below baseline VMT levels is not reached.”

Note that there is no timeline for implementation of corrective measures other than the vague “in subsequent years”. Without language to make this mitigation measure enforceable, such as a moratorium on increases in student enrollment until the VMT performance standards are met, it is quite possible that the campus will never achieve the performance standards.

Response O4-25

UC Santa Cruz is committed to implementing the mitigation measure and complying with the performance standards, monitoring, and corrective actions if and when needed. Further, the mitigation measure, as provided on page 3.16-35 of the Draft EIR provides specific timing for the initiation of the program and the performance metric for the program to achieve. In addition, the mitigation measure requires implementation of an annual monitoring component with requirements for implementing corrective/additional actions as part of the program. As such, the mitigation measure is considered to be appropriate, adequate, and in conformance with CEQA requirements. UC Santa Cruz does not agree that a development moratorium as a consequence for not meeting the VMT reduction goals in a given year is a necessary element to make the mitigation measure effective.

Comment O4-26

Trans 8. **Mitigation Measure 3.16-2 lacks simple and transparent performance criteria and a monitoring program that can be independently evaluated.**

The Draft EIR proposes a mitigation to reduce vehicle miles traveled and a monitoring program to report performance. However, the method for calculating VMT reductions is so highly complex as to be inaccessible for independent review. Likewise, the cell phone data necessary to make those calculations is inaccessible to the public. No agency or members of the public will be able to independently assess the University’s adherence to their performance criteria. Consider the complexity of measuring performance described by the Draft EIR:

The VMT metrics presented in this chapter were developed using the SCC Travel Model, while the annual monitoring would occur using data collection. Based on current technologies, the campus’ VMT performance could be most effectively monitored by using hose counts to measure the number of trips and anonymous cell phone data, which is “big data” that aggregates trip data using cellphones and navigation divides, to determine trip lengths. Since current technologies, including anonymous cell phone data, do not allow the tracking of employment trip lengths separately from the trip lengths generated by other campus uses (i.e., residential trips), the TDM Program shall develop a performance standard for the employment VMT threshold that is a weighted average of VMT generated by campus commuters and other campus users.

The Draft EIR gives no indication of how any agency or member of the public would be able to access anonymous cell phone data. And reliance on a travel model can result in gross inaccuracies, as the Draft acknowledges:

The Santa Cruz County Model overestimates by approximately 200 to 400% the number of trips generated by resident students and by both the resident and commuter faculty compared with the UCSC tool. The model also underestimates by 90% the trips generated by commuter students.

CEQA Guidelines allow the use of a travel model to estimate vehicle miles traveled from a project. And a lead agency “may revise those estimates to reflect professional judgment based on substantial evidence.” The Draft EIR fails to provide substantial evidence that the revisions that were made in the model can accurately assess vehicle miles traveled in future years. No substantial evidence will be available for several years, since such a complex model is a work in progress, needing continual revision to match existing conditions. The Draft EIR lists revisions to the model that diverge extremely from the model’s original assumptions, e.g.:

* The SCC Travel Model’s commuter student trip rate was increased from 0.22 trips per commuting student to 1.83 trips per commuting student and the resident student trip rate was decreased from 6.31 trips per student to 2.06 trips per resident student
* Campus employees in the SCC Travel Model were estimated at 6.88 daily person trips per employee. This was reduced to 1.8 trips per employee.

The DEIR transportation analysis assumes that 100% of additional students will be housed on campus, but does not offer any analysis of how VMT calculations, resultant impacts, and necessary mitigations will vary in relation to percentage of students actually housed on campus. Not reaching the goal of housing 100% of additional students on campus is a reasonably foreseeably event based on both the past history of campus student housing percentages and the relatively high price of campus housing.

Given the Draft EIR’s a) failure to analyze impacts associated with actual percentages of students housed on campus; b) inability of the revisions in the model to be empirically evaluated at this time and c) the inability of the public to independently assess UCSC’s compliance with vehicle miles traveled performance, this mitigation fails to be enforceable. We propose a mitigation where monitoring is simple and can be carried out by the City of Santa Cruz:

*Proposed Mitigation: Achieve net zero increase in vehicle trips to campus from the 2019 baseline. A failure to meet this goal would result in a freeze on enrollment.*

Capping the number of vehicle trips to campus would achieve the goal of reducing VMT per capita below significant levels, since growth in person-trips would not result in increased vehicle trips. We know it is feasible to prevent an increase in vehicle trips due to growth through the experience of Stanford University. In 2000, Santa Clara County conditioned Stanford growth on achieving zero new peak hour vehicle trips to campus. Since 2001, periodic traffic counts at each entrance to campus confirm that Stanford has complied with this condition. During the following 14 year period, 5000 additional people commuted to campus, but peak hour vehicle trips did not increase, according to the former Director of Stanford Parking and Transportation Services.

See the attached article *Getting to Zero New Vehicle Trips for the LRDP* for further discussion of how this mitigation could be implemented.

Response O4-26

The comment accurately describes the Draft EIR’s description of the limitations of the Santa Cruz County Travel Demand Model’s capability to reflect the unique transportation characteristics of UC Santa Cruz. The Draft EIR’s proposed TDM Program (Mitigation Measure 3.16-2) would address these issues: most importantly, it proposes that the monitoring be based on real time data on a year over year basis, as opposed to measuring campus performance with a travel demand model which is not calibrated to accurately reflect incremental changes in housing and employment on the campus and in the surrounding region. The real time data will include traditional “hose” counts of traffic entering and exiting the campus, as well as the noted cell phone data to provide insight on trip lengths for those vehicle trips. Address data for employees may also be used to determine trip lengths. The monitoring reports will provide the raw data which can be reviewed by independent reviewers, and the data vendor(s) can be made available for questions. While the comment is critical of this approach, it is based on real data rather than assumptions in a model and is therefore a more accurate measure by which to determine mitigation performance. The Stanford trip cap affects only peak hour trips, as opposed to daily trips, as it was imposed when peak commute hour congestion was the transportation impact metric. Such a trip cap would not substantively address the daily VMT, however UC Santa Cruz may include monitoring and reporting of campus trips in support of a performance standard, should such data provide a substantive benefit to reducing VMT. The 2021 LRDP’s proposed Integrated Mobility Strategy, combined with the Draft EIR’s TDM Program and Monitoring, provide a more appropriate and effective mechanism for minimizing the VMT generated by the 2021 LRDP.

Comment O4-27

Trans 9. **The EIR should analyze and recommend complete neighborhood strategies for trip reduction.**

Under the heading, Complete Neighborhoods, the City of Santa Cruz General Plan states, “Residents…need stores nearby so that they don’t have to drive across town to do laundry or buy a few groceries.” The Draft EIR assumes a high number of vehicle trips due to on-campus residents traveling off campus to meet their needs. The LRDP should designate areas for on-campus food shopping, hair salons, and other amenities.

Response O4-27

UC Santa Cruz provides many services to campus residents, including meal plans, food/drink resources, and laundry facilities, among other resources. UC Santa Cruz provides these resources within the constraints of its mission as an educational institution. The 2021 LRDP includes a considerable level of development of administrative and support facilities, intended to provide on-campus residents with various needs and wants. As stated on page 2-17 of the Draft EIR, the Colleges and Student Housing land use includes academic space as well as residential amenities such as dining halls, food service, community rooms, social and study spaces, administrative support and allow support services. Similarly, as stated on page 2-18 of the Draft EIR, the Employee Housing land use designation includes childcare, recreation, public services, and other community amenities. Regarding the number of vehicle trips referenced in the comment, the trip estimates provided in the Draft EIR are based on a combination of the trip generation rates of the service population and SCC Travel Model trip assignments, and verified through campus traffic counts, as stated on page 3.16-29 of the Draft EIR. As a result, and considering the level of on-campus services currently provided, these estimates are considered to be reasonably conservative and appropriate for the purposes of evaluation under CEQA.

Comment O4-28

Trans 10. **The EIR should analyze the structural obstacles to implementing transit improvements and propose solutions**

*Transit costs fall on students disproportionally compared to other campuses.* Stanford uses parking revenue to pay all public transit costs for students and staff. At UCLA there is no student fee for transportation. Instead, parking revenue subsidizes bus passes available to students at $33 per quarter (2018). At UCSC there is no parking revenue used for student transit. Students pay for METRO passes and the campus shuttle through a quarterly fee.

*The cost burden on students sets a practical limit on expansion of bus service.* Under the current manner of financing transit, UCSC students will need to vote a fee increase, just to maintain current levels of service. In Spring 2018 a fee increase measure did not pass due to student voter turnout lower than the required 25%. Due to the failure to raise revenue, UCSC has cut back on campus shuttle service. Given the steepness of the fee increases proposed in the 2018 measure, it is unlikely that a student vote to increase fees can be counted on to fund the expanded METRO service envisioned by the Draft EIR.

The EIR should analyze a policy of using parking revenue to substantially support transit and TDM programs.

Response O4-28

The comment is noted. The Draft EIR is not required to analyze the potential effects of instituting a policy of using parking revenue to substantially support transit and TDM programs as it is not part of the proposed LRDP and is not required to mitigate a significant impact. However, UC Santa Cruz will consider this in its development of the overall TDM Program described in Mitigation Measure 3.16-2.

Comment O4-29

Trans 11. **Additional TDM measures for inclusion in the EIR**

The Draft EIR’s Mitigation Measure 3.16-2 enumerates a number of Transportation Demand Management Measures that UCSC could utilize to reduce vehicle trips to campus. Based on research on the effectiveness of TDM policies, we conclude that the most effective measure on this list may be:

* Replace monthly/annual parking fee with “pay at exit” use-based, daily or other alternative, dynamic payment mechanisms and parking fee policies that encourage off-peak travel.

We note that this measure is listed for “Implementation level 2”. Since this is a policy that could be implemented immediately, we recommend that it be designated for level 1 implementation.

Response O4-29

The comment is noted. UC Santa Cruz will consider the parking measures described in the comment as part of its implementation of Mitigation Measure 3.16-2, “Implementation Level 1.” This change is reflected in Chapter 4, “Revisions to the Draft EIR” of this volume but does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the UC Regents for certification.

Comment O4-30

Additional TDM measures could include:

* UCSC collaboration with a private vendor for a bike-share and/or scooter/share program
* Collaboration with the City of Santa Cruz in placement of a fee for ride-share trips (e.g. Uber & Lyft)
* Exploration with the City of Santa Cruz of a congestion pricing program and/or City tax of on-campus parking to pay for transit and active transportation improvements in the City.

Response O4-30

The comment is noted. UC Santa Cruz will consider these measures when developing the TDM Program as part of Mitigation Measure 3.16-2. Although ride-share trips, such as carpools and vanpools reduce VMT, ride-hailing trips such as Uber and Lyft do not necessarily reduce VMT; for example, they may replace a transit trip or personal car for a trip provided by someone else and may arrive from or depart to a further distance than the UC Santa Cruz commuter trip origin.

Comment O4-31

As explained in section Trans 0, above, the choice of the per capita VMT at the s

Response O4-31

The comment appears incomplete but refers to a previous comment related to the choice of a VMT per capita threshold. Please refer to Response O4-14.

Comment O4-32

**W1. Mitigation measure for water impact needs to be strengthened**

The City of Santa Cruz is heavily dependent on surface water sources and hence is vulnerable to drought year shortages. Storage of water for use in drought years is diminished by growth in water demand. The City’s report, Adequacy of Municipal Water Supplies to Support Development (2004), offers an explanation that is just as relevant today as when it was written:

“It is important to note that, even in normal water conditions, three of the four major sources [North Coast streams, San Lorenzo River, Live Oak wells, and Loch Lomond] are presently being utilized at maximum capacity for a significant portion of the year…What this means operationally is that any future increase in seasonal or annual demand for water will be felt through greater and greater withdrawals from Loch Lomond reservoir.”

The Draft EIR acknowledges this impact of growth on the City’s water reliability:

“UC Santa Cruz’s remaining water demand with implementation of the 2021 LRDP would contribute to the need for the City to further restrict water deliveries or secure a new water source for multiple dry water year conditions… The 2021 LRDP would therefore result in a significant impact.”

In order to reduce this impact, the Draft EIR proposes a mitigation that would reduce campus water use through various conservation measures. However, the impact remains significant after the mitigation.

The mitigation measure needs to be strengthened. For example, although the Draft EIR acknowledges that UCSC growth would contribute to the need for a new water source, the mitigation does not include a financial contribution towards developing a new water source. CEQA recognizes that fair-share mitigation fees can ameliorate impacts. When other new development occurs in the City’s water service area, developers pay a system development charge. As part of previous LRDP’s, UCSC has paid a system development fee to the City.

Response O4-32

The potential for cost-sharing is reasonably assumed to be part of the implementation of measures to address issues or necessary improvements identified as part of the campus water use audit required as required by Mitigation Measure 3.17-1b. Furthermore, the existing agreements between the City and UC Santa Cruz related to utility service already provide stipulations regarding how cost sharing between the two entities should occur. As a result, amendment of the mitigation measures is not considered necessary.

Comment O4-33

**W2. UCSC should agree to seek LAFCO approval for water service outside of City service area**

The Draft EIR states,

“UC Santa Cruz does not believe that further compliance with state or local laws, including approval by the Local Agency Formation Commission (LAFCO), is required for the campus to receive increased service for the development of those portions of the campus that lie in unincorporated Santa Cruz County.”

The EIR must go beyond describing what UC Santa Cruz “believes”, and offer an independent judgment about the legal responsibilities of the University. The EIR should acknowledge that under CEQA, LAFCO is the Responsible Agency for proposed expansion of utility service areas and clarify that UCSC must seek LAFCO approval for such expansion.

Response O4-33

Please refer to Master Response 2 and responses to comments provided in Letter L2 (LAFCO).

Comment O4-34

**W3. Mitigations should comply with LAFCO policies**

The EIR should create a mitigation for the impact of extending water service outside of the City’s service area that complies with LAFCO’s policies including the following:

"In cases where a basin is overdrafted or existing services are not sustainable, a boundary change proposal may be approved if there will be a net decrease in impacts on water resources.”

Since the Draft EIR is deficient in many respects and fails to include import information to substantiate conclusions regarding impacts and mitigation measures, the University must correct these deficiencies and release a Revised DEIR for public comment.

Response O4-34

Please refer to Master Response 2 and responses to comments provided in Letter L2 (LAFCO). As noted in that response, the application of LAFCO policies to UC Santa Cruz is not considered appropriate. However, UC Santa Cruz has and continues to measure its water demand against the existing agreement with the City of Santa Cruz. This water demand is continually reflected in the City’s water demand calculations included as part of its Urban Water Management Plan (UWMP). As such, the demands associated with the 2021 LRDP would not result in additional physical environmental impacts related to water supply. The analysis of the Draft EIR, as amended through responses to comments, is considered appropriate and in accordance with CEQA requirements. Recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the UC Regents for certification.

Letter O5 UC Santa Cruz, History of Consciousness Department

James Clifford, Professor Emeritus

March 6, 2021

Comment O5-1

Our comment focuses on the importance of open spaces, and especially the spectacular grasslands, for campus planning. In 1963, the essential act that shaped UCSC’s world-famous campus was the decision to move construction out of the fields and uphill into the trees. Future growth would be accomplished by building in the core area and developing the north campus. For more than fifty years, keeping the meadows open has been a consistent design principle.

The draft LRDP abandons this principle in several important areas: the lower East Meadow, Meyer Drive extension, construction in the northern portion of the Great Meadow, and development of a large technical support area in its lower portion.

Response O5-1

UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, which does not address the adequacy of the EIR analysis. No further response is necessary. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-2

The present draft justifies building in the meadows by invoking the first LRDP and featuring two 1963 maps of UCSC at build-out (pp. 40-41) The maps show construction scattered widely around the campus footprint, with two (of ten) “professional schools” located in the East Meadow (though not in the area currently planned for development). The proposed overall expansion to 28,000 students is represented as simply a delayed completion of the planners’ original intention. This is badly misleading.

First, 2021 is a very different historical moment. Important aspects of the original LRDP no longer make sense, for the following reasons: 1) The 1963 maps, along with other early projections of a completed university, were speculative. No serious site surveys or environmental planning had yet been accomplished. 2) The LRDP’s 25-year timeline to buildout was wishful thinking, based on an unsustainable economic and political context. The postwar economic boom, which supported rapid UC campus construction, ended abruptly in the 1970s. 3) At that time, the City of Santa Cruz reversed its enthusiastic attitude to growth. Creation of Pogonip preserve closed off the planned eastern access road that was crucial for managing traffic to a large campus. 4) Throughout the State, environmental awareness of the limits to growth (water, fire, power, wildlife protection) has deepened dramatically, undermining the 1963 LRDP’s optimistic projections. Its confident march to 28,000, evoked uncritically 55 years later in the present draft, is a vision at odds with a changing reality.

Response O5-2

UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, which does not address the adequacy of the EIR analysis. No further response is necessary. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-3

Second, the 1963 LRDP is a complex, and sometimes contradictory, document. While it presupposed the postwar expansionist boom and rapid growth, it also embraced emerging principles of restrained environmental and architectural design: careful construction and sensitivity to terrain, flora and fauna. These practices, championed by UCSC’s founding landscape architect, Thomas Church, have been respected and applied by generations of planners and architects. The result is UCSC’s unique, and world-famous, campus.

Response O5-3

UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, which does not address the adequacy of the EIR analysis. No further response is necessary. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-4

The 2020 draft LRDP invokes this tradition of restraint.

The 1963 UCSC LRDP noted the unmatched natural beauty of the site and the importance of both respecting and celebrating this beauty over the life of the campus. The 1963 LRDP understood that planning and development in this unique space “**must grow out of the problems, restrictions, and potentialities of the site...**” The plan noted that “The general effect ... must be one of sensitive collaboration between the designer and this spectacular environment.” (emphasis added, p. 89)

We applaud this prominent evocation of principles for campus planning and design. But it seems that the tradition which has guided (and appropriately constrained) planners for decades is being reduced to lip service. Many aspects of this current vision for growth to 28,000 students violate its spirit.

In section 3.2 (p.92), the 2020 LRDP draft lists a fundamental goal: “to maintain the unique character of the UC Santa Cruz campus by respecting and reinforcing the Physical Planning Principles and Guidelines” (introduced in section 4.2). Principle # 1,“Preserve integrity of landscapes,” “meadow, ecotone and forest,” and # 3, “Minimize disturbance to open space,” are violated by the construction of outsized buildings at the forest edge and by blocking the iconic campus gateway-view across the East Meadow. The draft LRDP’s very general Physical Planning Principles do not adequately address the specificities of building in grassland, ecotone, and forest landscapes.

Response O5-4

Refer to 2021 LRDP Chapter 5, Section 5.2 “Academic Core South, Clustered Development Along Forest Edge,” regarding design principles for potential development in this area. UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, which does not address the adequacy of the EIR analysis. No further response is necessary. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-5

Specific comments:

1) The widely contested plan to develop the lower East Meadow blatantly violates UCSC’s design tradition. The housing sprawl envisaged there--hasty spillover from a project conceived for another place on campus-- in no way “grow(s) out of the problems, restrictions, and potentialities of the site.”

The 1963 LRDP was particularly concerned with the view of the campus when entered from below. “The major decision with regard to siting - **that the great meadow toward the south of the campus should not be built upon, that the first buildings to be encountered in entering the site would be at the crest of the hill where the trees begin**.” (p. 39) The open lower East Meadow and the drive uphill through the fields are essential for this dramatic entry to UCSC. The DEIR improperly excludes this “significant public vista,” (3.1 Aesthetics: policy 5.10.3) from the views it claims it will protect. And overall, it fails to address the crucial views uphill to the campus, whether at the West or East entries.

The present LRDP draft shows the East Meadow portion of the Student Housing West project as a fait accompli when in fact, there is still uncertainty as to whether the development will be built. At the LRDP Advisory Committee meetings last Spring, discussion of the issue was arbitrarily forbidden. The land use plan should at this point show the southern portion of the East Meadow either as Natural Space (in the proposed system of land use designations) or as Campus Resource Land (as in the current system).

Response O5-5

The comment expresses the opinion that no development should occur within the East Meadow (i.e., Student Housing West). It is unclear whether the comment is referring to Student Housing West or the potential extension of Meyer Drive. The Draft EIR presents an evaluation of potential visual impacts to vistas and, more specifically, UC Santa Cruz meadows with respect to the potential extension of Meyer Drive. Refer to the visual simulation for Viewpoint 6 (see page 3.1-17 of the Draft EIR) and impact analysis for Viewpoint 6 provided on page 3.1-41 of the Draft EIR. Additionally, this vista is included as part of Viewpoint 1 on page 3.1-21 and Cumulative Viewpoint 2 on page 4-15 of the Draft EIR. Therefore, the Draft EIR does not improperly exclude meadow vistas. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP. With respect to the treatment of Student Housing West as part of the 2021 LRDP and within the Draft EIR, refer to Master Response 8.

Comment O5-6

In the same spirit, there should be no development in the upper meadow south of the existing East Remote Parking. The “temporary” corporation yard on the south edge of that parking area must be removed entirely and the land restored. It has been a “temporary” facility for more than a decade, has never been indicated on any LRDP, has never been through any environmental review, and is a shoddy spectacle greeting those arriving on campus.

Response O5-6

UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, which does not address the adequacy of the EIR analysis. No further response is necessary. For comments on the 2021 LRDP project, please refer to Master Response 2. In addition, Mitigation Measure 3.1-3c (refer to page 3.1-45) would be implemented as part of 2021 LRDP future development to ensure that substantial degradation of visual character does not occur, including with respect to any future development in the vicinity of the East Remote Parking Lot. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-7

2) The proposed extension of Meyer Drive to form a connecting road across the top of the Great Meadow to the East Remote parking area is a major abandonment of the open meadows policy. The preservation of unimpeded views across open fields out to the Bay is a campus signature and has been clearly expressed in every LRDP. Claims that the road’s impact will be mitigated by contours in the land (p. 164) are disingenuous. It is absurd to imagine that busses and cars passing in the foreground will not disrupt the experience of open space. There are other approaches to campus traffic congestion which do not inflict irreparable damage to an especially sensitive location.

While some limited building along the eastern tree-line, below the ARC Center, may be acceptable within campus design guidelines, it should not extend out into the meadow as shown on DEIR maps. There here must be no development south of the existing structures at the north end of the Great Meadow. The open grassland from the southern edges of University House and the Music Center/Recital Hall down to the north edge of the corporation yard should entirely be designated Natural Space except where designated Natural Reserve.

Response O5-7

UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, which does not address the adequacy of the EIR analysis. With respect to the analysis and conclusions of the Draft EIR with respect to the extension of Meyer Drive, refer to Response O5-5. In addition, Mitigation Measure 3.1-3c (refer to page 3.1-45) would be implemented with future development to ensure that substantial degradation of visual character does not occur, including with respect to any future development in the vicinity of the East Remote Parking Lot. No further response is necessary. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-8

3) The growth of the corporation yard at the lower end of the Great Meadow is a cause for concern. While we recognize that recycling and construction require staging areas, the possibility of moving more of the campus building operation to this area would create a built environment radically out of character with the sweeping meadow as well as with the adjacent Farm and Arboretum environments.

Response O5-8

As noted in Impact 3.1-3 on page 3.1-43 of the Draft EIR, all development under the 2021 LRDP would be required to comply with standards set forth in the UC Santa Cruz Campus Standards Handbook and to establish consistency with the Physical Design Framework and Physical Planning Principles and guidelines in the 2021 LRDP, as previously cited by the commenter. In addition, Mitigation Measure 3.1-3c (refer to page 3.1-45) would be implemented with future development to ensure that substantial degradation of visual character does not occur, including with respect to the potential corporation yard within the lower campus subarea. For comments on the 2021 LRDP project, please refer to Master Response 2. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-9

4) We urge that development of the Westside Research Park on Delaware Avenue be maximized. This is an area with adequate space and appropriate zoning of the neighboring blocks. It could encourage a productive interaction of City and University while relieving pressure on sensitive campus sites.

Response O5-9

The comment urges UC Santa Cruz to maximize development at the Westside Research Park. The 2021 LRDP proposes a “Mixed Use” land use designation, in addition to an Academic and Support area of the Westside Research Park. These land use designations recognize the evolving nature of the surrounding area and will help create a diverse, vibrant, and active site. UC Santa Cruz acknowledges the opinion expressed on the project, the 2021 LRDP, and which does not address the adequacy of the EIR analysis. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O5-10

5) The US Fish and Wildlife Service has long urged the administration to do a campus-wide Habitat Conservation Plan, so that habitat conservation issues do not arise at the last minute, in the push to get a project built, as happened to the detriment of the Student Housing West project. We feel that this should be an immediate priority, concurrent with this LRDP process.

Response O5-10

The comment expresses support for development of a campus-wide HCP. Please refer to Response F1-4.

Letter O6 Sierra Club, Santa Cruz County Group of the Ventana Chapter

Micah Posner, Executive Committee Chair  
March 8, 2021

Comment O6-1

This is a response from the Sierra Club to the Draft Environmental Impact Report (DEIR) on the draft 2021 Long Range Development Plan (LRDP), the document which would guide growth at the University of California at Santa Cruz (UCSC) for the next 20 years. The LRDP envisions growing UCSC by approximately fifty percent, with many serious impacts to the natural and human environment as a result. The Sierra Club appreciates being able to work with the University to analyze these potential impacts prior to any plans for growth being enacted.

We appreciate the relevant information and analysis contained DEIR. However, in its draft form, we find it to be deficient in key, critical categories. As such, it requires revision and recirculation in order to act as an accurate measure of the effects of the proposed growth and to comply with the California Environmental Quality Act (CEQA). As is documented below, in numerous cases the potentially significant impacts are understated, inadequate mitigation measures are proposed, feasible mitigation measures and alternatives are missing, and important, available data and evidence are not provided.

The Sierra Club has focused on the following:

* Section 3.13 Population and Housing
* Section 3.16 Transportation
* Section 3.10 Hydrology and Water Quality
* Section 3.5 Biological Resources

Response O6-1

The comment provides introductory information and a statement regarding perceived deficiencies in the Draft EIR’s analysis and refers to subsequent comments. This comment is noted and specific responses to the perceived deficiencies are addressed below in Response O6-2 through O6-38.

Comment O6-2

**The DEIR’s Analysis of Displacement is Inadequate.** The DEIR acknowledges the project would result in a potentially significant impact on population and housing if it would displace substantial numbers of people. Then the document claims that the LRDP does not cause displacement but the DEIR’s narrow def-inition of displacement is not reasonable. The US Dept. of Housing and Urban Development explains, (Dis-placement of Lower-Income Families in Urban Areas Report, 2018), “Displacement can happen in many ways: direct displacement, in which residents are forced to move out because of rent increases, building re-habilitation, or a combination of both.” How does the DEIR address the HUD definition of displacement?

Response O6-2

The Draft EIR’s evaluation of displacement is provided in a manner consistent with the CEQA Guidelines and with respect to potential physical environmental impacts Please refer to page 3.13-9 of the Draft EIR for a discussion of displacement associated with the 2021 LRDP. Regarding the issue of housing affordability, refer to Master Response 2.

Comment O6-3

**The DEIR fails to include relevant information regarding the housing crisis in the City of Santa Cruz thus precluding informed decision making and informed public participation.** The DEIR needs to analyze the extent to which housing is unaffordable to large sectors of the community in the county. It needs to particularly study those markets closest to UCSC which provide the majority of housing for off campus students, and it needs to analyze how increased demand due to UCSC growth may affect these housing markets.

The DEIR asserts, *“Existing data on vacancy rates, as well as planned development nearby, suggest that housing is generally available or planned to be available within the county and city of Santa Cruz to accommodate the additional students, faculty/staff and non-UC employees for whom on campus housing would not be accommodated.”*

This assertion is not consistent with the experience of the general population and its elected officials. What “existing data” is this statement referring too? What is the basis for assuming that planned increases in housing will be available to UC staff and students and not to current City and County workers who participate in long commutes due to the housing shortage?

The DEIR needs to more thoroughly analyze the impact of additional demand on housing due to UCSC expansion. The following are some resources that need to be analyzed in this context:

* “Out of Reach Report,” (2019), National Low Income Housing Coalition finds that Santa Cruz is the least affordable small city in the Us.
* “No Place Like Home,” (2017) is a research project of UCSC Professors Miriam Greenberg and Steve McKay. Their study shows an unacceptable rent burden (more than 30% of income) for households close to UCSC: 73% for the Westside of Santa Cruz, 68%for Downtown and 76% for Beach Flats/ Lower Ocean.
* Apartment List.com reports that over the last seven years, an average of 60% of renter households in Santa Cruz County are cost burdened.

Response O6-3

With respect to existing data on housing vacancy rates, refer to Table 3.13-3 on page 3.13-5, which identifies a countywide vacancy rate of 7.8 percent based on data from the California Department of Finance. The Draft EIR’s statements on planned housing development in the area is based on information collected from the City and County of Santa Cruz and Caltrans regarding other planned development projects in the area. A full list of the projects identified by these agencies is provided in Table 4-2, beginning on page 4-3 of the Draft EIR. With respect to housing affordability, refer to Master Response 2. Also, see response O4-4.

Comment O6-4

The DEIR needs to analyze the affordability of on- and off-campus housing for low-income students. Low-income students have a long history of living in cars or camping in the woods behind campus. How will the proposed LRDP affect the ability of low-income students to obtain appropriate housing?

Response O6-4

Please refer to Response O4-4 and Master Response 2.

Comment O6-5

**The DEIR needs to commit to an enforceable mitigation for the LRDP’s impact on housing demand.** In a broad statement, the DEIR does conclude that *“the total on-campus population increase accommodated by the 2021 LRDP may directly or indirectly induce substantial housing demand in the region.” and admits that “This impact would be significant.”*

However, it fails to provide an enforceable mitigation for this significant impact. In Table 3.113-11, the DEIR does promote the idea of increasing building space under the LRDP to house approximately 8,500 students, or approximately 90% of proposed growth. This appears to be included as a response to a request of the Community Advisory Group convened by the University, which called for “a binding commitment of housing 100 percent of new students”, but the mitigation fails to meet that goal on two points:

* **Providing land for housing is in no way the same as building the housing. In fact, UCSC has a history of not meeting its housing goals.** The 1988 LRDP set a goal of housing 70% of undergraduate students, 50% of graduate students and 25% of faculty and staff. In reality, performance never approached that goal with the actual percentage of students housed on campus hovering at around 50%. There is every reason to assume that the structural obstacles that have prevented UCSC from meeting the housing goals of the 1988 LRDP will be repeated with regard to the current draft LRDP.
* **For on-campus housing to occupied it has to be priced so that its cost is competitive with off-campus rents.** The formula under which the UC system builds housing states that rental income has to pay for the costs of housing construction and maintenance. Historically, these costs have triggered rental rates that priced campus housing well over off campus housing. A dorm room shared by three students costs above $4000 a month, but a typical room in a house with a kitchen and full amenities rents for $1000. This explains the relatively high vacancy rate of 7.65% on campus, with 711 vacant beds at last count as compared to the vacancy rate on rentals in the County of 1.9% referenced on page 3-13-4. The EIR should do more analysis on the disparities between the relative vacancy rates and include the vacancy rates for rentals in the City of Santa Cruz, which is more relevant to UCSC. As noted in its own documentation, the vacancy rates for housing as a whole, referenced in table 3-13-3, which include vacation housing and second homes, are irrelevant.

Response O6-5

With respect to the binding commitment for increases in enrollment as mitigation, refer to Master Response 9 related to phasing and implementation. With respect to the perceived affordability of on-campus housing, refer to Master Response 2.

Comment O6-6

**CEQA law demands that a realistic funding source be available for the project and its mitigations.** In the case of the aforementioned mitigation, how will the proposed housing be built in such a way that its costs will be comparable to off campus housing? Given its history and the continuing policies on which its failure to build projected housing are grounded, how can the public be confident that this mitigation will be accomplished, and how is the DEIR accurate if it provides a mitigation that is unlikely to be achieved?

Without a credible plan to provide housing that is reasonably priced, it can be assumed that meeting the housing goal is not feasible. We propose a simpler solution, in line with the request of the Community Advisory Group, which would assure that the LRDP’s housing projections are fully mitigated.

Response O6-6

Based on the stipulations of the 2008 CSA (refer to Master Response 2 for further information regarding the 2008 CSA), UC Santa Cruz has achieved the on-campus housing goals in a manner consistent with the terms of that agreement. Further, with respect to how development within the LRDP area, including funding of development, would occur during implementation of the 2021 LRDP, refer to Master Response 2.

Comment O6-7

**PROPOSED MITIGATION   
Each incremental step in campus enrollment growth shall be contingent on UCSC actually housing 100% of new students and 25% of new faculty and staff.**

Response O6-7

Please refer to Master Response 9 and response to Comment O4-5.

Comment O6-8

**If housing mitigations are not successful, the EIR analysis of projected increase in vehicle miles traveled is not accurate.** As discussed above the current goals to house students and staff are not feasible, but expected air pollution as represented by projected increases in vehicle miles traveled, are dependent on the housing goals being met. Simply put, if fewer people live on campus than envisioned, there will be more automobile use to bring students and staff living off campus to the University. Therefore, the lack of feasibility of the housing goals (as discussed above) calls into question the accuracy of the section on vehicle miles traveled. Unless binding mitigation as proposed above is adopted into the DEIR and LRDP, the vehicle miles traveled analysis of the document is not accurate.

Response O6-8

Mitigation in the Draft EIR provides for the development of a TDM Program that would be adaptively managed to account for year-over-year shifts in level of on-campus housing provided, student behavior, enrollment, and other conditions, as defined by performance standards developed. The comment speculates that without on-campus housing to match enrollment increases that VMT reductions could not be achieved but does not take into consideration proximity to campus, transit and other alternative transportation improvements, and potential parking restrictions (e.g., parking permits) that also would reduce SOV use and vehicle trips to and from campus. Rather than speculating on these unknown factors, the EIR focuses its programmatic analysis on implementation of the entire LRDP, with mitigation established based on resources that may be affected by overall buildout, on the location of where development may occur, or on performance criteria, as appropriate for a programmatic analysis under CEQA. Also, please also refer to Master Response 9 regarding plan implementation and phasing of development and Master Response 11 regarding the programmatic level of detail (including use with subsequent project-specific evaluations) presented in the Draft EIR.

Comment O6-9

**Target for reduced vehicle miles traveled is inconsistent with goals of the Campus Sustainability Plan.** The DEIR claims that Mitigation Measure 3.16-2 is in alignment with the goals outlined in the UC Santa Cruz 2017-22 Campus Sustainability Plan, including reducing commute VMT by five percent and reducing per capita parking demand by ten percent by 2022. This claim is not accurate. This mitigation measure in-tends to *“reduce the total campus VMT per capita to 15 percent below baseline campus average and the total employment VMT per employee to 15 percent below the countrywide average.”* Reducing VMT per capita is not the same as reducing total commute vehicle miles traveled.

Response O6-9

Please refer to Response O4-19.

Comment O6-10

Goal 3 of the Campus Sustainability Plan 2019 Update calls for *“reducing Scope 3 commuter greenhouse gas emissions 10 percent by 2022.”* The DEIR does not address this goal. Nor will it be possible to achieve this goal with the implementation of the 2021 LRDP, which will result in increased commuter trips to campus. If the Campus Sustainability Plan is a guiding planning document, how can the draft LRDP establish acceptable thresholds that are not in accordance with this plan?

Response O6-10

Please see Response O4-19.

Comment O6-11

Comparing on-campus students to county average VMT is not a reasonable measure of significant impact. The DEIR claims that the addition of some 15,800 additional vehicle trips to be undertaken by ad-ditional students and staff (as per table 3-16-6) is not a significant impact. This contradicts the definition of the word significant *“sufficiently great or important to be worthy of attention; noteworthy.”* (Source: The Oxford English Dictionary). This runs contrary to common sense and continuing to assert it as fact under-mines the University’s credibility.

The claim that 15,800 additional trips is not a significant impact is reasoned by adopting standards developed by the state OCP for the addition of housing developments and businesses. UCSC is significantly different from these types of developments for two reasons: First, the proposed growth is so large that it would add approximately 20% new residents to the City of Santa Cruz, thus causing significant changes to the entire City. This type of impact cannot just be measured using averages and normatives. It needs to be examined with regard to the significance of its impact on its own merits. Second, UCSC provides housing to approximately half of its students, thus already providing both the origin and the primary destination of their potential vehicle miles traveled. Using the OCP guidelines for this kind of institution would mean that a category of projects would be effectively exempt from reducing their VMT and thus participating in statewide reductions in greenhouse gas emissions. This category would include any type of boarding school, nursing homes, sleep over camps, and prisons. UCSC needs to show how the OCP guidelines apply in its particular case. It is not reasonable to judge its vehicular emissions with the same standard used for a small apartment complex or family business.

Response O6-11

This comment suggests that student residents on a university campus should be held to a different standard in terms of VMT generation than housing developments and businesses. The University, in housing new students on the campus where they are “employed” in the business of pursuing their studies, is providing arguably the most efficient jobs-housing balance possible. UC Santa Cruz not only provides housing within walking/biking/shuttle distance of the students’ typical daily destinations but provides transit services to link students to their off-campus destinations when they need to travel off-campus.

UC Santa Cruz acknowledges that the OPR guidance does not directly address unique uses such as college campuses, among many other uses. UC Santa Cruz does believe that the Draft EIR provides a fair comparison of the campus residential VMT generation to the countywide average residential VMT generation.

It is noted that OPR, in developing its VMT guidance, did not use absolute VMT in its threshold recommendation, recognizing California was going to continue growing (more people and vehicle trips) and the vehicle fleet was expected to transition to be more GHG-efficient over time (higher mileage, more ZEVs, etc.). In developing its recommended threshold, OPR worked with the California Air Resources Board within the context of the 2017 Scoping Plan and the emissions reduction needed from the transportation sector to achieve long-term GHG goals embodied in SB 32 (40 percent below 1990 GHG levels by 2030, on a trajectory to meet 80 percent below 1990 GHG levels by 2050). The forecast resulted in a recommendation that VMT *per capita* needed to be reduced by 15 percent, compared with the forecasted total (based on continuing on the current trajectory), to meet long-term GHG reduction goals associated with the transportation sector.

Comment O6-12

Having claimed that adding 10,000 new students will have no significant impact, the document than admits that there will be a small but significant impact due to the VMT increases from faculty and staff. The calculation of this VMT increase is greatly reduced by current and planned housing on campus for faculty and staff. This reduction needs to be reexamined based on the same criteria outlined above.

Response O6-12

The Draft EIR finds that the combined effect of student, faculty and staff growth under the 2021 LRDP, along with the new housing proposed, will reduce the VMT per capita below baseline levels, and that the residential VMT per campus resident will be more than 15 percent below regional averages. Thus, based on the thresholds identified, impacts were appropriately determined to be less than significant with mitigation.

Comment O6-13

**The way that traffic is being studied effectively exempts UCSC from contributing to state, city and county plans to reduce greenhouse gas emissions.** Automobiles are our state’s, city’s and county’s largest source of greenhouse gas emissions. The reason that standards governing vehicular travel were changed to represent VMT instead of congestion standards was so that the reduction of VMT could contribute towards reducing our state’s greenhouse gasses. The way in which the DEIR is counting VMT effectively exempts it from any and all legislative action to reduce greenhouse gas emissions by controlling its primary source transportation. **In what way will the draft LRDP come into compliance with state and local climate action plans to reduce overall VMT so as to address climate change?**

Response O6-13

Please see Response O4-14. Further, Section 3.8, “Greenhouse Gas Emissions and Climate Change,” analyzes the 2021 LRDP impacts associated with GHG emissions and climate change, including the possibility to conflict with any applicable Plan, Policy or Regulation Adopted for the Purpose of Reducing the Emissions of Greenhouse Gases in Impact 3.8-2, and as discussed in Impact 3.8-2, the project impacts are going to be less-than-significant in this regard.

Comment O6-14

**PROPOSED MITIGATION   
Overall VMT shall be reduced by 5% as per the Campus Sustainability Plan**By adopting this standard, the DEIR will actually be in compliance with climate legislation, including its own Sustainability Plan, and the expectations of local citizens and their elected officials. This condition for growth would mirror a successful policy at Stanford University. In 2000, Santa Clara County conditioned Stanford growth on achieving zero new peak hour vehicle trips to campus. According to the former Director of Stanford Parking and Transportation Services, Stanford added an additional 5000 students and staff/faculty between 2001 and 2015 without adding additional vehicular trips to campus, as measured by periodic traffic counts at each entrance. A reduction in the number of people in California who own automobiles, especially those of college age, will continue to make it easier to reduce automobile trips. Several of the mitigations to unacceptable staff VMT will help to achieve this goal as will additional mitigations proposed below. **We ask you to seriously consider this goal and explain your reasoning why or why not it is not adopted.**

Response O6-14

The UC Santa Cruz Campus Sustainability Plan presents goals that UC Santa Cruz is committed to; the 2021 LRDP is separate from, but related to, the Campus Sustainability Plan. UC Santa Cruz believes the Plans are internally consistent. Both plans contain policies and transportation system goals that aim in the same direction, to reduce automobile trips and VMT. UC Santa Cruz respectfully disagrees that the 2021 LRDP and the Draft EIR attempt to exempt the University from the responsibility to reduce greenhouse gas emissions. Rather, by committing to house all new students and some new faculty, on campus and thus minimize vehicle trips and VMT, UC Santa Cruz is effectively using its unique ability to plan for both the housing and “employment” uses on-site to minimize statewide VMT growth.

Comment O6-15

**Mitigations of the increased VMT of faculty and staff are insufficient.** Even using the document’s aforementioned algorithm, the DEIR admits that its faculty and staff will create VMT above the level it deems acceptable and suggests mitigations for that impact. The projections are flawed and the mitigations need to be fully explored as per below. **Please respond to the proposed mitigations below as well as our criticism of one aspect of the projected VMT per capita calculations.**

Response O6-15

UC Santa Cruz respectfully disagrees with the perceived flaws and insufficiency in the EIR’s mitigation measures related to transportation. No evidence is provided to support in this comment to support the statement. Please refer to Responses O6-16 through O6-18 for specific responses to the suggested mitigation.

Comment O6-16

**The addition of a new entrance will induce more staff and faculty traffic. This needs to be added to VMT predictions.** Vehicle-miles-traveled statistics for staff and faculty use current commute patterns based on two vehicular entrances to campus. Adding a third entrance will make it easier to commute to campus and thus induce traffic thereby increasing VMT per capita. Specifically, a third entrance will increase vehicular access from another neighborhood along Empire Grade not easily accessed by current entrances, thereby encouraging staff and students who live in this neighborhood to drive. It will also encourage staff who live in the proposed housing near the new entrance to drive to campus. **Has this induced traffic been accounted for in the current VMT projections?** Instead of building a road for automobiles the proposed roadway could have a one lane and/or decomposed granite treatment sufficient for it to be used by emergency vehicles and, possibly, transit vehicles. In so doing, it would still serve as the mitigation of potentially reduced emergency access mentioned in the DEIR. Please study this alternative with regard to VMT and impacts on the habitats to be bisected by the proposed road.

Response O6-16

The commenter provides opinions on traffic inducement without providing any evidence to support the claims regarding travel behavior. The new entry is intended to provide more direct/shorter travel routes to existing and future campus development in the north campus area and is consistent with the LRDP strategy to restrict single occupant vehicles in the campus core with periphery parking. As discussed in Draft EIR Impact 3.16-1, the proposed new north entry from Empire Grade would not induce additional travel but would redistribute some of the trips to the north entrance. As such, it is not expected to be a capacity-expanding project, nor would it be expected to comparatively increase VMT. See Response O4-17 for further details regarding new northern entrance not inducing vehicle traffic growth. The recommendation to study an alternative in which the new northern entry is designed to be used for emergency vehicle and transit vehicle use only is noted and may be considered in the future during project-specific planning and design should it be deemed necessary.

Comment O6-17

**PROPOSED MITIGATION  
Increase parking fees to pay for transit system.** We appreciate the commitment made as part of the TDM mitigation to have “no net increase in parking.” Decreasing parking supply on a per capita basis will raise its value, and parking fees should be raised accordingly so as to further disincentivize personal automobile use. Monies gained by raising these fees should be used to pay for public transportation for staff and students. Current policy seems to rely on increasing student fees to pay for transit but as shown by the recent defeat of such a measure in 2018, this funding source is not entirely reliable. If students do agree to raise fees for transit, it should be go for additional service, while parking fees should be used to maintain basic levels of transit service.

Response O6-17

The comment is noted and will be considered as UC Santa Cruz reviews and adjusts its transportation management efforts, including the TDM Program required by Mitigation Measure 3.16-2. As this comment does not address the adequacy of the EIR analysis, no further response is necessary.

Comment O6-18

**PROPOSED MITIGATION  
Designate additional parking spaces—currently used by single occupant drivers—as carpool-only spaces.** This will provide an incentive to carpool and provide an option for low income staff and students to mitigate the financial impact of increased parking fees.

Response O6-18

The comment is noted, and UC Santa Cruz will include this consideration as part of its development, implementation, and adaptive management of TDM Program, as required by Mitigation Measure 3.16-2. As this comment does not address the adequacy of the EIR analysis, no further response is necessary.

Comment O6-19

**PROPOSED MITIGATION**Provide free electric charging for automobiles and electric bicycles. Incentivizing electric cars over gas cars would not affect VMT, but would reduce air pollution caused by automobiles, which is a primary end goal of VMT legislation.

Response O6-19

The comment is noted; however, it is considered to be already included as part of Mitigation Measure 3.3-2. As noted by the commenter, electric charging of vehicles would not (in and of itself) reduce VMT as electric vehicles still generate VMT. As a result, the inclusion of this measure as part of Mitigation Measure 3.3-2 (on page 3.3-27 of the Draft EIR) is considered appropriate within the context of Impact 3.3-1. The degree to which free electric charging could be made available is subject to financial considerations and the degree to which it would further reduce emissions is uncertain and cannot be quantified.

Comment O6-20

**PROPOSED MITIGATION  
Implement traffic calming measures on all campus streets and reduce the speed limit to 25 mph.** While this would not necessarily reduce VMT, a reduced speed limit enforced via hardscape changes to the roads (speed reduction platforms being the most common example) would reduce pollution caused by tires, as well as deaths and injuries to human beings and animals.

Response O6-20

The comment is noted, however, this measure is considered to already be included as part of Mitigation Measure 3.3‑2, as stated on page 3.3-27 of the Draft EIR. The commenter is specifically referred to the seventh bullet of the aforementioned mitigation measure.

Comment O6-21

**Potential Impacts to Karst Aquifer**The DEIR properly states, *“Potential impacts on groundwater that could result under the 2021 LRDP include 1) reduced spring flows and lowering of aquifer water levels as a result of a reduction in recharge due to increased impervious surfaces, and as a result of a potential groundwater extraction in the event that groundwater pumping is implemented to reduce demand for water from the City’s supply…Impacts associated with new development on the karst aquifer would be potentially significant.”* (3.10-33) The campus expansion requires millions of square feet of new paving, as well as expanding from 2 million square feet of buildings to 5 million. **How will systems directing water runoff be renovated so as to insure that additional runoff does not damage surrounding habitats including the Kalkar pond on the east side of campus?**

Response O6-21

Please refer to Response O2-2.

Comment O6-22

**Water Supply**The city of Santa Cruz has supplied UCSC with water since its founding in 1965, and will continue to do so, but the city itself relies on the surrounding river and watershed systems. The Santa Margarita Groundwater Basin (SMGWB) underlies 30 square miles of the Santa Cruz Mountains and on top of it is the watershed of the San Lorenzo River, of which the river itself supplies 59% of the city’s water. The SMGB has lost an estimated 28,000 acre feet in groundwater storage since data has been recorded, resulting in diminished local water supply and reduced sustaining base flows to streams that support fishery habitats. Although pumping from the SMGB has been reduced by 45% since 1997, and supply and demand have been in balance for the last 10 years, the substantial increase in county residents projected by the LRDP poses a significant strain on resources, particularly as we face current and future water deficits due to drought, wildfire, and climate change. The Santa Margarita Groundwater Agency (SMGWA), a joint powers authority comprising the Scotts Valley Water District, the San Lorenzo Valley Water District, and the County of Santa Cruz, was formed in 2017 to protect and sustain the overdrafted groundwater basin by the development of a Groundwater Sustainability Plan (GSP). The GSP must be completed by 2022, and the basin must reach sustainability by 2042. Regardless of suggested UCSC mitigation measures, if the campus continues to rely on the city for a majority of its water, the expansion places a significant strain on a limited resource.

**How does the University intend to mitigate the long-term strain on water resources placed on the county of Santa Cruz by its growth from 18,500 current students to 28,000 by 2040, as well as an additional 2200 faculty and staff from its current 2800, for a potential total of 33,000?**

Response O6-22

The Draft EIR, within Section 3.17, “Utilities and Service Systems,” evaluates the potential impact of 2021 LRDP implementation on long-term water supplies, as provided by the City. Refer to Impact 3.10-1, beginning on page 3.17‑22, for further clarification. Within this impact analysis, the Draft EIR also provides an evaluation of potential alternative water supplies, consistent with past and current evaluations conducted by the City. Further, based on groundwater conditions within the lower campus subarea, which (as previously noted) is not part of the Santa Margarita Groundwater Basin (SMGB), UC Santa Cruz also considers the potential for and impacts associated with sustainable use of groundwater supplies for potable and non-potable uses. Thus, the DEIR adequate analyzes and discloses impacts and includes appropriate mitigation; no additional analysis is warranted.

Comment O6-23

**Comments on UCSC Long Range Development Plan Water Supply Evaluation, Appendix J of the DEIR including the need for an approved habitat conservation plan.**7.0 Determination of Water Supply Sufficiency Based on the Requirements of SB 610. Table 7-1, which lists City of Santa Cruz Water Supply and Demand in Normal Years, Single Dry Years and Multiple Dry Years, MGY, presents unrealistic and inaccurate information for the Supply Totals. With this error, the Demand vs. Supply ratios are not accurate and will not provide proper compliance to SB 610, nor to this environmental review process.

The DEIR must include accurate assessments and this listing of available water supply is not accurate. An accurate assessment of available water supply must include requirements for water to be set aside for fish and wildlife identified by a Habitat Conservation Plan (HCP), but the city of Santa Cruz has not had an approved HCP since 2002. Prior to expanding water supply to UCSC, an HCP must be approved by relevant state and federal agencies.

The LRDP rightly notes, at page 27 of Appendix J, that the HCP issue exists. However, no accounting of the coming reduction in supply is shown in any projections. In a February 10, 2012, letter from NOAA National Marine Fisheries Service (NMFS) to Local Agency Formation Commission (LAFCO), NMFS stated that “it does not appear that current *water supplies are sufficient to meet current demand and protect listed salmonoids, let alone allow for increased demands*.” (Emphasis in original.) The clear and obvious inference is that the City does not and will not have the water supply listed in this DEIR once the mandated allocations are made to account for protection of listed species. **How does this DEIR permit a water supply analysis that is clearly incorrect projecting forward?**

Response O6-23

As described in the Draft EIR and Water Supply Evaluation (included in Appendix J of the Draft EIR), the projected future water demand of approximately 307 million gallons per year (MGY) for UC Santa Cruz (including the proposed 2021 LRDP and the Coastal Science Campus) is considerably lower than the 349 MGY previously projected for buildout of the 2005 LRDP, and is lower than the 2035 primary water demand projection for UC Santa Cruz included in the City’s 2015 UWMP, which is currently considered the best available and accurate information regarding water supply for and demand from its customers. The issue of whether the City, as the water provider for UC Santa Cruz, has prepared and approved an HCP for its use of available surface water and groundwater supplies is considered outside the scope of analysis of the 2021 LRDP EIR. The City, as a water retailer, has established water rights that are partially used to fulfill the demands of the LRDP area, up to 2,000,000 gallons per day. The City, as part of its current General Plan EIR (as prepared in 2011), evaluated the potential impacts associated with the additional water demand (up to 4,537 MGY) within its water rights. Further, the City uses the Confluence Water Resource Planning Model as part of its assessment of current and future water supply system operation and is currently working with USFWS, CDFW, and National Marine Fisheries Service regarding necessary flows to ensure that significant impacts to coho salmon and steelhead do not occur. In January 2021, the City of Santa Cruz initiated a water rights change petition to the State Water Resources Control Board to improve flexibility to ensure that the city can meet the water needs of the community while providing protective flow conditions for Coho and Steelhead as agreed upon between the state and federal agencies. The City released a Draft EIR in June 2021 to evaluate the water rights change petition.

As shown in the Draft EIR (refer to Table 3.17-10, beginning on page 3.17-23 of the Draft EIR), future year water demand with the 2021 LRDP would not exceed the previously evaluated water demands and their potential impacts, as evaluated by the agency responsible for procuring water supplies for UC Santa Cruz. The Draft EIR does include an assessment (as an alternative water supply) of the potential use of available groundwater in Section 3.15, “Utilities and Service Systems” and provides a preliminary evaluation of the potential impacts to biological resources on page 3.17-31 of the Draft EIR in accordance with CEQA requirements. Based on the evaluation provided therein, UC Santa Cruz would only utilize water supplies within the sustainable yield of the groundwater aquifer, pending future evaluation and monitoring. Refer to Master Response 10 related to hydrology and water quality for further clarification.

As noted in Response F1-4, UC Santa Cruz is considering preparing and implementing a campus-wide HCP, which if on-site groundwater use is considered, would be addressed.

Comment O6-24

**Water District Boundaries Need Relevant Approvals**The DEIR should acknowledge that expansion of the City water supply into North Campus is subject to approval by LAFCO. Under CEQA, LAFCO is the Responsible Agency for proposed expansion of utility service areas. It is the responsibility of LAFCO to review challenges to the water supply and UCSC’s history and projections of reducing water use per capita, and then to make a consideration. In so doing, LAFCO would safeguard the water supply for UCSC as well as other City users. The DEIR acknowledges that providing city water for the projected increase in students and staff is a significant impact even after mitigations are put into place: UCSC’s remaining water demand with implementation of the 2021 LRDP would contribute to the need for the City to further restrict water deliveries or secure a new water source for multiple dry water year conditions.”

During an earlier process step in this University expansion plan, in 2012, it was deemed necessary to expand the Water District boundaries, as much of the new, expanded development is situated outside the Water District Boundary. LAFCO received significant pressure from the community to not expand this boundary until the City fulfilled its legal obligations with regard to the HCP. The boundary was not expanded.

It is no coincidence that UCSC now claims that the Water District Boundary does not need to be expanded, as that would have required an HCP which will surely reduce available water supply. But the requirement to implement an HCP did not disappear due to assertions that the City water supply can be expanded outside its boundaries without legal approvals from LAFCO.

Response O6-24

Please refer to Master Response 2 and responses to comments provided in Letter L2 (LAFCO).

Comment O6-25

Wildfire impact on wildlife populations is not noted in this section of the DEIR. This is a critical oversight as in August and September of 2020 Santa Cruz and San Mateo Counties experienced the most severe wildfires in their history with the ignition of the CZU Lightning Complex Fire which burned 86,500 acres and resulted in significant habitat loss and displacement of thousands of individuals of many animal species. The fire event is noted in the DEIR’s wildfire section (3.18) with the acknowledgement that the CZU fire occurred after the NOP for the 2021 LRDP had been published (3.18-9), but the DEIR Biological Resources section does not account for the fire’s impact on wildlife. This is of serious concern as the UCSC campus adjoins forested areas of the Santa Cruz Mountains which were heavily affected by these fires, burning large portions of Bonny Doon, upper San Lorenzo Valley and along the coast, all of which had a high fuel load accumulated over many decades of fire suppression. In some areas, notably Big Basin California State Park which housed populations of the endangered marbled murrelet, the fires were of crown-destroying intensity, and occurred at a critical juncture in the species’ nesting period. It will take decades for these areas to fully recover, if such recovery is possible with the accelerating effects of climate change and human activity. Damage to natural resources is still being assessed, with possibly as much as 40% of redwoods in the Santa Cruz Mountains suffering burns.

Response O6-25

To provide additional context regarding the 2020 CZU Lighting Complex fire, Section 4.3.5, “Biological Resources” on pages 4-24 and 4-25 of the Draft EIR has been edited as shown in Chapter 4, “Revisions to the Draft EIR” of this volume. The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification. Also see Master Response 4 regarding wildfire.

Comment O6-26

With this in mind, any mitigation offered in the DEIR in consideration of species such as mountain lions, foxes, coyotes, bobcats, etc. is not adequate because it fails to address the disruption of wildlife’s normal patterns of migration, denning, hunting and reproduction caused by both the CZU fire and the following months of extensive tree-removal operations, utility work, logging road construction, debris removal, site-scraping, clear-cutting and general construction and repair work taking place in the areas adjacent to UCSC’s North Campus, the long-term effects of which on habitat and species may not be known for some time. This creates significant pressure on animal populations in the fire zones, and may result in some individuals entering the LRDP area when they otherwise would not have. How does the University plan to address these concerns?

Response O6-26

Because these response activities are not occurring in the LRDP area, it is appropriate to discuss the impacts of these activities in Section 4.0, “Cumulative Impacts.” To provide additional context regarding the 2020 CZU Lighting Complex fire, Section 4.3.5, “Biological Resources” on pages 4-24 and 4-25 of the Draft EIR has been edited. The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification. Also see Master Response 4 regarding wildfire.

Comment O6-27

In 2017 UCSC Professor of Environmental Studies Chris Wilmers, who operates the joint UCSC/CDFW Santa Cruz Puma Project, estimated the number of mountain lions in the Santa Cruz Mountains. at 50-60, each with a territory of anywhere from 5-100 square miles. When these individuals are displaced by a natural disaster such as the CZU, they come into competition with each other and with humans for resources, increasing population stress, malnourishment, and affecting reproduction as well.

The DEIR acknowledges potentially significant impacts to this population but based on the fact that it does not account for changes in environment caused by the CZU fire, the suggested mitigation is inadequate and should be re-assessed. The LRDP DEIR mitigation measures proposed in regard to mountain lion dens and other predators are insufficient to address potential impacts of construction. Mitigation Measure 3.51a specifies, “Within at least 30 days before commencement of project activities, a qualified wildlife biologist with familiarity with mountain lion...will conduct focused surveys of habitat” (3.5-61) and “If no potential dens are found...no further mitigation will be required.” The language given for this survey period is too vague to provide clear data. As worded, the time-frame of the survey allows for it to have occurred ANY TIME prior to 30 days before project activity commences, thus permitting outdated survey data to be used. We request that this mitigation be re-written to provide reasonably current data. Also, since there is no sunset clause, an outdated 2021 survey could be used many years from now if the expansion is delayed (as it has been in the past).

Response O6-27

To provide additional context regarding the 2020 CZU Lighting Complex fire, Section 4.3.5, “Biological Resources,” on pages 4-24 and 4-25 of the Draft EIR has been edited. Also see Master Response 4 regarding wildfire. Mitigation Measure 3.5-2k has been edited to state that surveys must occur within 30 days prior to the start of project activities and that if the start of work lapses and more than 30 days pass, an additional survey shall be required. The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification.

Comment O6-28

The LRDP zone includes habitat and terrain for 66 special-status wildlife species and 64 special-status plant species, many holding statuses CRPR 1B (Endangered in CA) and known to occur in the development zone.

Other animals affected by the campus expansion include coyotes, gray foxes, bobcats, bats including Townsend’s big-eared bat, western red bats and pallid bats, American badger, ringtails, San Francisco dusky-footed woodrats, invertebrates such as the Ohlone tiger beetle (critically imperiled) and amphibians like the California red-legged frog (a federally listed threatened species), deer, and other vital prey animals. UCSC campus also contains the San Francisco Campion, Point Reyes horkelia, Santa Cruz Manzanita, San Francisco Popcorn Flower and Marsh Microseris, among others, all listed as State Endangered and all known to occur in the LRDP area. What has made UCSC a focus of the UC system for life sciences is exactly this abundance of wildlife in a vibrant ecosystem accessible for observation and study. By so extensively altering the natural landscape of its campus the University runs the risk of damaging the very programs which have made it so attractive to students.

Response O6-28

UC Santa Cruz acknowledges the various wildlife and plant species that are present in the LRDP area as described in Section 3.5, “Biological Resources” of the Draft EIR. This comment does not address the adequacy of the Draft EIR analysis and further response is not required. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O6-29

**Ohlone Tiger Beetle**Native coastal prairie habitat on campus critical habitat for the endangered Ohlone tiger beetle. Future housing development is proposed within and adjacent to coastal prairie habitat mapped at Crown Meadow, and within a short walk or bike ride from Marshall Field. Concentrated bike and traffic and picnicking activity would cause significant “take” of Ohlone tiger beetles in open areas, foot paths, roads and cleared areas, as the beetles concentrate in open areas during breeding season to look for mates, dig burrows and deposit eggs. These potential impacts must be disclosed and addressed through project modification and mitigation.

The proposed development zone would convert to residential uses the entire area of Habitat Conservation Plan Area 1D, a former Ohlone tiger beetle habitat that was restored to support reintroduced tiger beetles. If re-establishment effort has not yet proved successful, the management effort benefits coastal prairie restoration habitat and should be continued. This effort should be one of multiple measures to address the increased cumulative adverse impact on the Ohlone tiger beetle of the closer proximity of development, elevated population and intensified activity associated with the proposed LRDP.

Not only would the UCSC human population increase from 18,500 to 28,000 on campus under the proposed LRDP, but the number of student beds would increase from 9,300 to 17,700 and the number of staff and faculty units would grow from 270 to 828. Much of the proposed residential development would be placed in the north campus area, with easy access to native grassland habitat in Marshall Field that supports one of only a handful of remaining occurrences of Ohlone tiger beetle, a federally endangered species endemic to the marine terraces in Santa Cruz County characterized by Watsonville loam soils.

The increased bicycle and foot traffic associated with a substantially increased population of students, and the increased reliance on outdoor activity, will inevitably result in the increased mortality and disturbance of adult and larval Ohlone tiger beetles, by roughly doubling human activity in the meadows and open patches of bare ground that the Ohlone tiger beetle depends on for foraging, mating, thermoregulation and oviposition. This is a potential cumulative impact of all the development proposed by the LRDP to cover the next two decades, comprises a “take” of the Ohlone tiger beetle incurred by the action of the UC Regents and cannot be addressed by piecemeal evaluation of individual construction sites. A piecemeal approach to such impacts, without analyzing and mitigating the cumulative impact, comprises “segmentation” and is prohibited under CEQA law. Unless the University develops and implements an adaptive Habitat Conservation Plan approved and supervised by the United States Fish and Wildlife Service, the most important remaining populations of OTB are likely to be extirpated. Simply stated, the LRDP poses an imminent threat to the survival of the species.

Response O6-29

The Ohlone tiger beetle discussion on pages 3.5-56 through 3.5-59 of the Draft EIR includes a discussion about the impacts of development under the LRDP on Ohlone tiger beetle. A habitat assessment by Dr. Richard Arnold, a renowned expert on the species, determined that Crown Meadow does not contain habitat suitable for Ohlone tiger beetle, which is strictly associated with coastal prairie or grassland on Watsonville loam soils. Mitigation Measure 3.5‑21 on pages 3.5-58 and 3.5-59 includes development of a comprehensive HCP as one of the potential regulatory strategies for addressing potential impacts on Ohlone tiger beetle. Refer also to Master Response 12 regarding long-term habitat protection and a campus-wide HCP.

The commenter’s statement regarding a piecemeal approach is noted but is not considered to apply to the Draft EIR, as the Draft EIR considers the overall impact of development within the LRDP area and the potential impact of the overall level of development on various resources, including Ohlone tiger beetle. This approach is considered to be consistent with CEQA requirements.

Comment O6-30

The deficiency of the EIR in failing to consider potentially significant recreation impacts to the OTB extends to the recreation section, where the trail network map provided by Figure 3.15-1 omits three trails that pass right through OTB HCP Area 1A-A. This omission is important not only because it fails to disclose a significant source of adverse impacts to OTB, but also because the recreation section proposes a University strategy to increase in outdoor recreation by expanding formal trail links to adjoining State and County parks. This would intensify activity on three trails that intersect within Inclusion Area 1AA. The recreation section (falsely) asserts that, although the campus population and potential demand for recreational facilities would nearly double, the impact on existing recreational facilities would be less than significant even without mitigation and without any commitment of the UC Regents to construct additional recreational facilities. This failure to accommodate recreational demand would place even greater pressure on trails, meadows and outdoor recreation areas, particularly Inclusion Area 1AA, which is located at the intersection of several campus trails and an ad-hoc access point from Meder Street.

The vulnerability of the Ohlone tiger beetle population to increased human presence and outdoor movement underscores the inadequacy of the existing habitat preserve Area 1A-A, which comprises approximately 12 total acres, of which only about 10.8 acres are effective habitat, and the rest is oak woodland. To protect an organism that is clearly in retreat from human activity and development, that has been extirpated from numerous sites adjoining urban development in Soquel and Santa Cruz, larger habitat set-asides are required. The Ohlone tiger beetle will become extinct unless protected areas are large enough to include all of the suitable habitat, characterized by USFWS (reference below) as “shallow, pale, poorly drained clay or sandy clay soil that bakes to a hard crust by summer, after winter and spring rains cease,” including “barren areas among low or sparse vegetation within the grassland. Ohlone tiger beetles require these open areas for construction of larval burrows, thermoregulation, and foraging.” Adequate mitigation for the potential impact to this species of LRDP development must include adding the mima mound habitat west of Empire Grade, comprising approximately 80 acres, and protecting and managing all existing and suitable OTB habitat in upper and lower Marshall Field.

The commenter provided an aerial photo displaying Ohlone tiger beetle habitat south of Empire Grade and within the LRDP area.
Aerial image with text that reads, "Existing Ohlone tiger beetle Habitat Conservation Area 1AA (dark purple) and recommended conservation area (light purple).

Response O6-30

First and foremost, the Draft EIR, as noted in Chapter 2, “Project Description,” includes recreational facilities that would be provided as part of 2021 LRDP implementation, including facilities associated with new student housing and other facilities, as well as enhanced trail connections. However, the Draft EIR also assumes that trail users, including the increased population associated with the 2021 LRDP, would generally adhere to marked trail boundaries and would not otherwise seek to create new trails, which is considered reasonable and in accordance with regulatory requirements. The Draft EIR evaluates (from a programmatic perspective) the potential increased use of facilities and determined that existing funding and operations and maintenance activities related to funding would prevent accelerated deterioration of such facilities, including trails. Further, any proposed trail connections or other recreational improvements would be subject to project-level review under CEQA including a site-specific evaluation of potential impacts to biological resources. The Draft EIR’s analysis is considered appropriate for a programmatic-level document and in accordance with CEQA requirements.

This comment also proposes a conservation area for Ohlone tiger beetle. Development under the 2021 LRDP would not occur in the proposed conservation area. This comment does not address the adequacy of the Draft EIR, and further response is not required. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O6-31

The EIR proposes to survey for rare plants and wildlife only “within a project site,” and only when the proposed LRDP could result in direct disturbance of OTB. This approach to impact mitigation fails in this regard: it would allow housing development to be placed entirely around the central area of the Crown Meadow on north campus with no biological survey of potential occurrence of the OTB or its habitat within Crown Meadow or nearby Marshall Field. This failure alone renders the EIR deficient in failing to assess the presence of an endangered species or to consider the potential multifold impacts of surrounding sensitive habitat with intensive human activity.

Response O6-31

A habitat assessment by Dr. Richard Arnold, as referenced in the Ohlone tiger beetle discussion on pages 3.5-56 through 3.5-59 of the Draft EIR, determined that Crown Meadow does not contain habitat suitable for Ohlone tiger beetle, which is strictly associated with coastal prairie or grassland on Watsonville loam soils. Thus, the EIR adequately evaluates and discloses impacts, and no further response is warranted.

Comment O6-32

According to “Ohlone Tiger Beetle (*Cicindela ohlone*) 5-Year Review: Summary and Evaluation” prepared by the U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office (Ventura, California, 2009)(https://esadocs.defenders-cci.org/ESAdocs/five\_year\_review/doc3220.pdf), six of the seven then remaining Ohlone tiger beetle occurrences were located on open space or park areas accessible to the public and vulnerable to the same types of impacts proposed by the LRDP. By 2013, only five segmented subpopulations of the OTB remained1 Arnold and Knisley (2018) found the OTB total population at its four primary sites to range between 500 and 1,750 individuals.2 It is unknown whether the species can colonize or migrate between colonies, although Cornelisse et.al. (footnote next page) demonstrated that migration reduces the possibility of OTB extinction.

OTB subpopulations are already experiencing significant impacts from invasive vegetation, fire suppression, removal of grazing pressure and direct human disturbance, sufficient to reduce known subpopulations by 30% in less than a decade, and to reduce the area occupied by larval burrows at Marshall field, for example, from 13,000 square feet in 2003 to 770 square feet in 2017, a decrease of 95%. In the absence of grazing at Marshall Field, bare ground areas are maintained primarily by bike traffic, which has a deleterious effect on the OTB but, in the absence of superior management measures, provides a means of maintain bare earth. Any exacerbation of these existing significant impacts of human activity and development on OTB populations must be considered significant.

Without active habitat management, OTB habitats are also likely to be subsumed by invasive vegetation. According to the FWS report, Ohlone tiger beetles have been potentially extirpated from two of the five geographic areas as a result of habitat degradation primarily caused by the lack of a habitat management program. The report stated, *“Habitat degradation continues to be a threat to all remaining Ohlone tiger beetle occurrences. Without management efforts to reduce and control encroachment by nonnative plants, the Ohlone tiger beetle will likely continue to decline and the risk of extinction will increase. Without active habitat management, increased growth of nonnative vegetation can severely reduce the availability of bare or sparsely vegetated ground.”*

According to the USFWS report, nonnative plants, including French broom (*Cytisus monspessulanus*), velvet grass (*Holcus* spp.), filaree (*Erodium* spp.), and Eucalyptus spp. are encroaching into grassland habitats and out-competing native grassland vegetation (Morgan, in litt. 1992; Hayes, in litt. 1997; Sculley, pers. obs. 1999, 2000). Nonnative grasses, such as bromes (*Bromus* spp.) and oats (*Avena* spp.), can rapidly invade California grasslands. Filaree is abundantly invasive on the UCSC campus.

OTB populations also cannot survive without an adequate prey base of small invertebrates. OTB prey availability is proportionate to the availability of bare ground. Additionally, the precipitous drop in worldwide insect populations documented by scientific studies is attributed to the lack of large, intact habitat areas away from the proximity of urban and/or agricultural development and the associated impacts of pesticides, air pollutants, dust, noise, light, meso-predation, declines in songbirds, and invasion of exotic plants and wildlife. The increasing proximity of residential and public facilities to native grasslands and OTB habitat may have similar effects. The reasons for the failure of conservation area “Parcel D”, which was managed to maintain the required habitat physiography, are apparently not fully understood, but the site was immediately adjacent to a residential development.

Cornelisse, et.al demonstrated that active management of existing subpopulations to increase or maintain bare ground through direct scraping or by imposing livestock grazing, with measures to slow bicycle speeds, had a significant positive effect on beetle populations. Reducing bicycle speed to 8–12 kph increased population growth by 42–58%. The study warned against over-management of existing colonies, however, and recommended “at a landscape level both recently extirpated sites and potential coast prairie habitat should be managed to maintain suitable C. ohlone habitat for future colonizations.” Adequate mitigation of the potential disturbance impact of the LRDP on existing OTB populations thus requires setting aside enough habitat to allow development of new colonies in suitable habitat areas near each other, and actively managing and monitoring these areas. The University should also obtain offsite conservation easements for OTB habitat management and expansion, including habitat set asides on the Goode property adjacent to the University parcel south of Empire Grade.

1. Tara M. Cornelisse\*, Michelle K. Bennett, Deborah K. Letourneau, “The Implications of Habitat Management on the Population Viability of the Endangered Ohlone Tiger Beetle (*Cicindela ohlone*) Metapopulation.”

2. Richard A. Arnold and C. Barry Knisley, “Biology and Conservation of *Cicindela ohlone*, the Endangered Ohlone Tiger Beetle.” https://ucsccampusreserve.ucsc.edu/documents/arnold-knisley-2018

Response O6-32

The Ohlone tiger beetle discussion on pages 3.5-56 through 3.5-59 of the Draft EIR includes a discussion and analysis of the impacts of development under the 2021 LRDP on Ohlone tiger beetle. As described in this section, development under the 2021 LRDP would avoid all areas where Ohlone tiger beetle is known to occur, and most areas where habitat suitable for the species (i.e., grasslands and coastal prairie with Watsonville loam soils) is present. In the areas where development is planned and these habitat conditions overlap, Mitigation Measure 3.5-2i on pages 3.5-58 and 3.5-59 of the Draft EIR would require preservation or creation/restoration of additional habitat for the species. The analysis and mitigation are adequate pursuant to CEQA at a programmatic level, and no further evaluation or mitigation is warranted. Refer also to Master Response 12 regarding long-term habitat protection and a campus-wide HCP.

Comment O6-33

The potential adverse impact to Ohlone tiger beetle of the proposed LRDP would not be reduced to “less than significant” unless the following change is made to the proposed mitigation and monitoring plan:

To the extent the project may result in “take” of the species, UC Santa Cruz shall develop and implement an HCP addressing existing and potential Ohlone tiger beetle habitat across the UC Santa Cruz campus, consistent with Mitigation Measure 3.5-2a, which would require authorization by USFWS under Section 10 of the ESA.

Further, in order to ensure that the required HCP is effective in protecting beetle populations, and in to support a finding of less than significant impacts to the OTB, the EIR will remain deficient unless the HCP include the following measures:

* Manage the location, extent and timing of foot and bicycle traffic, and bicycle speed, to maintain appropriate habitat and limit the risk to adult and larval Ohlone tiger beetles.
* Implement manual habitat scraping and compaction rather than relying on incidental foot and bicycle traffic.
* Control residual dry matter in OTB habitats through effective implementation of grazing, fire management, mowing, hand removal and shrub mastication.
* Control invasive vegetation, particularly invasive forbs and grasses in grassland habitats, by grazing, manual removal, controlled burning or flaming, chemical control, scraping, shallow scarifying, or other means as appropriate.
* Employ adaptive management: Test the efficacy of the above management measures and adapt changes to ensure that the measures achieve reduction in RDM and increase bare soil areas. Monitor OTB populations and adjust management measures to arrest population declines.
* Require the HCP to, at minimum, maintain OTB populations with no decrease.

Response O6-33

Mitigation Measure 3.5-2i on pages 3.5-58 and 3.5-59 of the Draft EIR includes the requirement to develop a comprehensive HCP as one of the potential regulatory strategies for addressing potential impacts on Ohlone tiger beetle. Refer also to Master Response 12 regarding long-term habitat protection and a campus-wide HCP. The analysis and mitigation are adequate pursuant to CEQA at a programmatic level, and no further evaluation or mitigation is warranted.

Comment O6-34

**Coastal Prairie/Grassland**The Ohlone tiger beetle is one of the most important, but not the only rare or declining wildlife species in Santa Cruz County that requires grasslands and Coastal prairie habitat to survive. Coastal native grassland prairie in Santa Cruz County supports a wide variety of special status birds, mammals, plants and insects. The DEIR states that on the UC campus, five special status plant species are known to occur on campus, all in the Marshall Field complex, as follows:

San Francisco popcorn flower (*Plagiobothrys diffusus*)

Point Reyes horkelia (*Horkelia marinensis*)

Marsh microseris (*Microseris paludosa*)

Santa Cruz clover (*Trifolium buckwestiorum*)

Pacific Grove clover (*Trifolium polyodont*)

The list omits Shreve Oak (*Quercus parvula var. shrevei*), a species describes as “near threatened” on the International Union for Conservation of Nature’s Red List of Threatened Species.

In addition to the listed plant species, a number of special status bird and mammal species rely on Coastal prairie habitats found on campus. As the EIR observes, two species of State Special Concern, burrowing owls and Bryant’s savannah sparrow, breed in campus grasslands. Northern harrier (Protected, SSC) and loggerhead shrike (SSC) occur during breeding season. American badger, a State mammal of special concern, also appears to breed on campus. Protected Golden eagles, a species only recently delisted that incorporate the campus into their breeding territories, some seasons visiting virtually every day to exploit the prey base of ground squirrels, rabbits and other small mammals.

California’s relatively intact grasslands are reservoirs of biodiversity. Grassland birds, mammals, reptiles, insects, pollinators and other animals depend on the resources these plants and spaces provide. “Old-growth" grasslands are ancient ecosystems characterized by high herbaceous species richness, high endemism, and unique species compositions. Native grasslands support about 40% of California's total native plant species (Wigand 2007:55). An astounding 90% of California's rare and endangered plant species reside in grasslands (Skinner & Pavlik, 1994). Currently 73 grassland-associated species are listed by the state and federal Endangered Species Acts: 14 vertebrates and 59 plants, and 14 invertebrates, including 6 butterfly species. This count does not include unlisted native pollinators and other plants and animals experiencing sharp declines. The importance of UCSC coastal prairie habitat to a diversity of plant species and insect pollinators was documented by the late naturalist Randall Morgan, whose insect collection is housed at the Kenneth S. Norris Center for Natural History, where it inspires and serves as a reference point for student and faculty research, providing a rich cultural tradition on campus.

Randall Morgan, who discovered and named several of the special status plant species potentially occurring on the UCSC campus, ranked “native grassland/flowerfield” as one of the most sensitive habitats in Santa Cruz County, with the greatest number of endemic or special status taxa, the most severe threats, immediate and continuing, and the greatest percentage lost or degraded, in a formal habitat rating system developed for open space acquisition purposes:

**Habitat Evaluation Matrix***Natural communities/habitat types occurring in Santa Cruz County, ranked on a scale of 1-5 (one being highest) on each of six parameters*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  |  | **Evaluation parameters** |  |  |  |
| **Natural communities/ habitat types** | Greatest number of endemic or special-status taxa | Most severe threats, immediate and continuing | Greatest percentage lost or degraded | Smallest total area remaining | Smallest area under legal “protection” | Lowest potential for recovery once lost or degraded |
| Sand parkland | 1 | 2 | 2 | 1 | 2 | 1 |
| Central maritime chaparral1 | 3 | 1 | 2 | 1 | 1 | 2 |
| Native grassland/ flowerfield | 1 | 1 | 1 | 4 | 2 | 2 |
| Coastal headlands | 2 | 2 | 3 | 2 | 1 | 1 |
| Freshwater wetlands | 3 | 2 | 3 | 3 | 2 | 3 |
| Beaches, coastal dune | 2 | 2 | 3 | 3 | 3 | 4 |
| Riparian deciduous forest | 4 | 3 | 2 | 3 | 3 | 2 |
| Northern maritime chaparral2 | 2 | 3 | 4 | 4 | 2 | 3 |
| Estuaries, salt marches | 3 | 3 | 4 | 2 | 2 | 4 |
| Primary forest (conifer) | 3 | 3 | 1 | 4 | 4 | 4 |
| Perennial streams | 4 | 3 | 4 | 3 | 2 | 4 |
| Northern mixed chaparral3 | 3 | 3 | 5 | 4 | 3 | 3 |
| Coastal sage scrub | 4 | 5 | 4 | 4 | 2 | 5 |
| Non-native grassland | 2 | 4 | 5 | 4 | 4 | 5 |
| Ocean | 3 | 5 | 5 | 5 | 5 | 5 |
| Mixed hardwood forest | 4 | 5 | 5 | 5 | 5 | 5 |
| Secondary forest (conifer) | 5 | 5 | 5 | 5 | 5 | 5 |

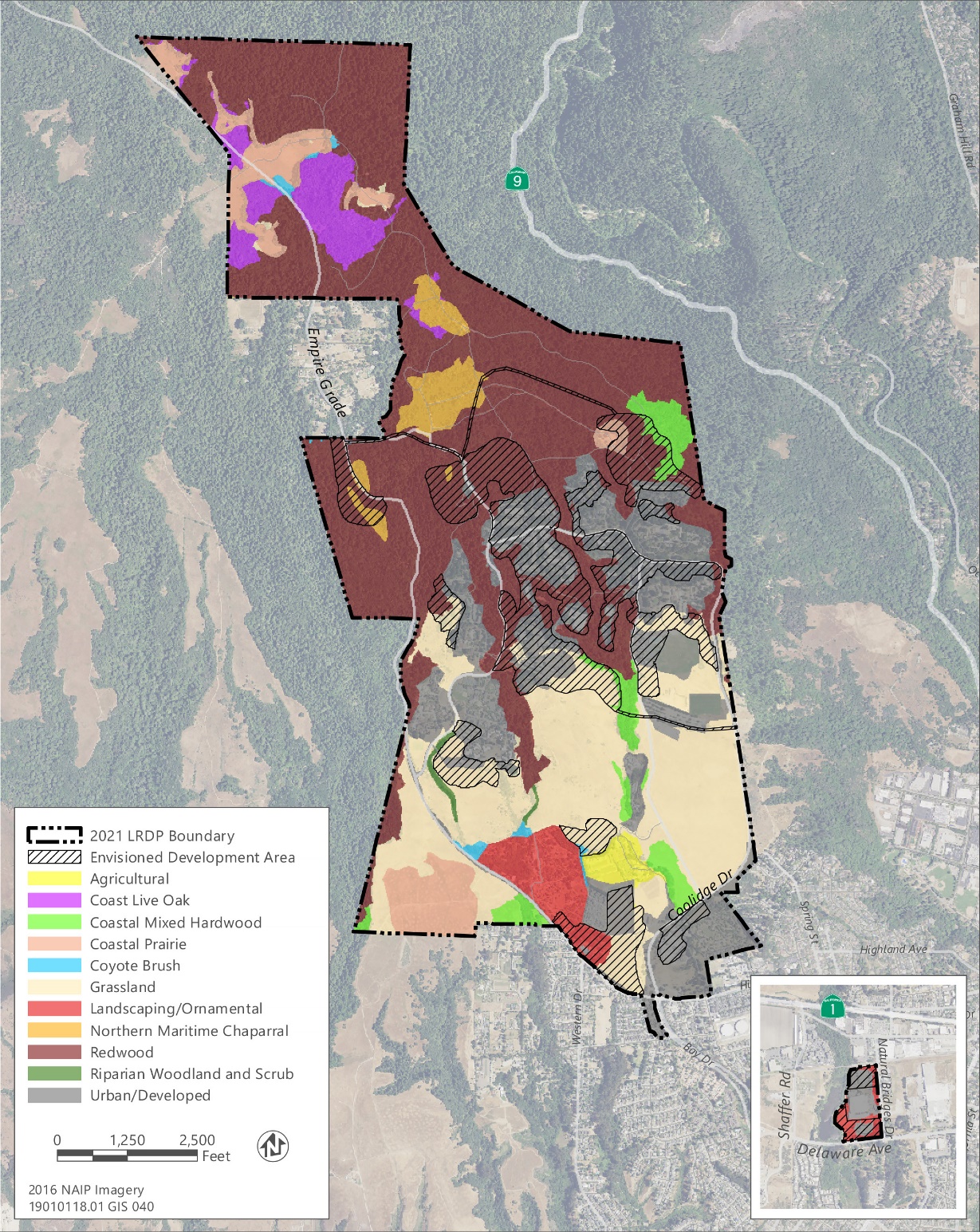
The decline in native grasses and grasslands in the last two centuries has been caused by intensive cultivation, poorly managed grazing, urbanization, fire suppression, and the introduction of invasive, nonnative species. Agriculture, invasion by exotic species, development, and other human-related activities have reduced California native grasslands by 99 percent.

Response O6-34

Section 3.5.2, “Environmental Setting,” on page 3.5-32 of the Draft EIR identifies Shreve oak forest as a sensitive natural community that could occur in the LRDP area. Shreve oak as a species does not meet the typical requirements of a special-status species under CEQA (i.e., listing under the federal of California Endangered Species Acts, California rare plant rank of 1, 2, or 3). This comment otherwise does not address the adequacy of the Draft EIR, and further response is not required. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O6-35

The proposed LRDP would convert to housing and office buildings approximately 70 acres of grassland habitat, including 2-4 acres of coastal prairie habitat at Crown meadow on north campus that would experience a combination of direct conversion and indirect adjacent impacts from proposed housing. Residential uses immediately adjacent to sensitive grassland resources would introduce trampling, disturbance, litter, non-native vegetation and fire hazards that would undermine habitat quality or change the plant composition to a ruderal habitat type. The proposed residential zone is deformed towards the meadow and was evidently designed to encircle the habitat. A slight modification of the proposed development area at Crown meadow to avoid the habitat and provide a habitat buffer setback would eliminate the direct impact and significantly reduce indirect effects. This reconfiguration could easily be accomplished by adding height to the proposed buildings or by extending the habitat to the north and east, where it would affect mixed hardwood and second growth conifer forest, rated the least sensitive habitat by Morgan. The EIR is obligated to avoid identified sensitive habitat where feasible. At minimum, the EIR should evaluate the feasibility of reconfiguring the North Campus housing zone as a project alternative, to provide a buffer area between the development area and the grassland.



Response O6-35

Within Impacts 3.5-1 and 3.5-2, beginning on page 3.5-38, the Draft EIR evaluates the potential impacts to sensitive species, including the loss of habitat (e.g., grassland), as a result of implementation of the 2021 LRDP and provides mitigation to reduce significant impacts to less-than-significant levels, where appropriate, including with respect to impact to sensitive habitat. Further, site-specific design (including structure placement, buffer distances, etc.) has yet to be conducted and may implement site features as requested by the commenter and would be subsequently evaluated at a project level under CEQA. However, the EIR is not obligated to provide alternatives/mitigations unless significant impacts would not be reduced to less-than-significant levels. The Draft EIR’s analysis, as provided, is considered appropriate, adequate, and in accordance with CEQA requirements. For comments on the 2021 LRDP project, please refer to Master Response 2.

Regarding the Draft EIR’s presentation of a reasonable range of alternatives, refer to Master Response 3. Alternative 3, as presented on page 6-17 of the Draft EIR would remove the housing within the north campus subarea, consistent with the commenter’s request.

Comment O6-36

The University has already damaged or destroyed 16-20 acres of existing grassland habitat on campus, including all of area proposed for the campus facilities and operations adjacent to the Great Meadow, and part of Inclusion Area D, the site restore coastal prairie and Ohlone tiger beetle restoration. The affected areas have been cleared of vegetation and used for refuse management, including discharge of debris piles and fill and storage of waste receptacles. Development prior to environmental review constitutes a violation of CEQA and the responsible parties should be identified and held responsible. This type pre-emptive habitat destruction is a commonplace occurrence in private development but reprehensible at an institution that is supposed to set an example of the highest ethical standards for its students and faculty. The photographs below document the CEQA violation:

**Proposed Campus Facilities and Operations, 2007:**



**Proposed Campus Facilities and Operations, 2020:**



**Dumpsters, debris boxes and other waste receptacles at the “proposed” facilities site:**



**Inclusion Area D, 2016 to 2020 (left to right), indicating recent vehicular activity and dumping:**



Response O6-36

This comment addresses previous development activities in the LRDP area, as part of the 2005 LRDP and this is unrelated to the 2021 LRDP. For background, the 2005 LRDP was amended in 2016 for the Recycling Yard Project Phase 1, with a Campus Support land use designation to support campus operations. The purpose of the Recycling Yard Project is to consolidate various campus recycling activities into one area and support the campus’ zero-waste goal. UC Santa Cruz prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the project in 2015 and a Notice of Determination (NOD) was filed with the Office of Planning and Research on April 19, 2016. The aerial imagery showing Inclusion Area D in 2020 depicts construction activities associated with a campus utility sewer replacement project, not dumping of materials as suggested by the commenter. A categorical exemption was prepared for the project in accordance with CEQA. UC Santa Cruz consulted with the USFWS regarding the project with respect to the Ranch View Terrace Habitat Conservation Plan during preparation of the categorical exemption and prior to construction. Within the context of the Draft EIR and the evaluation of impacts related to the 2021 LRDP, CEQA does not require the evaluation of potential improvements to existing conditions and instead requires that a project is responsible for proportionally mitigating its contribution to a physical environmental condition. This comment does not address the adequacy of the 2021 LRDP EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O6-37

**Impacts**The DEIR proposes essentially three measures to mitigate potential impacts to sensitive plants and plant communities: avoidance at the project phase, or transplantation/offsite restoration where avoidance is not feasible.

These mitigation measures are all inadequate. Avoidance of sensitive plants must be implemented at the program phase, when roads, proposed development zones and infrastructure can be reconfigured to avoid plant habitats. When roads, neighboring buildings and infrastructure already have been constructed, avoidance is no longer feasible. It is not effective or realistic to avoid sensitive plants by retaining them in a tiny island of open space surrounded by development, and such cannot be used as a basis for a finding of less than significant.

Transplantation or creating habitat is rarely effective. The high degree of failure of transplantation and habitat creation is such that it cannot be used to justify a determination of “less than significant” impact at the project phase. As coastal prairie expert Randall Morgan observed, if plants were meant to grow in the new location, they would be there already.

In terms of restoring existing degraded habitat, the campus should be managing its sensitive coastal prairie habitat to prevent degradation, not waiting for an opportunity to restore them in response to development. This incentivizes neglectful management. Numerous scientific papers have documented the existing, ongoing degradation of coastal prairie within and around campus lands by invasive European grasses and non-native trees and shrubs. Degradation, either deliberate or neglectful, is also affecting prairie habitat and wildlife through off-road vehicular use, dumping, mountain biking and other human activities. Not only to maintain the quality of this existing sensitive plant community, but to maintain the Ohlone tiger beetle and other special status wildlife, the University should be implementing, improving and expanding grassland management measures.

The following mitigation measures shall be required to adequately address CEQA:

1. The 50 to 60 intact acres of grassland habitat affected by proposed development zones shall be subject to a comprehensive data, literature and on-the-ground surveys to identify sensitive plants and wildlife currently existing, prior to EIR certification.

2. Areas with sensitive plants, animals or plant communities shall be avoided by redrawing proposed development zones.

3. If the extent or location of the sensitive species precludes full avoidance, the resultant habitat degradation shall be mitigated by purchasing conservation easements or fee-simple acquisition of comparable offsite habitat at a 3:1 area ratio as the LRDP is implemented.

4. Inclusion Area D, an established habitat restoration area with soil substrate that supports coastal prairie management, shall be removed from the development area.

5. The residential zone surrounding Crown Meadow shall be redrawn to avoid the habitat and provide a 200-foot buffer from housing development.

6. The LRDP shall call out the proposed phasing of development, and place development of more sensitive habitats and potential habitat last in order. The development zone proposed along the north side of the Great Meadow is sensitive, and should be among the last sites developed, if developed at all, for multiple reasons:

a. Intact grassland habitat blocks are important to preserve, to avoid fragmentation;

b. The Great Meadow is inhabited by American badger, which is sensitive to vibration, dust noise and human activity, and is likely to be extirpated if this area is developed. The proposed strategy of identifying dens and fencing these off until they are abandoned is not a mitigation, it is an adverse impact;

c. Special status raptors, Bryant’s savannah sparrow and loggerhead shrikes breed in the meadow or include in breeding territory for foraging;

d. Part of the development area proposed on the edge of the Great Meadow is believed to be potentially suitable habitat for OTB, according to a report prepared by entomologist Richard Arnold (citation above).

e. The proposed development would impose in an ecotone along the north border that is important habitat and a wildlife corridor for movement.

f. The proposed development would have visual impacts and intrude /disturb / disrupt recreational and research uses.

g. The topography may suggest possible karst / geologic constraints.

7. The University shall permanently protect the Marshall Field Complex from any future development of roads, structures, recreational facilities or other uses that could damage sensitive plant species found in the coastal prairie habitat.

8. The University shall prepare and implement a comprehensive habitat conservation plan (HCP) to maintain and expand native and mixed native coastal prairie habitat in the Marshall Field complex and in Inclusion areas A and D.

Response O6-37

The comment raises alternative mitigation approaches compared to those shown in the Draft EIR, but with the exception of transplantation, provides no substantial evidence regarding the effectiveness of proposed mitigation. The comment about the Draft EIR’s requirement to mitigate after construction is not accurate; mitigation would be imposed at the project planning stage, when detailed site-specific surveys and avoidance/compensatory measures can be effectively implemented.

Mitigation Measure 3.5-1b on pages 3.5-40 and 3.5-41 of the Draft EIR includes requirements for identification of special-status plants in a future project site, avoidance of these plants if feasible, and compensation for unavoidable impacts with established performance measures and success criteria. Regarding the commenter’s statements pertaining to relocation, it is acknowledged that there are certain risks associated with translocation of special-status plants but it is considered an acceptable method of conservation if avoidance is not possible by USFWS, CDFW, and CNPS. The hierarchy provided in Mitigation Measure 3.5-1b provides for avoidance first (if the species is identified), including the establishment of buffer distances. The performance standard that must be achieved with translocation is no net loss and provides for a minimum 1:1 mitigation ratio such that no net loss will be achieved.

The programmatic analysis of the 2021 LRDP provided in the Draft EIR is considered adequate and appropriate under CEQA. The Draft EIR represents a programmatic evaluation of the 2021 LRDP and presents feasible mitigation consistent with CEQA requirements. The recommended mitigation measures included in this comment concerns the envisioned development areas in the 2021 LRDP. For comments on the 2021 LRDP project, please refer to Master Response 2. Refer to Master Response 12 regarding the potential for permanent protection of habitat and Master Response 9 regarding the level of detail of the analysis presented in the Draft EIR.

Comment O6-38

**Summary**The Sierra Club appreciates this opportunity to comment on the University of California Santa Cruz 2021 Long Range Development Plan Draft Environmental Impact Report. We appreciate the educational mission of the University and its contributions locally, regionally, and beyond. We look forward to working with the University to determine the scope of its proposed growth over the next 20 years based on a complete and accurate analysis of its potential impact to the environment.

Response O6-38

This comment includes a closing statement. The comment is noted, and further response is not required.

Letter O7 Habitat and Watershed Caretakers

March 8, 2021

Comment O7-1

Dear Ms. Carpenter:

The University of California at Santa Cruz (“UCSC”) campus is situated in an extraordinary environment whose deep, lush redwood forests give way to sweeping meadows overlooking Monterey Bay. This breath-taking setting hosts a vast array of sensitive plants and animals, and is blessed with iconic landscapes and world-class vistas. To date, the campus has been carefully interwoven into the natural fabric of its environment, sparing the most significant and sensitive natural features from irreparable ecologic and scenic harm. Indeed, “commitment to environmental stewardship and community engagement are central to the core values of UC Santa Cruz.” UCSC, *Campus Overview: About UC Santa Cru*z, available at: https://www.ucsc.edu/about/campus-overview.html (last accessed March 4, 2021) (“*Campus Overview*”).

However, that thoughtful balance is now threatened. The rapid and unsustainable growth contemplated in the University’s 2021 Long Range Development Plan (“LRDP” or “Project”) hints darkly of a jumbled, urban-style mega-campus oblivious to the unique natural amenities of this site and the heuristic values they hold. While UCSC is obliged to update its LRDP to address potential growth pressures, it must also recognize the opportunities thus presented to identify, analyze and protect the vulnerable and irreplaceable natural resources that inspired its The Draft Environmental Impact Report (“DEIR”) for the campus’s 2021 LRDP fails to identify and protect those important resources, and instead accepts the cookie-cutter premise that the campus will grow to the standard-issue UC campus size of about 28,000 students by the 2040-2041 school year. DEIR at 1-3. It then trumpets its supposed need to “accommodate the increased campus population” it preordained to justify plans to construct “an additional 3.1 million assignable square feet of academic and support building space.” DEIR at 1-3. The 2021 LRDP must not presume such unsustainable growth in the student population, and it certainly should not rely on that improvident growth to justify unnecessary campus expansion.

The DEIR also fails to fully analyze that Project’s impacts, and consider a broad range of creative alternatives – including in particular those that encourage and nourish off-site learning –that would avoid or lessen those impacts, as discussed below. Because the California Environmental Quality Act (“CEQA”) requires fact, not fiction, and demands environmental accountability, the DEIR violates CEQA. It must be revised to adequately consider the Project’s impacts, and protect the campus’ place as “one of the most visually spectacular settings in higher education.” *Campus Overview*.

Response O7-1

The comment provides introductory statements and the commenter’s opinion that the 2021 LRDP and Draft EIR do not identify, analyze, and protect natural resources. The comments criticize the Draft EIR but do not provide specific comments on the contents, so a specific response cannot be provided.

Comment O7-2

An adequate project description is an essential starting point for analysis of a project’s environmental impacts, and all environmental impact reports must provide one. 14 California Code of Regulations [“CEQA Guidelines”] § 15124. As directed by the CEQA Guidelines, the project description “shall contain . . . A statement of objectives sought by the proposed project[, which] will help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR . . . . The statement of objectives should include the underlying purpose of the project.” CEQA Guidelines § 15124(b). It must not be so narrow as to unduly constrain the consideration of alternatives to the project. *North Coast Rivers Alliance v. Kawamura* (“North Coast”) (2016) 243 Cal.App. 4th 647, 668-669. “An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” *County of Inyo v. City of Los Angeles* (“*County of Inyo*”) (1977) 71 Cal.App.3d 185, 193.

The DEIR provides an artificially narrow Project description that constrains the alternatives and impacts analysis in violation of CEQA. CEQA Guidelines § 15124(b); North Coast, 243 Cal.App. 4th at 668-669. It admits that the “overall objective of the 2021 LRDP is to guide the physical planning and development of the plan area in support of the teaching, research, and public service missions of [UCSC].” DEIR at 2-8. Yet the objectives discussed immediately thereafter demand rapid student growth despite its impacts on housing, traffic, water and other resource constraints, and ignores off-site alternatives for growth including remote learning that would accommodate those constraints. DEIR at 2-8 to 2-9. Such a narrowly constrained set of objectives precludes any other outcome besides the proposed Project, thereby subverting CEQA’s entire purpose.

The DEIR’s artificially narrow objectives require the University to “[e]xpand campus facilities and infrastructure *to allow for projected increases* in student enrollment,” “[e]nsure *compact and clustered development*,” create “two new college pairs *at the main residential campus*,” and “allow the campus to function as a *center of public cultural life*.” DEIR at 2-8 to 2-9. These objectives leave no room for any proposal aside from the Project. And notably, they are not necessary to accomplish the “overall objectives” of the 2021 LRDP – UCSC’s teaching, research, and public service missions.

Response O7-2

The project objectives stated in the Draft EIR were developed by UC Santa Cruz and reflect the historic campus planning experience (including campus growth and the founding vision for the campus), as well as extensive public outreach and input received with respect to the 2021 LRDP. The comment that the objectives are too narrow is an opinion; the examples provided (expand the campus to allow increases in enrollment, creating new college pairs, providing for cultural life) allow for consideration of the fundamental purposes of the project and guidance for how it would develop, but it is difficult to discern how they constrain alternatives, and a reasonable range of alternatives is evaluated in the Draft EIR. See Master Response 3.

Nevertheless, the commenter’s opinion regarding objectives will be provided to the UC Regents as part of the record for consideration on the project.

Comment O7-3

UCSC’s public service mission is especially important here, because UCSC specifically prides itself on its “uncommon commitment to . . . public service.” Campus Overview. The DEIR must ensure that all aspects of UCSC’s mission are valued and considered when defining the Project’s objectives. Yet, this vital public service mission is almost entirely overlooked in order to promote campus growth. DEIR at 2-8 to 2-9. The LRDP “anticipates . . . potential enrollment of 28,000 [full-time equivalent “FTE”] students (three-quarter average) by the 2040-2041 academic year,” and plans to construct “an additional 3.1 million assignable square feet of academic and support building space” to “accommodate the increased campus population.” DEIR at 1-3. This reflexive obeisance to the premise of rapid campus growth precludes the careful and detailed consideration of less impactful alternatives that CEQA demands.

The DEIR claims that “the 2021 LRDP does not mandate growth or the provision of new facilities,” but then commits to providing for up to 28,000 FTE students. DEIR at 1-3. It asserts that the proposed 28,000 student assumption is “based on overall UC and campus population projections, demonstrated need for additional public university capacity in California, and an understanding of campus needs.” DEIR 2-9. This reasoning stands CEQA on its head by allowing the “growth projection” tail to wag the environmental planning dog. If growth on the UCSC campus occurs, it will be because the University allows it. The DEIR’s framing of student enrollment growth as an unstoppable force that it must accommodate infects the entire DEIR, starting with the Project description.

Indeed, the “growth projection” tail is directing the scope of the entire 2021 LRDP. Unlike past LRDPs – which were effective for set periods of time – the proposed 2021 LRDP is effective for as long as it takes to reach the ultimate goal of 28,000 FTE students. DEIR at 1-3. “[T]he 2021 LRDP does not sunset, and there is no set timeframe for when a new LRDP would be needed. However, for analytical purposes, [the DEIR] assumes that the forecasted student and faculty/staff growth would occur by the 2040-2041 academic year, along with development of related facilities and housing.” DEIR at 1-3. But this change in scope is not warranted, and it unduly places growth objectives above all other important educational goals, including public service and environmental protection and sustainability.

In summary, the DEIR prematurely commits and subordinates the LRDP to the rapid and unsustainable “anticipated growth in on-campus student population from an estimated 18,518 FTE students (three-quarter average) for the 2018–2019 academic year to a potential enrollment of 28,000 FTE students (three-quarter average) by the 2040–2041 academic year.” DEIR at 2-9. This embedded premise that rapid on-campus growth is unavoidable because it is pre-ordained in the University’s “growth projection” defeats the entire purpose of the long-range planning process. It is akin to announcing the winner of a race before the starting gun is fired. It subverts UCSC’s public service commitment and renders the CEQA process a hollow exercise. It must not be allowed to constrain the EIR’s statement of objectives.

Response O7-3

The 2021 LRDP is intended to accommodate potential growth of the UC Santa Cruz campus to 28,000 students. Refer to Master Response 2 for a discussion of projections evaluated in the Draft EIR. Despite its initial correlation to a stated objective of the 2021 LRDP, this comment is not a comment on the adequacy of the EIR but on the proposed land use changes identified in the 2021 LRDP. In addition to assessing facility needs for the increased enrollment, the 2021 LRDP also reflects public input received during plan development regarding the level of on-campus support facilities for student life, etc. Based on UC Santa Cruz’s history and its initial function as an institution of higher education, UC Santa Cruz considers the maintenance of natural spaces and environmental field research facilities close to the central campus as essential to its identity and academic operations. Contrary to statements made in this comment, the project objectives to which this comment refers are considered reasonable, appropriate, consistent with CEQA requirements, and necessary to inform the 2021 LRDP and evaluation of potential CEQA alternatives. As a result, the objectives are not considered unreasonably constrained, such that an adequate range of alternatives would be precluded. Please see Master Responses 2 and 3 for a discussion of the Plan Development and Public Engagement, and Alternatives, respectively.

Comment O7-4

Normally, the “EIR must include a description of the physical environmental conditions in the vicinity of the project . . . as they exist at the time the notice of preparation is published.” CEQA Guidelines § 15125(a) (emphasis added). However, this presumption does not apply to a project approval that the University knows the courts have already set aside. Because the Student Housing West Project’s approval was vacated by the Santa Cruz County Superior Court on October 30, 2020, and indeed, additional challenges to its legality remain pending – one on appeal and one in Superior Court – the DEIR must not indulge the fiction that this project whose approval has been vacated by the courts remains within the existing environmental setting. Indeed, the DEIR admits that the Student Housing West Project approvals were overturned by the Superior Court, and that it cannot proceed unless and until it is re-approved – which is not yet, and may never, be the case. DEIR 3.13-7. Therefore, it must not be included in the baseline conditions. Rather, and as required by Guidelines section 15125(a), the environmental setting should describe the campus as it now exists, with sweeping ocean views and untrammeled open spaces, including most prominently, its iconic East Meadow. But the DEIR fails to abide by this mandate, and instead includes a project it knows was illegally approved and properly set aside by the Superior Court – as if the Judicial Branch does not exist. DEIR at 3.3-29.

In an apparent attempt to mask the fact that the Student Housing West Project has been set aside and the University failed to timely appeal that judgment, and thus this project is not part of the environmental setting, the DEIR also refers to the Student Housing West Project as a cumulative project. DEIR 4-3. But this project is never actually analyzed as a cumulative project. Instead, this reference is in name only. Rather, the Student Housing West Project is discussed throughout the environmental setting section of the DEIR as if it were already part of the existing environment, and the student beds it might have provided had it been lawfully approved – instead of being set aside by the court – are presumed to already exist in the DEIR’s discussion of impacts. DEIR at 3.6-12, 3.10-29, 3.13-2, 3.13-7, 3.16-34.

This erroneous presumption is particularly marked in the DEIR’s discussion of Project alternatives. As further discussed below, the no project alternative mistakenly includes the Student Housing West Project. DEIR at 6-10. But the Student Housing West Project is not built and therefore cannot be considered an existing condition that will be present. The disconnect between the DEIR’s conflicting claims that this project is a “cumulative project” yet subject to “baseline” treatment is at best confusing and at worst, a contrived fiction to evade required CEQA review.

Response O7-4

As of March 2021, Student Housing West has been reapproved by The Regents. The Draft EIR appropriately acknowledged the status of Student Housing West and UC Santa Cruz’s intent to address the deficiencies identified by the court and reapprove the project. Furthermore, at no point does the Draft EIR consider Student Housing West part of the existing conditions of the LRDP area but appropriate reflects it as a planned-but-not-yet-operational project, including at all the locations identified by the commenter. In addition, and with respect to alternatives, the decision of whether or not to approve the 2021 LRDP is not material to Student Housing West, and as such, Student Housing West is appropriately considered to be part of the cumulative baseline and potential environmental conditions that may occur under Alternative 1 (No Project). Per the CEQA Guidelines (Section 15130), cumulative projects are “past, present, and probable future projects” and Student Housing West fits this definition as a probable future projects, which typically are those projects that are proposed at the time the NOP is released. The commenter’s opinion is noted, but no further response is necessary.

Comment O7-5

CEQA requires an EIR to describe a reasonable range of alternatives that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of its significant effects. CEQA Guidelines § 15126.6(a) and (f). “An EIR's discussion of alternatives must contain analysis sufficient to allow informed decision making.” *Laurel Heights Improvement Association v. Regents of the University of California* (“Laurel Heights”) (1988) 47 Cal.3d 376, 404. An alternative may “not be eliminated from consideration solely because it would impede to some extent the attainment of the project’s objectives.” *Habitat and Watershed Caretakers v. City of Santa Cruz* (“HAWC”) (2013) 213 Cal.App.4th 1277, 1304; CEQA Guidelines § 15126.6(b). “The EIR is required to make an in-depth discussion of those alternatives identified as at least potentially feasible.” HAWC, 213 Cal.App.4th at 1303

(emphasis and quotation omitted).

As discussed above, protecting UCSC’s unique environment and advancing its public service mission are central objectives to the University and thus must be achieved in the LRDP. Therefore, the DEIR should have considered alternatives that assure those objectives will be achieved. Alternatives that temper on-campus population growth in order to protect the campus’s extraordinary environment must be given full consideration, as they can be fashioned to achieve the LRDP’s stated objective to “support [] the teaching, research, and public service missions of [UCSC].” DEIR at 2-8. Limiting FTE on-campus student enrollment will allow UCSC to put more resources toward education and research for its students, while at the same time achieving its public service and environmental preservation objectives.

Yet, not a single one of the DEIR’s alternatives considered shifting some student growth to other UC campuses that have greater carrying capacities, such as greater water supplies and fewer environmental impacts and constraints. DEIR at 6-3 to 6-6. While two alternatives did consider a proposed enrollment of 26,400 FTE, a mere 1,600-student reduction from the proposed Project would still amount to an unnecessary and excessive expansion that would allow construction of 2.5 million assignable square feet of academic and administrative facilities. DEIR at 6-11, 6-13, 6-17. Such intense growth on a site hosting vulnerable and irreplaceable environmental resource must be weighed against an alternative that shifts growth elsewhere, such as other campuses that have the space and the resources to expand. Instead of assuming that UCSC’s on-campus student population must be expanded, and keep expanding, to accommodate more and more students on a campus that cannot support that growth, the LRDP should limit UCSC’s on-campus growth to a more sustainable population, and explore off-campus alternatives.

Indeed, the University is contractually obliged to conduct a “comprehensive analysis of potentially feasible alternative locations to accommodate proposed UCSC enrollment growth” including “satellite campuses [and] remote-classrooms.” Comprehensive Settlement Agreement between the University and the local residents on whose behalf these DEIR Comments are submitted, attached as Exhibit A to the Judgment filed September 22, 2008 in the matter *Don Stevens, et al. v. University of California Santa Cruz*, et al. Civ. Nos. CV 155583, et al. Santa Cruz County Superior Court, § 5.1.

But the DEIR dismissed all but one of those alternatives, violating its contractual duty to provide – and the Superior Court’s Judgment requiring – a comprehensive analysis of alternative locations to accommodate growth. DEIR at 6-3 to 6-6. Based on a single perfunctory and conclusory paragraph each, the DEIR dismisses four off-campus site alternatives, and one remote/distance alternative, on the erroneous premise that they do not meet the project objectives. DEIR at 6-3 to 6-6. But as discussed above, those objectives are artificially contrived to preclude consideration of the reasonable range of alternatives that CEQA requires. *HAWC*, 213 Cal.App.4th at 1304; CEQA Guidelines §§ 15124(a), 15126.6(b). Indeed, the DEIR dismisses every off-campus alternative on the basis that it fails to meet the “objective of placing new facilities near existing facilities to enhance synergies between existing and new educational and research programs.” DEIR at 6-4 to 6-6. But there is more than one way to “enhance synergy” between new and existing educational resources. Restricting all alternatives to on-campus ones – in a time where we can readily observe how successful remote learning can be –subverts CEQA’s core purpose of exploring a reasonable range of alternatives to avoid and reduce environmental harm.

UCSC has an unprecedented opportunity to analyze the challenges that the world is facing, and utilize some of the new procedures and practices to its benefit. A distance learning alternative would alleviate many of the potential effects of campus growth, including water and transportation impacts, while still enabling sustainable growth and public service, and potentially opening up enrollment to students who may not have been able to attend otherwise. And, as noted, “comprehensive” consideration of this alternative is already required under the Comprehensive Settlement Agreement the University signed in 2008 with the local residents on whose behalf these DEIR Comments are submitted. The DEIR’s cursory dismissal of this alternative violates both CEQA and the Comprehensive Settlement Agreement. DEIR at 6-6.

Response O7-5

It is acknowledged that shifting enrollment growth to an offsite location would reduce impacts within the LRDP area; however, as noted in the Draft EIR’s discussion of Alternative 4, additional impacts (especially where new facility development would be required) would have new/different impacts at the off-site location(s). With respect to the Draft EIR’s evaluation of a reasonable range of alternatives in light of the project objectives in compliance with CEQA requirements, refer to Response O4-7 and Master Response 3. With respect to the applicability of the 2008 CSA to the 2021 LRDP, refer to Master Response 2. The 2008 CSA applies to the 2005 LRDP and its EIR, not to development under the 2021 LRDP. Regarding distance learning, the 2021 LRDP does not preclude the campus from providing additional distance learning opportunities in the future. Also refer to Response O4-7.

Comment O7-6

The DEIR also fails to consider an alternative “that could avoid or lessen the significant environmental impact of [campus expansion] on the [City of Santa Cruz’s] water supply.” HAWC, 213 Cal.App.4th at 1305. As discussed below, UCSC relies on the City of Santa Cruz (“City”) for its water supply and that water supply is “anticipated [to have] shortfalls under drought conditions.” UC Santa Cruz LRDP 2005-2020 (“2005 LRDP”), 88; DEIR at 3.17-24. While UCSC did reduce its water use after 2005, it has been increasing again since 2014. And the City of Santa Cruz expects the demand for water to exceed supplies by 2025. DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 1, pp. 4-6, 6-24. Because UCSC campus growth will necessarily increase water demand, the EIR must consider an alternative that reduces that impact on the City’s water supply. DEIR at 3.17-19 to 3.17-21.

Response O7-6

The analysis provided in Chapter 6 of Alternative 1, 2, and 3 clearly state that three alternatives would reduce potable water demands, consistent with the commenter’s request and CEQA requirements. Refer to Table 6-2 on page 6-33 for further clarification. Also, please see Master Response 7 concerning the analysis of water supply.

Comment O7-7

The DEIR’s no project alternative likewise violates CEQA. As discussed above, the Student Housing West Project is not currently constructed, and may never be built. As noted, the Student Housing West Project approvals were overturned by the Superior Court and it cannot proceed unless it is reapproved and the reapproval survives the pending legal challenges. DEIR at 3.13-7. Yet this speculative project is presumed constructed under Alternative 1– the no project alternative. DEIR at 6-10. “The no-project analysis is required to discuss ‘the existing conditions at the time the notice of preparation is published . . . as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved.’” DEIR at 6-7. But the Student Housing West Project is not built, and at the time of the notice of preparation was the subject of litigation making its future uncertain. Its inclusion in the no project alternative despite the Superior Court’s October 30, 2020 Judgment vacating its approval, and the additional legal challenges still pending, ignores the proper role of the courts in enforcing CEQA’s mandate, and therefore violates CEQA. CEQA Guidelines § 15126.6(e)(2).

Response O7-7

Please refer to Response O7-4, which notes that the Draft EIR appropriately acknowledged the status of Student Housing West as a planned-but-not-yet-operational project.

Comment O7-8

CEQA mandates that the DEIR adequately analyze a project’s effects to foster informed decisionmaking and allow the public to understand those impacts. Public Resources Code (“PRC”) § 21002.1; CEQA Guidelines §§ 15121, 15126, 15126.2. Where possible, the lead agency must employ feasible mitigation measures that could minimize the project’s significant adverse impacts. PRC § 21002; CEQA Guidelines §§ 15121, 15126.4. The EIR must provide information in “an analytically complete and coherent” manner to foster CEQA’s informational purpose. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*(“Vineyard”) (2007) 40 Cal.4th 412, 440; *Berkeley Keep Jets Over the Bay Committee v. Board Port of Commissioners* (2001) 91 Cal.App.4th 1344, 1355-1356; CEQA Guidelines §§ 15121, 15144. Yet, the DEIR failed to adequately discuss and mitigate the Project’s impacts in at least the following nine ways.

Response O7-8

The comment expresses the opinion that the Draft EIR is inadequate but does not provide specific support for this statement. More detailed comments on this subject are addressed below.

Comment O7-9

“The visual character of the campus is defined initially by its spectacular natural environment of open meadow spaces, coastal oak forests and redwood groves.” DEIR at 3.1-10. According to the 2005 LRDP, the campus site was selected because it was “overlooking Santa Cruz and the Monterey Bay.... Often called the most spectacular university site in the world, the campus landscape has played a vital role in shaping UCSC’s physical and academic development.” 2005 LRDP, 16. “The natural landscape is the formative, iconic element of the UCSC campus and the dominant component of its powerful array of open spaces.” 2005 LRDP, 33. Notably, the proposed 2021 LRDP does not discuss the history of why this site was chosen and simply distills the campus’ beauty down to single sentence that does not do it justice: “The campus enjoys panoramic views overlooking the Monterey Bay and the Pacific Ocean.” Draft 2021 LRDP at 51.

Rather than ensure that these “vital,” “spectacular” and “iconic” views are preserved and protected by the 2021 LRDP, the DEIR brushes potential impacts aside and declares that the addition of nearly 10,000 new students and 3.1 million square feet of facilities and infrastructure will not have a significant affect on any scenic views. DEIR at 3.1-38 to 3.1-39.

For example, “[e]xpansive meadows at the campus’s main entrance gradually transition to the rugged redwood forests of the Santa Cruz mountains, providing an incomparable natural setting.” 2005 LRDP, 16. But UCSC has apparently already committed to develop “[a]n enhanced historic district at the entrance to the main residential campus.” DEIR at 2-9. And the DEIR fails to provide any discussion of what that “enhanced” historic district will entail or how it will impact the current views of the “incomparable” East Meadow. The failure to evaluate these impacts, and analyze alternatives and mitigation measures that would avoid or reduce them, violates CEQA.

Response O7-9

As noted in Response O2-2 and Master Response 11, the Draft EIR’s analysis is programmatic and while initial areas for development of future campus buildings have been identified, it does not provide a project-level consideration of potential impacts related to the placement of structures and specific site design considerations. However, contrary to the assertions made in this comment, the Draft EIR does provide an evaluation of and assesses potential impacts both on-site and off-site, including those with respect to the historic district. Refer to visual simulations provided on pages 3.1-20 through 3.1-33 of the Draft EIR (and carried forward into the analysis of Impact 3.1-1 on pages 3.1-38 through 3.1-42 of the Draft EIR, as well as Impact 3.1-2 (beginning on page 3.1-42 of the Draft EIR). As noted in these exhibits and in the impact analysis provided in pages 3.1-38 through 3.1-42, development under the 2021 LRDP would largely be obscured from view such that substantial adverse changes in visual character would not occur with respect to long-distance views. Therefore, the Draft EIR appropriately determines that impacts would be less than significant.

With respect to the term “enhanced historic district” provided on page 2-9 of the Draft EIR, this was provided in reference to the 2021 LRDP’s intent (as noted on page 80 of the Draft LRDP) to “improve the district for use as a campus and community amenity.” As noted on page 3.4-22 of the Draft EIR, enhancements under the 2021 LRDP may be provided for academic & support facilities, community-facing programs, and visitor resources. The degree to which further improvements within the historic district may occur are dependent on site-specific design but may include seismic stabilization and rehabilitation of structures within the district (refer to page 113 of the 2021 LRDP). Enhancements within the district would likely be limited in mass and scale so as not to affect the integrity of the district (as required by Mitigation Measure 3,4-4a, beginning on page 3.4-22 of the Draft EIR). As noted in this mitigation measure, new development would be evaluated for compliance with a 200-foot buffer and, at a minimum, would be required to comply with the “Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings” for any development within 500-feet of the district. As such, the Draft EIR’s programmatic analysis already includes the requested analysis, consistent with CEQA requirements.

Comment O7-10

Impacts to the East Meadow cannot be dismissed from careful analysis because UCSC wants to build the Student Housing West Project. As discussed above, this project’s structures do not exist currently and the project must be re-approved and survive additional legal challenges before it may proceed. The impacts from the proposed Student Housing West Heller site likewise cannot be ignored on the mistaken grounds that this project is already part of the existing environment. It isn’t. Just like the University’s approval of the Hagar site’s student housing proposed for the East Meadow, the University’s approval of the Heller site’s student housing near the West Campus entrance to the campus was set aside by the Santa Cruz Superior Court on October 30, 2020. That project cannot proceed unless and until (1) it is lawfully reapproved by the University and (2) it survives two lawsuits raising additional legal challenges. The EIR must consider the impacts of the Student Housing West Project on the campus at both locations as they currently exist – without this project.

Response O7-10

Please refer to Response O7-4 and Master Responses 8 regarding Student Housing West.

Comment O7-11

The fact that additional new development is also planned for areas of the campus on which there is existing development does not negate the impacts that additional new development, and its thousands of new students, will have on the extraordinary aesthetic resources of this unique campus. The DEIR must, as CEQA requires, recognize and describe the “iconic” and “incomparable” nature of these scenic resources, fully disclose and analyze the severe impacts that contemplated campus development will have on them, and evaluate a broad range of alternatives and mitigation measures that would avoid or lessen those impacts. Unless the DEIR is revised to address these significant impacts, these extraordinary and irreplaceable scenic resources are at serious risk of irreparable degradation and loss due to contemplated, but insensitive and unnecessary, rapid and unsustainable campus growth.

Response O7-11

The Draft EIR comprehensively addresses the potential impacts on visual character and resources (refer to Impacts 3.1-2 and 3.1-3, beginning on page 3.1-42 of the Draft EIR). These two analyses evaluate the potential impacts of 2021 LRDP development in and around existing campus development, with special consideration for the Cowell Lime Works Historic District and for protection of view within scenic area such as East Meadow. Mitigation for these potentially significant impacts is identified. The mitigation requires site-specific consideration of each development under the 2021 LRDP near aesthetic resources and scenic areas, consistent with the UC Campus Standards Handbook and the Physical Design Framework. Regarding the range of alternatives presented in the Draft EIR, refer to Master Response 3. Consistent with CEQA requirements, the Draft EIR evaluates the potential impacts to visual character and resources and provides mitigation, where appropriate to reduce significant impacts. Refer also to Response L7-28 regarding building heights considered in the Draft EIR. Further revision of the Draft EIR is not necessary to address or mitigate for the potential impacts of the 2021 LRDP. The commenter’s opinion regarding the proposed building program of the 2021 LRDP is noted, but no further response is necessary.

Comment O7-12

In the past, the United States Fish and Wildlife Service (“USFWS”) has noted that “[t]he piecemeal approach that UCSC has taken in terms of implementing individual development projects over time makes it difficult for the Service to adequately assess cumulative impacts.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 2, p. 2. USFWS also expressed similar concerns about the 2005 LRDP DEIR, “includ[ing] the following: ‘1) underestimating the effects of various development projects on federally listed species, 2) [inadequate] UCSC land use designations regarding conservation of federally listed species, and 3) the lack of a comprehensive management plan for listed species at UCSC.’” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 2, p. 2 (citing USFWS January 11, 2006 comment letter to UCSC on the 2005 LRDP DEIR).

These same concerns apply here. Because the DEIR fails to fully address the cumulative and indirect habitat impacts from all the development that the LRDP would allow over its life, those impacts will be hidden within piecemealed, individual project assessments. Thus buried from public and agency view, those impacts may never be recognized, leaving USFWS, the City and County, other agencies, and the public without a clear and complete understanding of the LRDP’s cumulative and indirect biological impacts. Leaving agencies and the public in the dark places those impacted resources at unnecessary risk.

An agency must review the entire activity – in this case, the LRDP over its entire life – as a whole, rather than segment it into smaller parts. *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214, 1230; Laurel Heights Improvement Association v. UC Regents (1988) 47 Cal.3d 376, 406; CEQA Guidelines § 15378(a), (c), (d). Because UCSC campus development has the potential, over the course of the LRDP’s implementation, to significantly impact a long list of vital and vulnerable biological resources, the EIR must address all of those potential impacts, both short-term and long-term, now – when the go/no-go long-range planning decision is made – and before any further development may be allowed to proceed. But the DEIR defers all surveys, studies, plans, and avoidance measures to project-specific analyses. DEIR at 3.5-39 to 3.5-70. The failure to consider these impacts as a whole diminishes their perceived significance, ignores the impacts at the critical planning stage when the ability to avoid or mitigate those impacts is greatest, and thereby needlessly risks harm to these resources.

Response O7-12

The commenter’s request to assess the potential impacts to biological resources that may occur within the entire campus as a result of 2021 LRDP implementation is reflected in the analysis already presented in the Draft EIR. Based on recent and available habitat mapping, recent biological survey information, and consultation with long-standing campus biologists extensively experienced with biological resources in the LRDP area, as well as sensitive species occurrence information, the Draft EIR provides a summary of the potential sensitive biological resources that may occur within the LRDP area and could be affected by the 2021 LRDP. Due to the size of the LRDP area, certain development, depending on site-specific conditions, may have different effects than other development under the 2021 LRDP, which is why the Draft EIR requires site-specific confirmation of habitat and potential sensitive species (which would also allow for campus to adjust to changes in on-site conditions.) As noted in the comment letter submitted by the USFWS, their previous requests regarding a holistic approach were related to habitat conservation, and the campus has pro-actively initiated discussion with USFWS (as part of Mitigation Measure 3.5-2a) to prepare a campus-wide HCP to conserve habitat for listed species, which could ultimately contribute to their recovery and could be applied for future development within the LRDP area. Contrary to the opinion provided in this comment, the Draft EIR’s programmatic analysis of the 2021 LRDP is considered appropriate, adequate, and in accordance with CEQA requirements. No impacts to biological resources are ignored, and the comments do not raise any specific omissions.

Comment O7-13

The EIR’s biological resources analysis also entirely fails to include a discussion of the Student Housing West Project. As noted above, that project has not been reapproved, let alone constructed, and therefore is not part of the existing environment. If it is eventually constructed, it will have significant impacts on biological resources. Even if this unlawful project is later approved under the 2021 LRDP, at that point it will be part of that larger, 2021 LRDP Project and yet will not have been examined as such. Therefore, the EIR’s failure to consider the impacts of the Student Housing West Project together with the impacts of the other development

Response O7-13

See Master Response 8 regarding the Student Housing West and its treatment within the context of the Draft EIR. Also refer to Response O7-4, above.

Comment O7-14

As the “physical development and land use plan to meet the academic and institutional objectives,” the LRDP has the potential to significantly affect greenhouse gas (“GHG”) emissions on campus. DEIR at 1-1. Indeed, “the 2021 LRDP would result in a net increase in campus-wide GHG emissions caused by additional construction activity; on-road VMT [vehicle miles traveled]; building energy consumption; water, waste, and wastewater emissions; and additional stationary source emissions.” DEIR at 3.8-21. But the DEIR fails to adequately analyze and mitigate that significant impact.

Response O7-14

Page 3.8-17 of Section 3.3, "Greenhouse Gas Emissions and Climate Change" lists the significance criteria used to evaluate the impacts associated with GHG emissions, and Table 3.8-5 reports the total annual GHG emissions that would result under the 2021 LRDP as they relate to the State's targets relative to 1990. As noted in Master Response 5, the Draft EIR’s analysis of potential GHG impacts takes into consideration statewide targets, the UC Sustainable Practices Policy and UC-specific GHG reduction targets and mandates, and the potential increases in GHG emissions associated with the 2021 LRDP’s building program. In addition, it provides appropriate mitigation, along with a performance standard that must be achieved, that prioritizes on-site mitigation. As such, the Draft EIR’s analysis is considered adequate and provides appropriate mitigation of the potential increase in GHG emissions.

Comment O7-15

The DEIR admits that the quantity of GHG “emissions that has accumulated in the atmosphere is enormous and has resulted in climate change, which is a significant cumulative impact.” DEIR at 4-30. But the DEIR still limits its analysis to the impacts in and around the UCSC campus only. DEIR at 3.8-21 to 3.8-27. GHG emissions are not confined by the borders of the University, or the City. GHG emissions by UCSC have the potential to impact much more than just the campus and the City, and those cumulative impacts cannot be ignored. As the DEIR states, “[b]ecause climate change is a global phenomenon, the impacts of GHG emissions are inherently cumulative,” and must be analyzed on a regional level. DEIR at 4-30. Because the DEIR’s GHG emissions analysis fails to provide that regional (and global) evaluation, it violates CEQA.

Response O7-15

As shown in Table 3.8-5, GHG emissions generated by the 2021 LRDP are compared against statewide GHG reduction target, which are the regional evaluation requested by the commenter. The targets evaluated in Table 3.8-5 include reducing emissions by 40 percent under 1990 levels by 2030 and 60 percent under 1990 levels by 2040, which was interpolated from the State's target of reducing emissions by 80 percent by 1990 levels by 2050. As a result, the Draft EIR’s analysis is considered to be consistent with CEQA requirements.

Comment O7-16

Under CEQA, GHG emissions must also be analyzed in a manner that recognizes the entirety of the project’s “lifecycle” impact, including the emissions from the mining and gathering, cultivation and harvest, and manufacturing of the project’s components, their fabrication, their transportation to the site, the on-site grading and construction of the project, and its long-term operation and ultimate decommissioning. This comprehensive review of a project’s GHG emissions, widely known as a lifecycle analysis, is required by CEQA but never completed for the DEIR. DEIR 3.8-21 to 3.8-27. The LRDP should require a lifecycle analysis of all development that is proposed pursuant to the LRDP. Such an analysis would provide a more accurate and complete understanding of the Project’s GHG emissions and its impact on the surrounding environment. Without such an analysis, the public and decisionmakers are left in the dark about the Project’s true GHG impacts.

Response O7-16

The comment’s statement regarding the need for a lifecycle analysis is noted but not “required” under CEQA. The California Association of Environmental Professionals (AEP) prepared a white paper on the need for lifecycle analyses within the context of CEQA and climate action planning efforts. Page 5-2 of this study states that:

If a project-level inventory were to include additional upstream embedded emissions associated with consumption of goods and services, or downstream transportation emissions, outside of the state, it would no longer be comparable to the state inventory and a threshold based on state reduction targets could not be used to evaluate the project’s GHG emissions. Given the California Supreme Court’s determination that it is appropriate under CEQA to compare project GHG emissions to a threshold related to the state reduction goals, there is no current requirement in CEQA to include GHG emissions that are not included in the state’s GHG inventory, nor to use methodologies to account for emissions different from those employed in the state’s GHG inventory (AEP 2017).

Further, the most commonly used tool for evaluating GHG emissions under CEQA is CalEEMod, which was used for the 2021 LRDP Draft EIR, and is universally recommended by local air districts, including MBARD, for the quantification of criteria air pollutants and carbon dioxide equivalents. CalEEMod, however, does not include the ability to calculate the emissions suggested by the commenter. Further, the emissions associated with the activities suggested by the commenter are generally accounted for in project inventories for the land uses and facilities to which they more directly pertain. As noted on page 5-3 of the AEP study, “the addition of such emissions would not add any information necessary to make conclusions about the significant of project emissions compared to statewide reduction goals.” As such, inclusion of such analysis is considered to neither be required or recommended to understand the impact of the 2021 LRDP.

Comment O7-17

Campus development under the LRDP will impact the site’s hydrology and water quality. The campus is underlain by extremely complex and readily erodible geologic formations known as “karst,” as hydrologist and karst specialist Tom Aley explains in his accompanying comments, which are attached as Exhibit 1. The karst system is a landform that is “produced primarily through the dissolving of rock” and features “sinkholes, caves, large springs, dry valleys and sinking streams.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 3, p. 11. Because of these features, karst landscapes pose unique hazards for surface development, and are very difficult to evaluate for potential use of groundwater stored in them. “In karst areas, water commonly drains rapidly into the subsurface at zones of recharge and then through a network of fractures, partings, and caves, [and] emerges at the surface in zones of discharge at springs, seeps, and wells.” Id.; Thomas Aley, Hydrogeologic Review of University of California Santa Cruz 2021 Long Range Development Plan EIR, March 4, 2021, p. 1-2, 7-8 (attached hereto as Exhibit 1).

Karst landscapes present numerous environmental uncertainties that make development pursuant to the LRDP and its impacts especially problematic. “Karst regions require special care to prevent contamination of vulnerable groundwater supplies and to avoid building in geologically hazardous areas.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 3, p. 7. “Most of the rain that falls in a karst area drains into the ground rather than flowing to a surface stream.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 3, p. 28. LRDP development, such as construction of the Student Housing West Project, can increase “pollution of groundwater by sewage, runoff containing petrochemicals derived from paved areas, domestic and industrial chemicals, and trash.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 3, p. 7. “Contamination is common in karst aquifers beneath urban areas with high population densities.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 3, p. 30.

Despite all of these perils and uncertainties, the DEIR makes assumptions about the karst aquifer and its availability for groundwater storage and pumping that ignore its inherent unsuitability for development and vulnerability to contamination and dewatering. Exhibit 1, pp. 3-8. For example, the DEIR makes baseless assumptions that overstate the groundwater storage capacity of the karst aquifer in order to sidestep hard questions about providing an adequate year-round water supply for the LRDP’s rapid growth should the University be unable to secure adequate water supplies from the City of Santa Cruz. The City has already concluded, as noted above, that it will face water shortages by 2025. “While human demands for water on the University campus with a dramatically enlarged population will be relatively constant, the key issue is the adequacy of groundwater from the karst aquifer . . . under dry weather conditions.” Exhibit 1, p. 2. But rather than analyzing the impact of pumping groundwater during dry periods when water supplies are limited, the DEIR erroneously bases its analysis on a groundwater pumping study that was conducted when the karst formation’s discharges to down gradient springs and creeks were 15 times greater than those watercourses’ minimum flows. Exhibit 1, p. 6.

As Mr. Aley explains, “UCSC failed to collect adequate spring flow data during the period 1984 through 2019. As a result, the University has no credible estimate of the rates at which water has been discharged from the karst aquifer during this 35 year period and how rapidly water that enters the aquifer is discharged through the springs.” Exhibit 1, p. 3. UCSC contends that pumping water from these aquifers may fill any deficit in water supply during dry years, but the karst system may not support the “113,700 gallons per day . . . projected demand.” Exhibit 1, pp. 3-4. “An adequately comprehensive network of monitoring wells for routinely measuring water level elevations is a key part of understanding and managing groundwater basins,” but the DEIR entirely failed to conduct adequate hydrologic investigations. Exhibit 1, pp. 4-5; DEIR 3.10-20, 3.10-24. Indeed, there are only 4 wells on campus and three are located within approximately 40 feet of one another. Id. More is needed to comply with CEQA’s informational mandate.

As Mr. Aley concludes, “[t]here is insufficient information available on the marble aquifer to conclude that it is capable of providing a daily volume of 113,700 gallons of water to extraction wells that would serve the University during dry periods without causing significant environmental problems. Those environmental problems include cessation of flow from springs and an increased risk of land subsidence or sinkhole collapse on University property.” Exhibit 1, p. 8. Because the DEIR fails to provide the University, the City, the Santa Cruz County Local Agency Formation Commission (“LAFCO”) and the public with the information necessary to make an informed and thoughtful decision regarding this Project’s impacts on water quality and supplies, it violates CEQA.

Response O7-17

Please refer to Master Response 10 regarding available groundwater data and the Draft EIR’s conclusion and significance determination for Impact 3.10-5.

Comment O7-18

Furthermore, the DEIR fails to address other obvious impacts on water resources. For example, it overlooks the impacts on water resources from the Project’s creation of large areas of impervious surfaces. It admits that “[s]everal currently undeveloped areas along the upper/north campus are proposed for development under the 2021 LRDP,” which will create new impervious surfaces. DEIR at 3.10-33, 4-34. “Infiltration of rainfall is a significant source of recharge of the shallow aquifer on the north campus. Although this shallow groundwater is not extracted as a water source on the campus, it supplies water to springs and seeps located throughout the north campus and in adjacent drainages.” DEIR at 3.10-33; see also DEIR 3.10-10, 3.10-25 to 3.10-26, 4-34 to 4-35; Exhibit 1, p. 2, 7-8. Therefore, any changes in impervious surfaces can have a significant effect on the shallow aquifers of the area. Yet, while the DEIR notes that these changes are likely, it entirely fails to address the potential impacts on these vulnerable water resources from that reduced infiltration. DEIR at 3.10-33 to 3.10-34.

As with the upper/north campus, likewise throughout the campus, surface discharge from shallow aquifers supplies headwater streams and saturates low areas and depressions. DEIR at 3.10-10, 3.10-25 to 3.10-26, 3.10-33; Exhibit 1, p. 2. Although small in acreage, these streams provide myriad habitats that support diverse plants and animals, as well as shelter, food, spawning sites and wildlife movement corridors. DEIR at 3.5-8, 3.5-10, 3.5-12 to 3.5-13, 3.5-16, 3.5-20, 3.5-26, 3.5-31, 3.5-33. However, the Project’s addition of impervious ground cover could result in reduced rainfall infiltration, and adverse effects on headwater stream flow, seeps, saturated depressions, and springs, and to the biota that rely on them. Because these shallow aquifers are often small, a single acre of added impervious surface can have a significant impact. DEIR, Appendix G at Table G1-2. The smaller the watershed the greater the impact. But despite these facts, the DEIR fails to address the reduction in infiltration to these aquifers from the Project’s construction of greater impervious surfaces.

Response O7-18

As noted in Response O2-20, the Draft EIR evaluates the potential for new impervious surfaces to affect groundwater recharge within Impact 3.10-5, which begins on page 3.10-33. As noted in Impact 3.10-5, compliance with UC Santa Cruz Post-Construction Requirements would involve the retention of runoff to pre-development conditions which would prevent a reduction in flows to springs and seeps and overall groundwater conditions as a result of increased impermeable surfaces. As a result of regulatory compliance, no mitigation measures are considered necessary to address the impact of 2021 LRDP implementation.

Comment O7-19

The DEIR likewise fails to provide an adequate discussion of the Project’s cumulative impacts on hydrological resources. It claims that “on-site retention of stormwater” is required “to comply with UC Santa Cruz Post- Construction Requirements,” and “therefore, continued compliance prevents a reduction in flow to springs and to recharge the karst aquifer.” DEIR at 4-35. But that assessment is incomplete. It implies – but does not explain if or how – runoff would be impounded close to the new, added impervious surfaces, or address how the impoundments will be designed to readily infiltrate the captured water in a manner that mimics the natural process. Without this information, the cumulative hydrological effects analysis is incomplete, and leaves the public in the dark about the Project’s hydrological impacts.

Response O7-19

As noted previously, the Draft EIR presents a programmatic analysis of the potential physical environmental impacts of 2021 LRDP implementation, and therefore provides an analysis of the full range of impacts that could occur. Existing regulations and requirements, including NPDES requirements and UC Santa Cruz Post-Construction Requirements, establish specific criteria related to the level of runoff that must be retained on-site to prevent significant impacts related to runoff from new development. These may include the use of pervious pavement, on-site detention facilities, on-site retention facilities, etc., that would be determined on a site-specific and project-specific basis but always in a manner consistent with the existing and overarching applicable regulations.

Comment O7-20

As discussed above, the karst formation below the UCSC campus is fragile and presents numerous hazards and impacts. “The portion of the main residential campus underlain by karst is pockmarked with dolines (or sinkhole).” DEIR at 3.7-12. In addition to the hydrologic uncertainties posed by an underlying karst formation, the topography also creates geologic risks. “Problems occur when the landscape is altered by urban development. Erosion is a common side effect of construction, transporting soil to the lowest part of the sinkhole where it clogs the drain.” DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 3, p. 28. Development also “increases the risk of induced sinkhole collapse.” *Id*. at p. 27. Yet the DEIR all but dismisses this impact. DEIR at 3.7-27 to 3.7-28. After admitting that “[c]onstruction in karst terrain is potentially hazardous because many karst features are not visible at the surface,” and that “boring data from prior investigations [shows] the surface of the marble bedrock is highly irregular, varying in elevation by more than 100 feet over a horizontal distance of 10 feet or less,” the DEIR erroneously concludes that the Project’s impacts will be less than significant. DEIR at 3.7-27. But the conclusion does not follow from the facts. The irregularity of the karst formation makes the impacts of any construction potentially significant. There are numerous alternatives that could lessen or avoid those impacts, including offsite learning options as noted above, that must be considered in light of these serious concerns. The DEIR’s failure to adequately assess and mitigate these impacts violates CEQA.

Response O7-20

The Draft EIR properly assesses the potential impacts associated within development within Karst formations within Section 3.7, “Geology and Soils” at a programmatic level in accordance with CEQA. For example, Impact 3.7-5, beginning on page 3.7-27 of the Draft EIR, assesses the potential increased risk of exposure of people or buildings to unstable conditions due to Karst topography. As noted in this impact, all structures constructed or redeveloped would be required to comply with the CBC, UC Seismic Safety Policy, and UC Santa Cruz Campus Standards Handbook, which require site-specific geotechnical studies and soil engineering reports to address potential karst hazard risks. Because project-specific design requirements and conditions of approval would be incorporated for all development pursuant to the 2021 LRDP, the potential for structural damage due to karst topography would be less than significant. Further discussion of this statement is included in this section on page 3.7-28. “Consistent with the aforementioned CBC [California Building Code] requirements and taking into account location-specific information provided by geology studies conducted by UC Santa Cruz (e.g., UC Santa Cruz Campus Geology Report [UC Santa Cruz 2005]), full consideration of potential hazards from dolines would include collapse of cavern roofs, settlement of doline fill or low-density soil zones on top of the marble, and failure or sliding of materials adjacent to the cavities. Foundations adjacent to the solution chambers, and not just those overlying the voids or chambers, are therefore potentially at risk and will be evaluated in the site-specific geotechnical studies and soil engineering reports."

This approach of completing site specific studies for specific buildings is typical in regions where geological hazards are ubiquitous. Proposed development in known karst hazard areas since the first campus geology report was issued in 1993 has followed the standard protocol of characterizing the geological hazard and attendant risks to the proposed development and then reducing the risk to an acceptable level where warranted with typical engineering solutions (i.e. spread footings with grade beams to span low-density zones, structural mats and post-tensioned slabs, pier and grade beam foundations with either end-bearing or side-wall friction for support, driven piles, geotextile-reinforced compacted fill, pressure or compaction grouting of underlying sediments combined with the aforementioned footings, and deep dynamic compaction).

The comment regarding the irregularity of the karst formation and that any impacts of construction should be potentially significant" appears to disregard the fact that existing karst conditions and the hazards and risks presented to proposed developments are not ignored on campus. The campus follows the California Building Code and their campus geological report when conducting the required site specific geological, geotechnical engineering and sometimes geophysical investigations in areas where the structures might be underlain by dolines that could present a hazard to the structure. The engineering properties of the underlying soil that are contained in a doline are evaluated by the geotechnical engineer and the team comprised of the geologist, geotechnical engineer and structural engineer look at the strength of the soil and loading created by the building to calculate the settlement and potential ground displacements that could occur under the building. Foundation and/or ground improvements are considered where warranted to mitigate the risk and bring it to an acceptable level.

As noted above, there are foundation design and ground improvement alternatives available to the architect and team of engineers to mitigate risks to structures due to calculated settlement and ground displacement for a site underlain by a doline. This approach results in reducing risks to the structures to an acceptable level where warranted. As a result, the Draft EIR’s analysis is considered appropriate, adequate, and in accordance with CEQA requirements.

Comment O7-21

The DEIR declares that the 2021 LRDP would not conflict with existing land use plans. DEIR at 3.11-8. It claims that “UC Santa Cruz is not subject to municipal regulations of surrounding local governments, such as the City and County of Santa Cruz general plans or land use designations, for uses on property owned or controlled by UC Santa Cruz.” DEIR at 3.11-11. But as discussed below, development proposed in the LRDP includes area outside the City’s approved water service area, and the City’s General Plan demands that any extension of a water service area must be approved by LAFCO. DEIR at 3.17-11, citing City of Santa Cruz General Plan, Policy CC3.7. Accordingly, the EIR’s failure to identify the potential need for LAFCO review should the Project require an extension of the City’s water service area violates CEQA.

Response O7-21

Please refer to Master Response 2 and responses to comments provided in Letter L2 (LAFCO). Further, the Draft EIR (e.g., on page 1-7) acknowledges this information as well as the conditions of the 2008 CSA. Regardless, the University of California is not subject to City or County regulations or policies.

Comment O7-22

The area around UCSC has traditionally been a “very tight housing market, especially as it relates to rental housing.” DEIR at 3.13-5. According to the 2005 LRDP, housing is a “key issue[] essential to the planning processes of UCSC.” 2005 LRDP, 23. The “housing market is influenced by several factors, including proximity to major job centers, low for-sale inventory, and an “extremely tight” rental market.” DEIR at 3.13-5.

Yet the University still plans to expand the campus by nearly 10,000 students. DEIR at 1-3. Furthermore, it plans to add an additional 2,200 FTE faculty and staff members, but it will only house 25% of that additional faculty and staff. DEIR at 1-3. The LRDP will therefore leave an additional 1,650 faculty and staff members to find housing in an already scarce and problematic market. The University claims that it plans to work with the City, yet its current plan will significantly drive up housing costs. And the DEIR fails to adequately discuss this impact and consider alternatives and mitigation measures to lessen it, including the use of off-site alternatives such as satellite campuses and remote classrooms. The assumption that on-campus student population growth is an inevitable force that the campus must accommodate underlies the entire DEIR, and creates a false barrier to consideration of alternatives that would lessen these significant impacts.

Response O7-22

Refer to Master Response 2 regarding housing affordability and other socioeconomic considerations. It is important to note that, under the cumulative condition, which would include construction on campus of Student Housing West, substantially more housing than students would be provided under the LRDP plus cumulative conditions, alleviating some of the pressure on the local housing market. Further, the Draft EIR includes an evaluation of reduced student enrollment within the LRDP area under all four alternatives, which would reduce the significant and unavoidable housing impact identified in Section 3.13, “Population and Housing” of the Draft EIR. More specifically, Alternative 1 evaluates no increase in student enrollment; Alternatives 2 and 3 evaluate a student enrollment of up to 26,400 FTE; and Alternative 4 evaluates a student enrollment of up to 25,800. Furthermore, several alternatives (including off-site alternatives) that were also considered during development of the Draft EIR are also presented, beginning on page 6-3 of the Draft EIR. Contrary to the opinion expressed in this comment, the Draft EIR appropriately evaluated the potential impacts of the 2021 LRDP, as well as mitigation measures and alternatives that would reduce significant impacts, in accordance with CEQA requirements.

Comment O7-23

At our request, a nationally-recognized expert in evaluating the viability and impacts of real estate development, Lewis (“Lew”) Goodkin, evaluated the DEIR’s analysis of the Project’s impacts on housing for students and others. His analysis is attached as Exhibit 2. His conclusions are sobering, and demonstrate severe flaws in the DEIR’s review. Mr. Goodkin concluded that the DEIR’s conclusion that the Project would have “less-than significant impact [on housing] overlooks two salient facts that are never acknowledged, let alone analyzed.” Exhibit 2, p. 2. First, “The DEIR fails to address the fact that the price of [the Project’s] student housing is so high relative to the price of off-campus housing that the occupancy of the new student housing units will fall far short of the DEIR projections, causing a large percentage of the new students to seek housing off-campus.” Id. Mr. Goodkin then explains that “[t]he new, unmet demand for off-campus housing will have several impacts that the DEIR fails to analyze, such as the much greater traffic, and the related parking demands and associated air emissions from this additional traffic, from new students who will commute to, rather than live on, campus.” *Id*.

Response O7-23

As noted in Master Response 2, housing affordability is not directly considered within the context of CEQA. As the campus has historically had very high occupancy rates for on-campus housing, the potential that new on-campus housing under the 2021 LRDP, which would be subject to similar pricing, would force students off-campus and result in additional physical environmental impacts is unsupported and without evidence. Furthermore, traffic congestion (as of the 2018 amendments to the CEQA Guidelines) is no longer considered a direct physical environmental impact within the context of CEQA. Regarding the plan implementation and the phasing of development, see Master Response 9.

Comment O7-24

Second, Mr. Goodkin points out that “the DEIR fails to address the fact that as an increasing number of new students are forced to find housing off campus because it is far less expensive, the resulting and growing unmet demand for off-campus housing will displace existing renters from the off-campus units that the new students will be able to occupy due to their greater purchasing power compared to the average renter in Santa Cruz County. The DEIR never analyzes the resulting environmental and socio-economic impacts on the surrounding community as existing renters of off-campus residential units are displaced to other areas farther from their existing places of employment, the schools their children attend, and the other urban services such as stores they presently utilize.” *Id*. at p. 3.

For these compelling reasons, Mr. Goodkin concludes that “the DEIR is substantially deficient.” *Id*.

In summary, the severe adverse impacts on the environment from the Project’s failure to provide affordable housing to its students and staff (or alternatively, to provide for off-site learning alternatives) are ignored, in violation of CEQA.

Response O7-24

Please refer to Response O4-4, O7-23 and Master Response 2.

Comment O7-25

As the DEIR admits, the Project will create significant fire risks including both ignition and response risks during construction. DEIR at 3.18-13 to 3.18-16. But it is not simply construction that would cause these impacts. Off-shore winds blowing from the north toward Monterey Bay occur frequently, especially during the peak fire season in the fall. In the event of a big fire propelled by off-shore winds blowing from the north, LRDP development in the West Campus area will create immediate and obvious fire evacuation hazards. DEIR at 3.18-13.

Many of the nearly 10,000 proposed additional students on the main campus, along with the faculty and staff housing proposed in the Coastal Zone, could only evacuate a wildfire via Empire Grade Road by exiting through the current West Campus entrance and the proposed bridge over Cave Gulch to Empire Grade. In certain likely fire scenarios, all of the population of Bonny Doon would have only Empire Grade Road available as an evacuation route.

This outflux of people frantically evacuating to the south via Empire Grade Road would create instant gridlock, backing up south-bound traffic on Empire Grade Road toward the north–in the direction of the on-coming fire. Adding thousands of evacuees from the LRDP’s proposed new development would create a death trap. Building up the West Campus would thus be a blueprint for disaster similar to the traffic gridlock that trapped and killed residents of Paradise fleeing from the Camp Fire in October 2018. It behooves the University to pay careful attention to this critical public safety issue, yet it only considered the potential wildfire impacts during construction.

Response O7-25

Contrary to statements made in this comment, the Draft EIR properly evaluated potential impacts associated with 2021 LRDP implementation, including the risks associated with new development (construction and operation) and issues related to emergency response and evacuation plans in Impacts 3.18-1 and 3.18-2, and determines that impacts would be less than significant with mitigation. Refer to Master Response 4.

Comment O7-26

Likewise, Mitigation Measure 3.9-4, calling for the preparation of Site-Specific Construction Traffic Management Plans, fails to mitigate any impacts from the 10,000 new FTE students that the 2021 LRDP allows. DEIR at 3.9-25 to 3.9-26, 3.18-14. Construction Traffic Plans will not help the thousands of students who will utilize Empire Grade Road to try to evacuate in an emergency.

Response O7-26

Please refer to Master Response 4.

Comment O7-27

**1. The City’s Water Supply Is Insufficient**

Most of the UCSC campus is within the City of Santa Cruz Water Department (“SCWD”) water service area. DEIR at 3.17-5. But “[t]he City of Santa Cruz is facing several obstacles in meeting its present and future water supply needs.” DEIR at 3.17-14. “While the City of Santa Cruz water supply system is essentially the same as in 1960, the service population has increased 190 percent and is expected to increase. In normal and wet years, the water supply system is capable of meeting the needs of the current population, but even without population increases, the system is highly vulnerable to shortages in drought years.” 2005 LRDP, 25. According to the City’s Urban Water Management Plan (“UWMP”), “the City has had to declare a water shortage in five of the . . . seven years” between 2009 and 2015. DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 1, p. 8-1. And the UWMP predicts that the SCWD will face a shortfall by 2025. DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 1, pp. 4-6 (projected water use in 2025 is 3,225 mgy), 6-24 (projected water supply in 2025 is 3,164 mgy).

“Adequate water supply is a primary issue for UCSC and the City of Santa Cruz given future anticipated shortfalls.” 2005 LRDP, 23, 88 (quote). Increased development under the LRDP would necessarily increase water demand, and as the DEIR admits, “UC Santa Cruz’s water demand under the 2021 LRDP would contribute to the need for the City to secure a new water supply source to address the shortfall under multiple dry water year conditions.” DEIR at 3.17-24. The DEIR claims that “groundwater can be extracted from [a well within the karst aquifer] without substantially reducing the flow rates of any individual spring in the area.” DEIR at 3.10-25. But as shown above, that is simply not true and would have detrimental effects on the perilous karst system. Exhibit 1, pp. 1-4, 7-8.

This impact is not unavoidable, as the DEIR claims. The DEIR throws up its hands claiming that it “would be speculative to assume that implementation of additional measures would reduce the campus’s water demand sufficiently to avoid or substantially reduce the 2021 LRDP’s significant impact on water supply.” DEIR at 3.17-35. But that logic only holds true under the erroneous premise that rapid and massive UCSC student population growth is inevitable. It is not, and consideration of an alternative that shifts campus growth to other off-site alternatives would significantly minimize this impact in compliance with CEQA and the Comprehensive Settlement Agreement.

Response O7-27

With respect to the evaluation of water supply within the Draft EIR, refer to Master Response 7. Regarding the applicability of the 2008 CSA to the 2021 LRDP, refer to Master Response 2. Regarding the Draft EIR’s evaluation of alternatives, including off-site alternatives, refer to Responses O7-5 and O7-22, as well as Master Response 3. Further, it is acknowledged that shifting enrollment growth to an offsite location would reduce impacts within the LRDP area; however, as noted in the Draft EIR’s discussion of Alternative 4, additional impacts (especially where new facility development would be required) would have new/different impacts at the off-site location(s). The Draft EIR provides a reasonable range of alternatives and feasible mitigation measures to reduce the impacts associated with implementation of the 2021 LRDP.

Comment O7-28

**2. Increased Water Demand Will Be Detrimental to Special-Status Fish Species**

The City’s water sources support populations of Central California Coast (“CCC”) Distinct Population Segment steelhead (Oncorhynchus mykiss), a threatened species (62 Fed. Reg. 43937 (August 18, 1997)), and CCC Evolutionarily Significant Unit (ESU) coho salmon (*Oncorhynchus kisutch*), an endangered species. 70 Fed.Reg. 37160 (June 28, 2005); 64 Fed.Reg. 24049 (May 5, 1999). The endangered CCC coho relies on the San Lorenzo River watershed for recovery. 64 Fed.Reg. 24049. The prospects for recovery of the CCC steelhead and coho are dependent on suitable habitat being restored and maintained. Certain minimum levels of flow and temperature are required in streams for the proper development, growth and spawning of salmonids.

“The City of Santa Cruz is facing several obstacles in meeting its present and future water supply needs.” DEIR at 3.17-14. Currently, in critically dry years, the City does not have enough water to meet the City’s existing needs, including the instream needs for fish. 2005 LRDP, 88. And the City projects a water supply shortfall by 2025. DEIR Appendix B at HAWC’s April 8, 2020 Scoping Comments, Exhibit 1, pp. 4-6, 6-24. During dry years maintenance of instream flow is critically important for the survival of the salmonids, as rearing juveniles are typically unable to rear in small tributaries and will need adequate water flow in the main stem of the San Lorenzo River. As climate change continues to alter ambient temperatures, the need for cool water flows will increase, requiring corresponding reductions in water supplies for human uses, further limiting the City’s ability to meet water demands. Yet the DEIR entirely fails to address this concern when calculating the City’s ability to meet water demand in light of UCSC’s proposed development. This omission violates CEQA. *Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 874-875 (EIR must address cumulative impacts of upstream and downstream diversions of water for human uses on salmonid species in the river); Vineyard, 40 Cal.4th at 448-449 (EIR must examine impact of seasonal reductions in river flow on both salmonids and human water supply).

Response O7-28

As noted in the Draft EIR (refer to page 3.17-22), the 2021 LRDP would not increase water demands beyond existing agreements and evaluations previously conducted by the City with respect to its water diversions as the water retailer to UC Santa Cruz. Further, the City of Santa Cruz utilizes the Confluence model to analyze the variability of water supplies to determine whether existing supply would be adequate or whether water supply shortages would occur and if so, what the magnitude of the shortage would be. The City has been utilizing the Confluence model to support water supply planning activities since 2003 and this model was used to generate the results for the 2010 UWMP. The model takes into account the variation in demand both within and between years, the availability of water from various sources, and the capacity of infrastructure to pump and treat the water. As described in Chapter 7 of the City’s 2015 UWMP, the results provide perspective on the City’s water supply reliability based on accepted planning criteria and projected conditions in the water system, concurrently taking into account external factors that could affect the water supply. The City’s Confluence model takes into account diversions from San Lorenzo River that may be required to protect special-status fish species, such as steelhead and Coho salmon, during critically dry years. The supply shortages that are identified in the UWMP are primarily because of the protections needed to protect the fish. The 2015 UWMP states that historically, in normal water years, the City experienced a slight surplus of supply and this trend can be expected to continue until the HCP agreement is approved and maintenance of higher instream flows goes into effect. With the addition of the ecosystem protection conditions likely to begin prior to 2020, a small shortage (1 to 3 percent) can be expected in future normal water years. The City predicts the supply and demand volumes to be in balance for 90 percent of all normal water years for 2020 through 2035. The City plans to address the shortfall in supply by implementing a number of recycled water and aquifer storage and recharge projects, which are described in the Draft EIR along with a discussion of their potential environmental impacts. A further evaluation of potential effects of reduced river flows on special-status fish species is not required.

Comment O7-29

The development proposed in the LRDP includes areas outside the City’s approved water service area. Providing water to such areas requires the approval of the Santa Cruz County LAFCO, which is therefore a responsible agency for this Project under CEQA. DEIR at 3.17-11, citing City of Santa Cruz General Plan, Policy CC3.7. Accordingly, the EIR must address impacts on water supply in a manner that addresses the informational needs of LAFCO. HAWC, 213 Cal.App.4th at 1305.

But instead, the DEIR fails to address LAFCO’s informational needs entirely. It states that UCSC “does not believe that . . . approval by [LAFCO] is required for the campus to receive increased service for the development of those portions of the campus that lie in unincorporated Santa Cruz County.” DEIR at 3.17-5. Rather than comply with this mandate, UCSC “requested judicial intervention to seek clarity regarding the City’s legal obligations,” which is currently pending before the court. DEIR at 3.17-5. CEQA demands more.

Response O7-29

Please refer to Master Response 2 and responses to comments provided in Letter L2 (LAFCO) with respect to the 2008 CSA and LAFCO jurisdiction.

Comment O7-30

Because the UC campus possesses extraordinary, yet vulnerable and irreplaceable, environmental resources that the LRDP's proposed development threatens, those unique concerns merit heightened analysis and creative solutions - including off-site alternatives such as remote learning and satellite campuses - in the EIR. CEQA requires a thorough evaluation of the Project's potential impacts and alternatives that informs the public and decision makers about how best to avoid and lessen these potentially severe impacts. Yet the DEIR failed in this informational goal. The DEIR defined the Project objectives too narrowly. ignored plausible and beneficial alternatives, and failed to consider and mitigate significant Project impacts. The DEIR therefore violate CEQA and must be revised.

Please include these comments in the public record for this Project.

Response O7-30

Regarding the project objectives, refer to Responses O4-7 and O7-2. With respect to the presentation of feasible alternatives and mitigation measures, feasible mitigation measures and alternatives are identified and evaluated, where appropriate, and in accordance with CEQA requirements. Refer also to Master Response 3 regarding alternatives and the presentation of a reasonable range of alternatives within the Draft EIR. Responses to more specific instances where these deficiencies are perceived by the commenter are provided in Responses O7-9, O7-11, and O7-22. In general, the Draft EIR (including its presentation of project objectives, mitigation measures, and alternatives) is considered appropriate, adequate, and in accordance with CEQA requirements. Consistent with the commenter’s request, the comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O7-31

I have been retained by Stephan C. Volker, Esq., to conduct a review of hydrogeologic statements in the UC Santa Cruz 2021 Long Range Development Plan Draft Environmental Impact Report {DEIR). A copy of my resume is attached to this hydrogeologic review as Appendix A. I hold BS and MS degrees from the University of California, Berkeley and have spent my career as a professional hydrogeologist specializing in karst hydrogeology and groundwater tracing studies using fluorescent tracer dyes. I hold national certification as a Professional Hydrogeologist {#179) from the American Institute of Hydrology and am licensed as a Registered Geologist or Professional Geologist in the states of Missouri, Arkansas, Kentucky, and Alabama. I am the author of a chapter on groundwater tracing with fluorescent dyes in the textbook "Practical Hydrogeology Principles and Field Applications" published by McGraw Hill {Aley, 2019) and have taught numerous professional short courses on karst hydrology and groundwater tracing.

Response O7-31

The comment provides information related to the professional qualifications of supporting comments included with the letter. This comment does not address the adequacy of the EIR analysis.

Comment O7-32

**Comment 1. A basic understanding of the nature of porosity in karst aquifers and their ability to store and transport groundwater will assist readers of this evaluation in understanding subsequent comments.**

Karst aquifers have three types of porosity; some authors have assigned slightly different terms but the following are commonly used.

* Matrix porosity is intergranular porosity and in this marble aquifer is insignificant and does not produce any significant water that could be extracted by wells. DEIR page 3.10-20 describes a boring drilled 300 feet deep within 30 to 50 feet of an inferred north-south fracture zone in Lower Jordan Gulch that "*did not encounter groundwater*".

This illustrates matrix porosity; areas with matrix porosity must be expected to routinely form effective barriers to lateral and vertical water movement in the karst aquifer under the UCSC campus.

* Fracture porosity is the primary provider for wells that do not intersect solutionally enlarged karst conduits. Page 3.10-23 of the DEIR summarizes construction details on four wells on the UCSC campus. No well yield is given for MW-lB but it is undoubtedly small and is reflective of water yields from fracture porosity. DEIR page 3.10-24 states: *"Monitoring Well MW-18 is located approximately 37 feet west of [Water Supply We/11] WSW#l, at the western edge of Jordan Gulch. Although this well is completed in fractured marble at a similar ground surface elevation and depth as WSW#l and MW-1A, it is evidently completed in a separate hydraulic fracture regime and shows a distinctly higher water level (i.e, 40 to 50 feet higher}, and no pumping influence from pumping in WSW#l in 1989 or 2007."* Water stored in most brecciated zones are part of fracture porosity. Water derived from fracture porosity supplies much of the water discharging from karst springs under dry weather conditions.
* Conduit porosity is provided by solutionally enlarged openings. WSW#l (described in the DEIR at page 3.10-20) encountered conduit porosity described as: *"abundant open to rubble-filled fractures and void spaces. Problems with borehole collapse and loss of circulation were frequent."* The ability of this well to extract 92.5 gallons per minute (gpm) is consistent with a well encountering conduit porosity. Conduit porosity is likely associated with what are identified as "major fractures" on the UC Santa Cruz campus (DEIR Figure 3.10-4). WSW#l was constructed at the intersection of two of the major fractures. Sinkholes that can accept water at rates of at least 5 or 10 gpm are commonly directly connected with conduit porosity. DEIR page 3.10-18 states: *"More than 50 sinkholes are located throughout the marble-underlain area on the main residential campus and these features are estimated to capture up to 40% of campus runoff (Johnson 1988)."* Conduit flow accounts for most of the water discharging from springs surrounding the UCSC campus.

Response O7-32

The comment provides expository information regarding groundwater conditions with respect to the LRDP area and includes quotations from the Draft EIR. As the comment presents expository information and does not address the adequacy of the EIR analysis, no further response is possible. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O7-33

**Comment 2. Based on data in the DEIR approximately 1,000 acres of land is underlain by the marble aquifer. The marble aquifer is a conduit-dominated aquifer that is recharged by surface water derived from lands not underlain by marble and by precipitation that falls on lands that are underlain by marble. Substantial recharge to the karst conduits occurs through sinkholes of which there are more than 50 known on campus. Many of the conduits are expected to be preferentially located along mapped major fracture zones (see DEIR Figure 3.10-4). It appears that most water that enters the aquifer is rapidly transported to one or more of 14 identified springs located west, south, and east of the campus. Flow rates of the springs vary widely as a direct result of precipitation events and stormwater runoff onto the marble.**

Response O7-33

The comment provides the commenters interpretation of groundwater supplies within the LRDP area. As the comment presents expository information and does not address the adequacy of the EIR analysis, no further response is possible. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O7-34

**Comment 3. The DEIR focuses on average hydrologic conditions rather than on conditions when water supplies are limited. While human demands for water on the University campus with a dramatically enlarged population will be relatively constant, the key issues is the adequacy of groundwater from the karst aquifer to supply adequate amounts of water under dry weather conditions without creating significant adverse impacts. Information in the DEIR does not adequately address this key issue.**

Response O7-34

Please refer to Master Response 10 regarding the Draft EIR’s evaluation of hydrology and water quality conditions, especially the need for monitoring and evaluation by water year type, and Master Response 7 regarding the water supply analysis provided in Section 3.17, “Utilities and Service Systems.”

Comment O7-35

**Comment 4. A conclusion I reached in a report on a 1992 groundwater tracing study on the UCSC campus {Aley and Weber & Associates, 1994) related to extracting a relatively minor amount of water from WSW#l to supply a greenhouse. That statement should not be viewed as suggesting that more than relatively small amounts of water can be extracted from this well under dry weather conditions without substantially reducing the flow rates of individual springs in the area.**

At page 3.10-25 of the DEIR under the heading "Dye Trace Studies" a dye tracing study I directed in 1992 in cooperation with Weber & Associates is discussed. The statement is made*: "The study concluded that WSW#1 is hydraulically connected to major portions of the karst aquifer and that groundwater can be extracted from well WSW#1 without substantially reducing the flow rates of any individual spring in the area."* That statement in the DEIR fails to recognize that the dye tracing study conducted during the period January to March, 1992 and reported upon in 1994 (Aley and Weber & Associates, 1994} was conducted to assess potential impacts on springs of putting well WSW#l into production to supply a greenhouse and perhaps some outside plants in the vicinity of the greenhouse. This is a relatively minor amount of water. The DEIR at page 3.17-20 shows an average daily water demand for a greenhouse as 62 gallons per day; I presume that is the same greenhouse.

Response O7-35

Please refer to Master Response 10 regarding the presentation of groundwater data and groundwater resources in the Draft EIR. Also, regarding groundwater extraction, as stated on page 3.10-36, Mitigation Measures 3.10-5b would require UC Santa Cruz to monitor water levels and define average base water levels to ensure that extraction does not contribute to a net deficit in aquifer volume.

Comment O7-36

**Comment 5. UCSC failed to collect adequate spring flow data during the period 1984 through 2019. As a result, the University has no credible estimate of the rates at which water has been discharged from the karst aquifer during this 35 year period and how rapidly water that enters the aquifer is discharged through the springs. Adequate measurements would have shown whether or not the University could withdraw water from the karst aquifer at a projected mean rate of 113,700 gallons per day under dry weather conditions without depleting the aquifer and/or decreasing or eliminating flow from springs fed by the aquifer. The 113,700 gallons per day value is the projected demand for University activities located outside the service area for the City of Santa Cruz which the University contends could be met by extracting water from the on-campus karst aquifer.**

Except for a 7-day duration pumping test at WSW#l in February, 1989 at an apparent constant rate of 100 gpm; a 3-day duration pumping test at WSW#l in November, 2007 at an average rate of 92.5 gpm; and pumping to develop wells; the only known discharges from the campus aquifer from 1984 to present have been through approximately 14 springs located generally east, south, and west of University property. The University did make occasional flow rate measurements during the period 1984 through 2019. The most consistent of these were made during the period from 1999 through 2019. During this period flow measurements were usually made on one day in March and one day in September of each year at 13 of the 14 springs for the period 1999 through 2008 and at 9 of the 14 springs for the period 2009 through 2019.

As shown in DEIR Table 3.10-5 the measured flow rates of all 14 springs vary widely.

Seven of the 14 springs have intermittent flow with zero flow for an unknown number of days per year. Of the remaining 7 springs maximum measured flow at Bay Street Spring is 11 times greater than minimum measured flow; the ratio is 66 times greater at Messiah Lutheran Spring; 9 times greater at Pogonip Creek System; 272 times greater at Pogonip Spring #l; 53 times greater at Pogonip Spring#2; 714 times greater at Lower Cave Gulch; and 640 times greater at Wilder Creek Spring. This wide variation between maximum and minimum measured flow rates means that a disproportionate amount of the total annual flow from the springs occurs during a relatively few days of each year.

Approximately half of the flow rate measurements of springs were made during months (and especially March) when periods of high spring discharge are likely to occur and the other approximately half of the measurements were made during months (and especially September) when low discharges are likely to occur. The DEIR calculates average spring flow rates as the mean of all measured values. This is a specious value that has no technical credibility; the same applies to the statement that the springs discharge an average of 181 MGY. There is no way to recover the critical data on flow rates of the springs, especially flow rates during dry weather periods.

Continuous records of flow should have been measured from the 14 springs believed by UCSC to drain the karst aquifer during the period 1984 to 2019. Automatic monitoring equipment serviced monthly would have provided adequate information. This is not difficult; there are thousands of stream and spring flow rate measuring stations in the United States that routinely and continuously record similar information. Absent that information, the University lacks credible data for determining how much water could be withdrawn from the karst aquifer without lowering groundwater elevations in the aquifer and/or increasing the frequency and duration of zero or unacceptably low flow volumes from aquifer-related springs.

Response O7-36

To clarify, surface and groundwater data are summarized on pages 3.10-7 and 3.10-27 of the Draft EIR. Please refer to Master Response 10 regarding hydrology and water quality analysis presented in the Draft EIR and supplemental modeling of groundwater conditions by water year type. Refer also to Master Response 7 regarding the water supply analysis provided in Section 3.17, “Utilities and Service Systems,” under Impact 3.17-1.

Comment O7-37

**Comment 6. UCSC has failed to conduct adequate hydrogeologic investigations to characterize the campus aquifer and assess normal fluctuations in groundwater levels at multiple points in the aquifer.**

The campus wells are identified on page 3.10-20. Water Supply Well#l (WSW#l) is located on a major fracture near the southern end of the aquifer. Monitoring Well 1A is located 54 feet northeast from the water supply well and Monitoring Well 1B is located 37 feet west from the water supply well. The only other well on campus is the Upper Quarry Well which is located near the northern end of the marble deposit. At the time the Quarry Well was constructed the static water level elevation was 619 feet which is about 200 feet higher than the static elevation within WSW#l at the time it was drilled. There is no indication in the DEIR that water levels are routinely monitored in the Quarry Well.

The marble aquifer underlies approximately 1,000 acres. Springs inferred (but not proven) to receive most or all of their water supplies from the campus aquifer are at elevations between 110 feet and 540 feet above mean sea level. An adequately comprehensive network of monitoring wells for routinely measuring water level elevations is a key part of understanding and managing groundwater basins. Given the size of the aquifer, the large elevational range indicated by the springs, and the proposed massive-scale development, one would expect a good comprehensive network of monitoring wells with multiple years of records that had been used as critical data for the DEIR. Unfortunately, that is clearly not the case.

Response O7-37

To clarify, surface and groundwater data are summarized on pages 3.10-7 and 3.10-27 of the Draft EIR. Please refer to Master Response 10 regarding hydrology and water quality analysis presented in the Draft EIR and supplemental modeling of groundwater conditions by water year type.

Comment O7-38

**Comment 7. UCSC conducted pumping tests of WSW#l on two occasions and a test in 1989 indicated: that:" ... the well is completed in a highly permeable karst aquifer, with the ability to provide a sustained pumping rate of 100 gpm without dewatering the well, or creating any pumping drawdown at identified spring locations over 2000 feet away". I disagree with the conclusions because they are contradicted by the data.**

Although the well is located in a highly permeable fracture zone and did in fact maintain a pumping rate of 100 gpm for 7 days, this occurred when the flows from down gradient springs were 15 times greater than minimum measured flow rates from these springs for the period 1984-2019, indicating average rather than dry conditions. The data show that this is a highly permeable section of the karst aquifer. It is not true, however, that the karst aquifer as a whole, is highly permeable and that the pumping test shows aquifer resilience under dry weather conditions. This testing is not indicative of aquifer resilience during dry weather conditions, let alone over a large area, for four separate and independent reasons.

First, this is not a highly permeable karst aquifer. Highly permeable karst aquifers routinely have very low groundwater gradients, frequently only a few vertical feet per thousand horizontal feet. The steeper the gradient, the lower the overall permeability of the aquifer. The straight-line distance between the Quarry Well and WSW#l is approximately 5,300 feet. Based on well completion data in the DEIR the difference in water level elevation between the two wells is about 200 feet; this represents 37.7 feet per 1,000 feet. This is a steep gradient, indicating the presence of barriers to groundwater movement rather than "highly permeable" conditions. Both wells are on mapped major fractures, and a continuous system of mapped fractures exists between the two wells. This steep groundwater gradient is inconsistent with "a highly permeable karst aquifer".

Second, the karst aquifer underlying UCSC is not homogeneous and isotropic. The term isotropic means that the hydraulic conductivity is the same in all directions. Isotropic conditions have been clearly demonstrated in the DEIR to not be present within the karst aquifer on the UCSC campus. Examples of data demonstrating the lack of isotropic conditions include Figure 3.10-4 illustrating the complex network of fractures and conduits and the location of a dry well drilled within 30 - 50 feet of a fracture zone. Most numerical solutions to pumping tests assume that the aquifers and aquitards under investigation are homogeneous and isotropic. If the assumptions of the equations are not reasonably well met, the equations are not valid and therefore a credible answer cannot be expected. That is the case here.

Third, the testing occurred during a period when flows from down gradient springs were 15 times greater than the minimum flows recorded over the last 35 years for those springs. These conditions are not representative of dry weather conditions when the flows in the down gradient springs are most vulnerable to interruption from pumping from the aquifer. The DEIR states that the 7-day pumping test conducted in 1989 occurred during a year of severe and prolonged drought. Still, the combined flow rates from the five springs monitored during the test were approximately 89% of the DEIR calculated combined average flow at the springs. It is the time of the 7 day test, rather than general conditions during the year, that are relevant to the test conditions. As a result, the test more appropriately characterized average rather than dry weather conditions. This is shown by the fact that the combined flow rates of the five springs during the pumping test were 15-fold greater than the minimum measured flow rates from these springs for the period 1984-2019.

A 72-hour pumping test was conducted at WSW#l in November, 2007. Combined flow rates at measured springs were somewhat closer to low flow conditions. However, during the five day period when spring flows were monitored at three springs the total flow volume of the springs increased by 84% indicating that precipitation had occurred and resulted in significant recharge to the aquifer. The karst aquifer is clearly capable of rapid recharge. However, pumping tests conducted during appreciable recharge events do not enhance understanding of the storage component of the aquifer. While the results of the two pumping tests are similar, they do not demonstrate that sustained pumping of 113,700 gallons per day from the aquifer during dry weather periods would not have significant adverse impacts on spring flow or the aquifer.

The primary insights gleaned from the pumping tests relates to the transport ability of the karst aquifer within a few hundred feet of the extraction well under average flow conditions and not to the potential ability of this portion of the aquifer to yield water from storage under dry weather conditions. The DEIR data do not adequately characterize the storage component of the karst aquifer. Absent this information, the University lacks credible data for determining a sustainable volume of water that could be withdrawn from the karst aquifer without adverse impacts.

Fourth, the testing was limited to a small fraction of the total karst aquifer and the test results are unlikely to apply to the majority of the karst aquifer. As explained, the aquifer underlying the UCSC campus is neither homogeneous nor isotropic. Instead, it is highly fractured and contains both barriers to and conduits for groundwater movement. As noted above, examples of data demonstrating the lack of isotropic conditions include DEIS Figure 3.10-4 illustrating the complex network of fractures and conduits and the location of a dry well drilled within 30 - 50 feet of a fracture zone.

The DEIR states that the storage capacity within the saturated zone of the karst aquifer is estimated to be at least 3,000 acre-feet as demonstrated by aquifer pumping tests. The data do not support this conclusion. The pumping test data were collected from only 3 wells within a 60-foot radius (0.25 acres). The area sampled represents a minute fraction of the total area expected to be underlain by the marble aquifer. With this level of coverage, it is unreasonable to expect the data to be representative of the system. Furthermore, the matrix porosity of the marble is insignificant and does not produce water, indicating that all water storage is likely restricted to zones where fractures or conduits are present. Without an extended monitoring network across the karst aquifer to understand the lateral extent of the aquifer and the spatial and temporal variability of the groundwater table, a reasonable estimate of storage capacity cannot be made. Because such a monitoring network has not been created, the storage capacity of the aquifer is unknown.

Response O7-38

To clarify, surface and groundwater data are summarized on pages 3.10-7 and 3.10-27 of the Draft EIR. Please refer to Master Response 10 regarding hydrology and water quality analysis presented in the Draft EIR and supplemental modeling of groundwater conditions by water year type.

Comment O7-39

**Comment 8. There is a steep groundwater gradient between the Quarry Well and WSW#l. In addition, 14 springs presumed to receive water from the marble aquifer are located west, south, and east of the marble aquifer and at a maximum elevational difference among the springs of 430 feet. These factors suggest that the karst aquifer is unlikely to function as a single aquifer and is likely divided into multiple compartments each of which is associated with one or more springs. If this is the case then it enhances the risk that groundwater extraction during dry weather periods will result in significant adverse environmental impacts.**

Determination of compartment boundaries in karst aquifers typically involves groundwater tracing with tracer dyes. Only limited tracing has been done at the University. Potentiometric head maps are also useful in this work.

Response O7-39

To clarify, surface and groundwater data are summarized on pages 3.10-7 and 3.10-27 of the Draft EIR. Please refer to Master Response 10 regarding hydrology and water quality analysis presented in the Draft EIR and supplemental modeling of groundwater conditions by water year type.

Comment O7-40

**Comment 9. The marble aquifer beneath the campus provides three beneficial environmental services and maintenance of these services necessitates very careful protection and management. These environmental services are:**

* **Detains surface runoff by conveying it into and through the karst groundwater system.**
* **Supplies water to springs and watercourses that border the campus. Some of these apparently provide habitat for the federally threatened Red-legged Frog.**
* **Provides buoyant support for unconsolidated materials located above karst cavities.**

Previous discussions have adequately covered the environmental services except the last one listed. The discussion in the DEIR of catastrophic sinkhole collapse and land subsidence in areas underlain by the marble aquifer fails to evaluate the risk of these events if limited water availability were to result in pumping of the marble aquifer supplies. Under natural conditions the springs are the only points where water is extracted from the marble aquifer. When water levels in particular compartments of the aquifer become so low that associated springs cease flowing there will be no further lowering of the aquifer unless there is some component of deeper seepage. Pumping of wells has the potential to lower water levels substantially below those that ever naturally occurred.

Investigation of human-induced sinkholes (called collapse dolines in the DEIR} has been a substantial part of my practice and I have seen well over a thousand of them. Many are induced by pumping that substantially lowers groundwater levels. Important factors in collapses are groundwater levels declining to elevations lower than those that naturally occurred, the presence of open voids in the underlying bedrock, and a very irregular karst bedrock surface existing beneath overlying soils, alluvium, colluvium, or residuum.

Catastrophically formed sinkholes most commonly occur when groundwater levels that naturally supported overlying unconsolidated material decline to the point that the unconsolidated material has lost the buoyant support previously provided by groundwater.

Heavy groundwater pumping by a marble quarry near Opelika, Alabama induced the formation of over 200 sinkholes at points up to about 7,000 feet from the quarry. Sinkholes formed in a county highway, beneath a bridge abutment, under an electric transmission tower, beneath a natural gas pipeline, and beneath a parked truck. Sinkhole depths can range from a few feet to depths somewhat below the top of the underlying soluble rock. At the University those depths can be over 100 feet.

Irregular bedrock surfaces above solutional features are favorable sites for sinkhole collapses because they make it relatively easy for pieces of undissolved rock to bridge underlying cavities. DEIR page 3.7-18 states: "Boring data from prior investigations for the campus for the last decade show a variation in the elevation of the marble surface of more than 100 feet over a horizontal distance of 10 feet or less." These are the kinds of situations that can result in land subsidence or collapse.

Response O7-40

Please refer to Master Response 10 regarding hydrology and water quality analysis presented in the Draft EIR and supplemental modeling of groundwater conditions by water year type. Also, regarding groundwater extraction, as stated on page 3.10-36, Mitigation Measures 3.10-5b would require UC Santa Cruz to monitor water levels and define average base water levels to ensure that extraction does not contribute to a net deficit in aquifer volume. Further, Impact 3.7-5 in Section 3.7, “Geology and Soils,” of the Draft EIR evaluates the risk of exposure of people or buildings to unstable conditions due to karst topography.

Comment O7-41

**Comment 10. There is insufficient information available on the marble aquifer to conclude that it is capable of providing a daily volume of 113,700 gallons of water to extraction wells that would serve the University during dry periods without causing significant environmental problems. Those environmental problems include cessation of flow from springs and an increased risk of land subsidence or sinkhole collapse on University property.**

The hydrogeologic information that UCSC management has developed and supplied in their DEIR is woefully inadequate for characterizing the small and unquestionably complex karst aquifer at the University. Expansion of the University is clearly not a new idea for University management and it is concerning that University management has not funded investigations to gather hydrogeological information essential for this major project.

Response O7-41

Please refer to Master Response 10 regarding hydrology and water quality analysis presented in the Draft EIR and supplemental modeling of groundwater conditions by water year type. Also, regarding groundwater extraction, as stated on page 3.10-36, Mitigation Measures 3.10-5b would require UC Santa Cruz to monitor water levels and define average base water levels to ensure that extraction does not contribute to a net deficit in aquifer volume.

Comment O7-42

At the request of Habitat and Watershed Caretakers’ President Don Stevens, I have reviewed the Draft Environmental Impact Report (“DEIR”) for the University of California at Santa Cruz’s 2021 Long Range Development Plan (“2021 LRDP”) and prepared the following comments regarding the DEIR’s discussion of the 2021 LRDP’s impacts on population and housing demand.

I have more than 40 years of experience in the real estate industry and am widely recognized as one of the nation’s leading real estate consultants, advising investors, lenders, builders, developers, and property owners. I provide expert analysis on local and regional market trends, identifying target buyers and tenants, recommending appropriate product de-signs, and projecting potential financial results. I have directed more real estate research on large-scale planned communities, golf resort communities, condominium communities and residential resorts than any other market analyst in the United States. In 2007, I was recog-nized by the Community Development Council of the Urban Land Institute as an “Industry Legend.” I have written more than 1,500 articles for the trade, business associations, news-papers and magazines. I was the author of the highly acclaimed book, “When Real Estate and Home Building Becomes Big Business” that was selected by the Library Journal as one of the year’s best business books for the year it written and which was the subject of a spe-cial addendum in the New York Times financial section. I served as past Chair of the South Florida Chapters of The Urban Land Institute and National Association of Business Eco-nomics and Counselors of Real Estate. I serve on the Real Estate Advisory Board of the University of Florida and the Advisory Board of the School of Design at the University of Florida. I was in national strategic alliances on residential development for both Arthur An-dersen and Price Waterhouse. I am a designated member of the Institute of Residential Mar-keting, the Lambda Alpha International (an honorary land economics society), and a Life Member of the World Future Society. Prior to founding my current Goodkin Consulting firm, I was president of the California-based Sanford R. Goodkin Research Corporation (Peat Marwick/Goodkin Real Estate Consulting Group).

In early 2020, at the request of Habitat and Watershed Caretakers, I conducted a study of the Santa Cruz housing market for the purpose of understanding the likely impacts and ab-sorption rate of the multi-story high density housing units of the proposed UCSC Student Hous-ing West Project (SHW) intended for upper division undergraduate students. My review in-cluded studying over 5 years of data available from the Campus Community Rentals Office, the April 2018 Student Housing Demand Analysis by Brailsford & Dunlavey, and the December 21, 2018 Brailsford & Dunlavey Memorandum (attached as Exhibits 1 and 2, respectively). I also conducted a site visit to Santa Cruz and the UCSC campus on February 21st, 2020 to view and compare student housing on campus with housing rented by students off-campus. My site visit included interviewing two property managers/owners with large student rental inventories. I found that the April 2018 Housing Demand Analysis had serious flaws and grossly over-estimated the potential demand for SHW units due in part to the rental price disparity between SHW units and off-campus housing. Nevertheless, the information contained in the above ref-erenced documents should have been included and analyzed in the DEIR in order to facilitate informed public review.

The DEIR states that the 2021 LRDP will increase the UCSC campus student popula-tion by 9,482 students (defined as three-quarter average enrollment), and increase the UCSC campus faculty and staff population by 2,200 employees. DEIR p. 3.13-11, Table 3.13-9. To address this new housing demand, it states that it will provide new housing sufficient to provide 8,500 bed for these new students and 558 homes for these new employees. DEIR p. 3.13-12, Table 3.13-11. It then concludes that because “UC Santa Cruz is planning to provide at least 8,500 student housing beds and 558 employee residences under the 2021 LRDP,” “with incor-poration of cumulative projects on and off campus, . . . it will be able to provide housing to all students projected under the LRDP and the impact associated with student housing demand is expected to be less than significant.” DEIR p. 3.13-14.

This conclusion of less-than-significant impact overlooks two salient facts that are never acknowledged, let alone analyzed.

Response O7-42

The comment provides introductory information regarding an expert consulted by the commenter with respect to housing and states that the Draft EIR should have included the conclusions of two analyses conducted in 2018. The conclusions of the Draft EIR’s analysis were based on available data and vacancy rates, including consideration of available housing on campus and within the local community. Further, the studies cited were prepared specific to Student Housing West, which as noted in previous responses to comments provided for Letter O7, was considered and approved under the 2005 LRDP.

Comment O7-43

First, the DEIR fails to address the fact that the price of student housing is so high rela-tive to the price of off-campus housing that the occupancy of the new student housing units will fall far short of the DEIR projections, causing a large percentage of the new students to seek housing off-campus. Data available from the Campus Community Rentals Office (attached as Exhibit 3), which was part of and consistent with my own market investigation, show that aver-age student rental rates off campus are between $500 and $1,000 per month. These existing rental rates for off-campus student housing are typically less than one-half of the rates the Uni-versity will be charging for the new on-campus student housing based on comparisons with current dormitory rates and projected rates as of 2018 for SHW units. Examples of projected SHW unit rates include: $5,580 per month for a 2 bedroom, 1 bath unit for four students with no kitchen; $5,880 per month for a 2 bedroom, 2 bath unit for four students with a small kitch-enette; and $10,020 per month for a 5 bedroom, 2 bath unit for 6 students. The average per-student rate for these on-campus units thus ranges from $1,395 to over $1,670 per month.

The new, unmet demand for off-campus housing will have several impacts that the DEIR fails to analyze, such as the much greater traffic, and the related parking demands and associated air emissions from this additional traffic, from new students who will commute to, rather than live on, campus. These direct and indirect impacts, and mitigation measures and alternatives to avoid or reduce them, must be fully addressed in the DEIR.

Response O7-43

Please refer to Response O7-23. The comment does not address that new housing would be provided under a public-private partnership, and that real estate markets respond to unmet demand by lowering prices. There is no reason to assume that if prices are high on campus and vacancies occur, the price would be lowered to make rentals more attractive. See also Master Response 2.

Comment O7-44

Second, the DEIR fails to address the fact that as an increasing number of new students are forced to find housing off campus because it is far less expensive, the resulting and growing unmet demand for off-campus housing will displace existing renters from the off-campus unit that the new students will be able to occupy due to their greater purchasing power compared to the average renter in Santa Cruz County. The DEIR never discloses and analyzes the resulting environmental and socio-economic impacts on the surrounding community as existing renters of off-campus residential units are displaced to other areas farther from their existing places of employment, the schools their children attend, and the other urban services such as stores they presently utilize. This displacement will have its own series of ripple and cumulative impacts in the more remote communities where the displaced renters will be forced to resettle.

These direct and indirect environmental and socio-economic impacts that will result from displacement of existing off-campus renters by new students seeking less expensive housing off campus must be fully analyzed, along with mitigation measures and alternatives that might avoid or reduce those impacts.

Response O7-44

Please refer to Response O7-23, Response O7-43, and Master Response 2.

Comment O7-45

In the many years that I have done studies and consulting assignments for both the private and public sectors, I have never provided an analysis or reviewed one done by another firm where project and or unit cost wasn’t a critical element in determining either market feasibility or, in the case of government or non-profits, subsidy requirements.

Response O7-45

As noted in previous responses (including Response O7-23 and Master Response 2), socioeconomic considerations and student housing affordability are not considered directly applicable to CEQA analyses. The Draft EIR presents an objective evaluation of the potential physical environmental impacts of the 2021 LRDP that is considered adequate, appropriate, and in accordance with CEQA requirements. Further, as this EIR is programmatic and housing development under this LRDP has not been proposed; therefore, a market feasibility analysis would be premature. However, given the housing shortage in the region, as stated in the EIR and in many comments, it appears there is a robust market for student housing on campus.

Letter O8 Coalition for Limiting University Expansion

March 8, 2021

Comment O8-1

I am writing on behalf of the Coalition For Limiting University Expansion (CLUE), and to make comments on the Draft Environmental Impact Report (DEIR) which the University has prepared on its proposed 2021 Long Range Development Plan (LRDP) for its Santa Cruz campus. CLUE strongly believes that the University must make significant changes to the LRDP, and to the Draft EIR, and must then recirculate the DEIR for additional public review and comment.

We are aware of and endorse a number of very significant comments filed by others, including but not limited to comments filed by individual CLUE members, by the Advocate for the Santa Cruz City-County Task Force on UCSC Growth, and by the individual members of an advisory committee established by the Task Force. CLUE representatives sit on that advisory committee, and CLUE has been deeply engaged in reviewing the University’s plans for expansion of the UCSC campus. We endorse the comments made by the Advocate, and others, and submit the following comments, in addition:

Response O8-1

The comment provides introductory information and expresses general support for comments made by other commenters. This comment does not address the adequacy of the EIR analysis.

Comment O8-2

1. Because CLUE represents local residents directly impacted by the off-campus effects of what UCSC does on-campus, and because the proposed enrollment growth on campus will clearly have major impacts in and on the community, it is absolutely required that the University redesign its proposed project to incorporate effective mitigation measures into the project, minimizing, and eliminating where feasible, the expected off-campus impacts of the proposed on-campus project.

Response O8-2

The comment’s opinion regarding the need for the project to be redesigned is noted. Where appropriate and where impacts related to implementation of the 2021 LRDP, the Draft EIR identifies feasible mitigation measures that would reduce the impacts, including off-site impacts, to less-than-significant levels, where possible. As noted in Master Response 3, the Draft EIR also identifies and evaluates a reasonable range of alternatives that would satisfy most of the basic project objectives. The comment does not provide specific comments as to what is considered inadequate or provide evidence to support its statements. No further response is necessary. The commenter is referred to Master Response 2 regarding requirements related to economic/social issues.

Comment O8-3

2. CLUE wishes to highlight the inadequacy of the DEIR with respect to the off-campus housing impacts of the proposed plan. The University plans to add something like 8,500 new students to the UCSC campus (and with 5,000 additional staff and faculty members to be added, as well). The University’s plan and the DEIR states that it will be the University’s “objective” to house, on campus, 100% of the new student enrollment, and up to 25% of new faculty and staff. Unfortunately, no evidence has been supplied to indicate that this is anything more than what it says it is, an “objective.” Though not adequately addressed in the DEIR, the housing impacts in the community – which have physical consequences even beyond the economic impacts – would be extreme. Thus, in order for the DEIR to comply with CEQA, the University must design its project to ensure that the just-identified “objective” is attained in fact. Otherwise, this “objective” counts as nothing more than a pious wish. Transforming the stated objective into an enforceable condition governing the project (which is what CEQA requires) can be accomplished by making the proposed on-campus housing goals an actual condition precedent to any enrollment growth allowed. In other words, the LRDP and the Final EIR must make clear that any new enrollment growth that is proposed can take place only after the required amount of on-campus housing for students, faculty, and staff is actually constructed and is actually available for occupancy prior to or concurrently with any enrollment increase.

Response O8-3

Please refer to Master Response 9 regarding the plan implementation and phasing of development. Refer also to Master Response 11 regarding the level of detail presented in the Draft EIR.

Comment O8-4

3. Fire Danger is an extreme threat in the so-called “North Campus” area –and wildfires in the adjacent Bonny Doon area, last year, were devastating. Yet, the LRDP proposes to locate housing for 3,700 students in this area of extreme wildfire danger. The impact analysis contained within the DEIR is inadequate, and the impacts are inaccurately characterized as “less than significant.” Any development proposed for the “North Campus” area must be mitigated by effective measures to eliminate wildfire dangers, and if this cannot be accomplished then the extensive development proposed in that area should be relocated.

Response O8-4

Please refer to Master Response 4.

Comment O8-5

4. The DEIR fails properly to recognize the role that the Santa Cruz County Local Agency Formation Commission (LAFCO) is required to play in any development beyond the City’s current water service area, which does not include the “North Campus” area. By state law, water service may not be extended beyond the current boundaries of the City’s water service area without LAFCO approval, and LAFCO is a responsible agency for the purposes of CEQA.

Response O8-5

The comment asserts that the Draft EIR should acknowledge LAFCO jurisdiction for any development north of the City’s water service area boundary. Please refer to Master Response 2 and responses to comments provided in Letter L2 (LAFCO).

Comment O8-6

5. CLUE was a participant in a “Community Advisory Group” established by the University, as the University prepared to develop the 2021 LRDP. The DEIR should explicitly consider the proposed “Guiding Principles” adopted by the Community Advisory Group and analyze them as alternatives to the current LRDP proposal. (A copy is attached to this letter as Appendix A).

Response O8-6

As noted in Master Response 2, UC Santa Cruz considered a variety of public input from the various committees and groups (including the Community Advisory Group referred to in this comment) during plan development. Further, many of the guiding principles (e.g., 3, 4, 5, 6, and 7) are reflected in the current 2021 LRDP. It is unclear how the suggested guiding principles would be considered alternatives that are consistent with CEQA requirements. The Draft EIR’s evaluation of potential alternatives, including alternatives considered but dismissed, presents a reasonable range of alternatives and is considered adequate, appropriate, and in accordance with CEQA requirements. Also refer to Master Response 3.

Comment O8-7

6. The DEIR dismisses a possible alternative, the “Main Residential Campus Infill” alternative, and cites, among other reasons for dismissing this alternative, that the Main Residential Campus Infill alternative would, “by developing existing meadows ... have significant impacts with regard to research, aesthetics and recreation.” This statement is disingenuous (as is the similar dismissal of the “High Rise Development” alternative) in that the University has already approved a Student Housing West project that makes major incursions into the scenic East Meadow area and that proposes high-rise construction in connection with this student housing proposal. Both the “Main Residential Camus Infill” alternative, and the “High Rise Development” alternative should be considered as possible alternatives in a rewritten and recirculated DEIR.

Response O8-7

As noted in Master Response 8, Student Housing West is a development project under the 2005 LRDP, and its consideration in light of the 2021 LRDP CEQA objectives is not considered applicable. Under CEQA, the Draft EIR is required to evaluate potential alternatives in light of project objectives, which are provided in Chapter 2, “Project Description” and restated in Chapter 6, “Alternatives” of the Draft EIR. Refer to Master Response 3 for further information regarding the presentation of a reasonable range of alternatives within the Draft EIR.

Comment O8-8

7. The DEIR also fails properly to consider alternatives that would direct some or all of the proposed new student growth at UCSC (8,500 students) to other locations and to other campuses controlled by the University of California. It is not correct to state that the “project” must be restricted solely to a consideration of how proposed new student growth might best be accommodated at the UCSC campus. Alternatives that would reduce future enrollment at UCSC while directing such student growth elsewhere within the University of California system must be considered as potentially feasible alternatives.

Thank you for this opportunity to comment on the Draft Environmental Impact Report for the proposed 2021 University of California Long Range Development Plan. CLUE looks forward to a revised DEIR, and will welcome the opportunity to comment on such a revised and recirculated DEIR.

Response O8-8

Please refer to Response O4-7 and Master Response 3 regarding the EIR’s presentation of a reasonable range of alternatives, consistent with CEQA requirements. Regarding the consideration of growth at other locations within the UC system, as stated on page 6-6 of the Draft EIR Alternative 4 would reallocate growth to the UC MBEST site. However, as stated on page 6-25 of the Draft EIR, the use of UC MBEST would require students and employees to travel to an off-site location for academic support and instruction, which would conflict with the objective supporting compact and clustered development, as well as convenient access. As noted previously, the Draft EIR’s evaluation of the 2021 LRDP is considered adequate, appropriate, and in accordance with CEQA requirements.

Letter O9 Santa Cruz Waldorf School

Nadia Peralta  
March 7, 2021

Comment O9-1

I bring this comment in today on behalf of the independent Waldorf School located Northwest of the proposed Northwest Housing and College Expansion Area. SCWS has been a long-time neighbor to UCSC opening its own doors over 20 years ago. The campus trails in Upper Campus connect directly to our school lands serving as a gateway of wonder and joy for students who attend our school to explore the forest.

Response O9-1

This comment provides introductory information regarding the Waldorf School, and does not address the adequacy of the EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O9-2

The proposed Northwest housing and College Expansion Area and the new roads through the Cave Gulch Community put our community at significant higher risk of danger and disaster for both traffic on Empire Grade on normal days and possible disaster in the event of ever-increasing wild fires we are now yearly experiencing in California. Already if there was a rapidly-spreading fire, the Bonny Doon and Cave Gulch community would be using Empire Grade as an escape route, this is also our proposed escape route to get our 166 student population of K-8th grade-aged students to safety. Adding more cars and people to the evacuation route could potentially result in a disasterous outcome we have already witnessed like during the Camp Fire of 2018 that destroyed the town of Paradise and killed 86 people many of whom were escaping in their cars. There is no mention of SCWS as your neighbor and what impact this new East-West Rd. may have during an active wildfire. We deem this as unacceptable and not well explored.

Response O9-2

Regarding the use of Empire Grade and wildfire risk, including evacuation route considerations, refer to Master Response 4. Contrary to statements made by the commenter, the Draft EIR does consider the Waldorf School as an off-site sensitive receptor and includes an evaluation of the school where appropriate. For example, the Waldorf School is identified on pages 3.1-17, 3.3-16, and 3.12-14, as well as several locations within Section 3.9, “Hazards and Hazardous Materials,” and carried through the Draft EIR’s analysis of potential off-site impacts (including construction noise). With particular respect to the issue of the additional access point to campus, the east-west connection, as provided in Figure 2-6 of the Draft EIR, generally follows an existing fire break access road and would not substantially exacerbate wildfire risk (refer to Impact 3.18-2 on page 3.18-14 of the Draft EIR) or safety considerations related to evacuation and consistency with emergency operations planning efforts (refer to Impact 3.18-1 on page 3.18-13.)

Prior to construction and operation of the proposed roadway connection, UC Santa Cruz would evaluate the design of the proposed roadway to ensure that adequate design features (i.e., compliance with Uniform Fire Code) are implemented to prevent geometric design hazards. Further, and as demonstrated by the August 20, 2020 evacuation procedures, UC Santa Cruz provides specific instructions regarding the manner in which campus should be evacuated. In the case of the August 20, 2020 evacuation order, the on-campus population was instructed to exist campus via the main entrance at the intersection of Bay Street and High Street. As further design and a refined alignment for the east-west connection to Empire Grade are developed, UC Santa Cruz will also consider the need to restrict access along the proposed connection during emergency evacuation procedures, as prescribed in the EOP for the main residential campus. However, evacuation of campus would generally proceed towards Empire Grade under all circumstances, which has previously demonstrated that it can be used effectively during emergency evacuation and in compliance with applicable plans (e.g., UC Santa Cruz EOP, the City of Santa Cruz EOP, and Santa Cruz County Emergency Management Plan). Regardless, the Draft EIR considered the potential impacts related to wildfire, including the evacuation of residents on campus and off, as a result of 2021 LRDP implementation.

Comment O9-3

Further, adding student housing and colleges in this proposed area of relatively flat mixed chaparral and old­growth Douglas Fir forests poses a significant threat to what we understand to be culturally valuable sites for the Amah Mutsun Tribal Band whom we are unequivocally in support of through our anti-racist alliance­building we are forming at our school. We are aware that the legacies of white supremacy in the United States have had significant impact on CA Native Tribes. The disenfranchisement of CA Native Tribes from their ancestral lands pose a significant threat to all people if tribal people are not able to tend to their cultural and sacred sites. The land upon which UCSC was built is one of those lands for the Amah Mutsun. We understand that the Amah Mutsun Tribal Band are now culturally responsible for the protection of ecological lands that we are living on, and we are aware through our study of this DEIR that the University of California Santa Cruz will make significant impact on tribal cultural resources if this development plan is embraced by the UC Regents. We stand with the tribe in a stance of solidarity, love, and compassion as an example to our students of what an anti-racist and collaborative world can look like. We recommend that no development be approved in the land that exists between SCWS and UCSC.

Response O9-3

The Amah Mutsun Tribal Band was engaged in consultation during preparation of the Draft EIR, as required under Assembly Bill 52. No specific tribal cultural resources as defined by Public Resources Code Section 21074, were identified, and no areas of concern were noted by the Tribe. Please refer to Response PH2-6 for more information regarding consultation with the Amah Mutsun Tribal Band. In addition, as described on page 3.4-21 of the Draft EIR, Mitigation Measure 3.4-1(1) provides the culturally affiliated tribe the opportunity to monitor construction and requires appropriate and respectful treatment (i.e., proper care as determined through preparation and implementation of a treatment plan that is approved by the tribe) of artifacts if they are recovered. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process.

Comment O9-4

My name is Nadia Peralta and I am commenting on behalf of the Santa Cruz Waldorf School located at 2190 Empire Grade.

I bring this comment in today on behalf of the independent Waldorf School located Northwest of the proposed Northwest Housing and College Expansion Area. SCWS has been a long-time neighbor to UCSC opening its own doors over 20 years ago. The campus trails in Upper Campus connect directly to our school lands serving as a gateway of wonder and joy for students who attend our school to explore the forest.

Response O9-4

Similar to Comment O9-1, this comment provides background information related to the commenter and the perceived relationship between UC Santa Cruz and the Waldorf School, and does not address the adequacy of the EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O9-5

The proposed Northwest housing and College Expansion Area and the new roads through the Cave Gulch Community put our community at significant higher risk of danger and disaster for both traffic on Empire Grade on normal days and possible disaster in the event of ever-increasing wild fires we are now yearly experiencing in California. Already if there was a rapidly-spreading fire, the Bonny Doon and Cave Gulch community would be using Empire Grade as an escape route, this is also our proposed escape route to get our 166 student population of K-8th grade-aged students to safety. Adding more cars and people to the evacuation route could potentially result in a disasterous outcome we have already witnessed like during the Camp Fire of 2018 that destroyed the town of Paradise and killed 86 people many of whom were escaping in their cars. There is no mention of SCWS as your neighbor and what impact this new East-West Rd. may have during an active wildfire. We deem this as unacceptable and not well explored.

Response O9-5

Similar to Comment O9-02, the comment expresses concern regarding evacuation routes and traffic along Empire Grade and states that the Waldorf School was not considered as part of the Draft EIR. Refer to Response O9-2.

Comment O9-6

Further, adding student housing and colleges in this proposed area of relatively flat mixed chaparral and old-growth Douglas Fir forests poses a significant threat to what we understand to be culturally valuable sites for the Amah Mutsun Tribal Band whom we are unequivocally in support of through our anti-racist alliance-building we are forming at our school. We are aware that the legacies of white supremacy in the United States have had significant impact on CA Native Tribes. The disenfranchisement of CA Native Tribes from their ancestral lands pose a significant threat to all people if tribal people are not able to tend to their cultural and sacred sites. The land upon which UCSC was built is one of those lands for the Amah Mutsun. We understand that the Amah Mutsun Tribal Band are now culturally responsible for the protection of ecological lands that we are living on, and we are aware through our study of this DEIR that the University of California Santa Cruz will make significant impact on tribal cultural resources if this development plan is embraced by the UC Regents. We stand with the tribe in a stance of solidarity, love, and compassion as an example to our students of what an anti-racist and collaborative world can look like. We recommend that no development be approved in the land that exists between SCWS and UCSC.

Response O9-6

The comment recommends no development of land between the Waldorf School and current development at UC Santa Cruz and expresses support for the Amah Mutsun Tribal Band. Please refer to Response PH2-6 for more information regarding consultation with the Amah Mutsun Tribal Band. This comment expresses an opinion on the project, the 2021 LRDP, and does not address the adequacy of the EIR analysis. No further response is necessary. However, for responses to tribal concerns as raised by the Amah Mutsun Tribal Band, refer to responses provided below to Comment Letter O10. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Letter O10 Amah Mutsun Tribal Band of Costanoan/Ohlone Indians

Valentin Lopez, Chairman  
March 8, 2021

Comment O10-1

Please find the following comments and requests submitted by the Amah Mutsun Tribal Band regarding the Draft Environmental Impact Report for the 2021 UCSC Long Range Development Plan. These comments are also intended as an addendum within our Tribe’s ongoing AB52 consultation process concerning the 2021 Long Range Development Plan.

Response O10-1

The comment provides introductory information from the Amah Mutsun Tribal Band. It should be noted that consultation, pursuant to Assembly Bill (AB) 52, was conducted as part of the overall preparation of the Draft EIR. This consultation process, which was initiated in February 2020 by UC Santa Cruz, is documented in Table 3.4-1 on page 3.4-14 of the Draft EIR. Following release of the Draft EIR, UC Santa Cruz has appreciated the opportunity to continue its consultation process. At the time the Draft EIR was issued, no specific tribal cultural resources, as defined by Public Resources Code Section 21074, had been identified. As noted and responded to below, the Amah Mutsun Tribal Band has since identified certain known tribal cultural resources, for which mitigation in the Draft EIR (as modified herein) would continue to sufficiently address. As of August 30, consultation pursuant to AB 52 has concluded. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-2

The Amah Mutsun Tribal Band is comprised of descendants of the Indigenous peoples taken to Mission Santa Cruz and Mission San Juan Bautista during the Spanish colonization of the Central Coast region. Today, the Amah Mutsun Tribal Band is carrying the cultural responsibilities of stewarding and protecting Mutsun and Awaswas ancestral lands including those of the Awaswas-speaking Uypi tribe on which UC Santa Cruz is situated. Our tribe’s Creation Story tells us that it is our sacred obligation to take care of Mother Earth and all living things. We honor our ancestors by working to protect and restore these sacred lands and by restoring and renewing the knowledge and cultural practices of our ancestors.

The UC Santa Cruz campus is located on the southern end of Ben Lomond Mountain, where ancient marine terraces form a promontory overlooking the Monterey Bay. The campus area is defined by its scenic geography, freshwater springs and streams, unique geological features including karst caves, and strikingly rich diversity of native habitats and species. The land now known as UC Santa Cruz campus was a significant location for the precontact Indigenous peoples of the area including the Awaswas-speaking people of the Uypi Tribe. This is demonstrated by the presence of significant prehistoric habitation and cultural sites on campus and in adjacent areas such as the Westlake neighborhood of Santa Cruz.

Response O10-2

UC Santa Cruz is committed to continuing to understand and honor the Indigenous history on our lands, including the prehistoric habitation and cultural sites on campus and in the vicinity. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process.

Comment O10-3

While acknowledging and appreciating the positive steps that representatives of UC Santa Cruz have taken in recent years to respectfully engage in consultation and collaboration with the Amah Mutsun Tribal Band, we also recognize that for most of the history of UC Santa Cruz since construction of campus facilities begin in the 1960’s, no meaningful consultation or engagement took place. As a result, there is a long legacy of construction-related impacts to campus lands, in which impacts to the cultural heritage of Indigenous peoples were not formally acknowledged or mitigated. The cumulative impacts of that legacy must be taken into account, when additional impacts to the native soils and cultural and biological resources of campus lands are being contemplated.

A general direction towards respecting Indigenous sovereignty is provided by the framework of *co-management*, in which agencies such as the University of California partner with tribes through mechanisms such as memorandums of understanding (MOU’s) and cultural conservation easements, to facilitate stewardship, protection and tribal access to lands and cultural resources.

In considering matters of co-management with tribal partners, guidance is offered by the California Office of the Governor’s September 25, 2020 *Statement of Administration Policy Native American Ancestral Lands*. This policy statement is accessible online at [https://www.gov.ca.gov/wp-content/uploads/2020/09/9.25.20-Native-Ancestral-Lands-Policy.pdf]. This policy statement directs state entities to “partner with California tribes to facilitate tribal access, use, and co-management of State-owned or controlled natural lands and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs​.”​ The stated goals of this policy include “facilitating the access of California Native Americans to sacred sites and cultural resources, improving the ability of California Native Americans to engage in traditional and sustenance gathering, hunting and fishing, and partnering with California tribes on land management and stewardship utilizing Traditional Ecological Knowledges.”

Response O10-3

The comment expresses important information regarding past development and the importance of the UC Santa Cruz land to the Amah Mutsun Tribal Band, which UC Santa Cruz acknowledges and appreciates. UC Santa Cruz looks forward to continuing to work with the Amah Mutsun Tribe to explore the framework of co-management between the University and the tribe in order to facilitate stewardship, protection, and tribal access to lands and cultural resources. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process.

Comment O10-4

In regard to cultural resource preservation at UC Santa Cruz, we note the significant amount of resources that have been dedicated over time to the stewardship, preservation and interpretation of historic era cultural resources associated with the Cowell Ranch and other settler activities. The Cowell Historic District of UC Santa Cruz enjoys notoriety and is regarded as a defining aspect of the unique character of the campus. By contrast, the rich cultural heritage of Indigenous peoples on campus lands, including precontact village and cultural sites and the legacy of Indigenous environmental stewardship that shaped the natural landscapes of campus, have received little recognition or visibility.

The campus community remains largely unaware of the rich prehistory of Indigenous stewardship and presence on campus lands, and our tribe would like to see that remedied. Co-management, MOU’s and cultural conservation easements provide avenues by which the Amah Mutsun Tribal Band can bring Indigenous stewardship, culture and history to light in a culturally appropriate manner. We look forward to further discussing and developing meaningful partnerships and co-management agreements with UC Santa Cruz.

Response O10-4

The comment’s description of the region’s prehistory is noted. UC Santa Cruz, as evidenced by its Land Acknowledgment with deference to the tribe, understands the importance of land stewardship and continued collaboration by tribal members and UC Santa Cruz. UC Santa Cruz is committed to continued cooperation and consultation with tribal members regarding the importance of tribal cultural resources, including treatment, preservation, and understanding. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process.

Comment O10-5

The UC Santa Cruz main residential campus is the location of Tribal Cultural Resources (TCR’s) of significance to the Amah Mutsun Tribal Band, including ancestral village sites, burial sites, tool and bead manufacture locations, shellmounds, ceremonial sites and sacred landscapes/viewsheds, as well as biological and abiotic natural resources that have traditionally been utilized for cultural purposes. While many significant cultural resources have been identified on campus lands, we emphasize that the majority of campus lands have never been surveyed by archaeologists or tribal members. An Integrative Cultural Resources Survey program (discussed below), would allow the tribe, in partnership with professional archaeologists and UCSC research partners, to systematically identify and assess the significance of tribal cultural resources on campus lands.

Specific Tribal Cultural Resources identified by the Amah Mutsun Tribal Band on the UC Santa Cruz main campus include prehistoric Native American archaeological sites identified in the DEIR. The Amah Mutsun Tribal Band considers all precontact Native American sites on campus where artifacts and specific evidence of the presence and activities of ancestors have been encountered to be Tribal Cultural Resources of interest and concern to our Tribe.

Response O10-5

UC Santa Cruz acknowledges that tribal cultural resources are located within the UC Santa Cruz main residential campus. These resources have been identified and evaluated in the EIR, as amended through the Final EIR. See pages 3.4-14 and 3.4-20 in Section 3.4, “Archaeological, Historical, and Tribal Cultural Resources,” of the Draft EIR, page 4-23 in Section 4, “Revisions to the DEIR,” of this document. UC Santa Cruz, separate from the 2021 LRDP, would look to further efforts and coordination between UC Santa Cruz and the Amah Mutsun Tribal Band, including potential development and implementation of an Integrative Cultural Resources Survey Program. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process. Please also see responses to comments O10-6 through O10-8.

Comment O10-6

(Redacted by the Amah Mutsun Tribal Band for confidentiality purposes)

Response O10-6

The comment provides information regarding specific tribal cultural resources within the LRDP area, which were redacted for confidentiality purposes and to protect tribal cultural resources. Based on information provided by the Amah Mutsun Tribal Band in this comment, Section 3.4, “Archaeological, Historical, and Tribal Cultural Resources” of the Draft EIR is updated as follows (see also Chapter 4, “Revisions to the Draft EIR” of this volume to review the changes made).

Page 3.4-14, the first sentence has been revised to read:

As shown in Table 3.4-1, only one Tribe requested consultation with UC Santa Cruz. ~~To date, no specific tribal cultural resources have been identified.~~ The Amah Mutsun Tribal Band has identified the eight prehistoric archaeological sites on the UC Santa Cruz main residential campus as tribal cultural resources. This includes the three habitation sites (CA-SCR-3/P-44-000011; CA-SCR-160/P-44-000163; and CA-SCR-4/P-44-00012), five lithic scatter sites (CA-SCR-94/P-44-00098; CA-SCR-142/P-44-000145; CA-SCR-143/P-44-000146; CA-SCR-180/P-44-000182; and CA-SCR-181/P-44-000183).

Page 3.4-20, Impact 3.4-2 has been revised to read:

Impact 3.4-2: Substantial Adverse Change in the Significance of a Tribal Cultural Resource

Future development associated with the 2021 LRDP would involve land development activities that could cause a substantial adverse change in the significance of a tribal cultural resource. ~~Although no specific tribal cultural resources have been identified, there are~~ The eight prehistoric archaeological sites that currently exist on the main residential campus have been identified as tribal cultural resources, and ground-disturbing construction activities could unearth previously unrecorded resources. This impact would be **potentially significant**.

As described previously, UC Santa Cruz sent notification letters to six tribes February 22, 2020 per PRC 21080.3.1 (b)(1). UC Santa Cruz had a verbal communication with Mr. Valentin Lopez, Chairperson of the Amah Mutsun Tribal Band. ~~Chairman Lopez did not identify any specific resources they would consider eligible to be tribal cultural resources but requested consultation with UC Santa Cruz.~~ The Amah Mutsun Tribal Band identified the eight prehistoric archaeological sites on the UC Santa Cruz main residential campus as tribal cultural resources.

~~Although no tribal cultural resources, as defined in PRC Section 21074, have been documented on the main residential campus or the Westside Research Park,~~ Additionally, the campus is located in a region where significant resources have been documented. The NAHC Sacred Lands database search revealed that Native American cultural sites (i.e., sites that have either not been evaluated or do not meet the definition of a tribal cultural resource under PRC Section 21074) have been previously documented within both the UC Santa Cruz main residential campus and the Westside Research Park site. While none of the envisioned development areas are located on sites of known prehistoric archaeological materials, there remains a potential that unrecorded prehistoric archaeological resources that may meet the definition of tribal cultural resources could be unearthed or otherwise discovered during ground-disturbing construction activities. Therefore, this impact would be **potentially significant**.

Page 4-23, the paragraph under the heading “Tribal Cultural Resources” has been revised to read:

Future development associated with the 2021 LRDP would involve land development activities that could cause a substantial adverse change in the significance of a tribal cultural resource. ~~Although no specific tribal cultural resources, as defined in PRC Section 21074, have been documented on the main residential campus or the Westside Research Park, the campus is located in a region where significant resources have been recorded.~~ The Amah Mutsun Tribal Band identified the eight prehistoric archaeological sites on the UC Santa Cruz main residential campus as tribal cultural resources. Compliance with PRC Section 21080.3.2 and Section 21084.3 (a) would ensure that treatment and disposition of the tribal cultural occurs in a manner consistent with the California Native American Heritage Commission guidance. Further, implementation of Mitigation Measure 3.4-2 would require UC Santa Cruz to provide the culturally affiliated tribe the to monitor construction and by requiring appropriate and respectful treatment (i.e., proper care as determined through preparation and implementation of a treatment plan that is approved by the tribe) of artifacts if they are recovered. With compliance with existing regulations and implementation of Mitigation Measure 3.4~~1~~-2, development under the 2021 LRDP would not contribute to a cumulative loss of tribal cultural resources in the area, and as a result would not be cumulatively considerable.

The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as it does not result in a new or substantially more significant impact. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the UC Regents for certification.

It should also be noted that none of the resources identified overlap with the envisioned development areas of the 2021 LRDP. As a result, the identification of these tribal cultural resources does not necessitate further evaluation or a change in the significance conclusions of the Draft EIR.

Comment O10-7

The Amah Mutsun Tribal Band is concerned with the scale of proposed ground disturbance in native soils that is outlined in the 2021 Long Range Development Plan, and the potential of this activity to disturb previously undiscovered precontact archeological resources. Significant ground disturbance would result not only from building and facility construction activities, but also from the construction of two major new east-west roads on campus lands, as well as the subsurface installation of new electrical, water, and sewer lines and other infrastructure.

The scale of ground disturbance that would be required to install such infrastructure, which would require trenching or boring in sensitive, undisturbed locations such as the North Campus, represents a significant potential impact that we believe merits further quantification and analysis in the DEIR. Development on campus lands should be designed so as to minimize the disturbance of native soils. The Amah Mutsun Tribal Band requests consultation, beginning in the early planning stages, regarding all projects that will result in significant disturbance of native soils on campus including new roads, electrical, water, and sewer line infrastructure.

Response O10-7

Site-specific projects implemented under the 2021 Long Range Development Plan will be subject to additional CEQA review, and AB 52 consultation will be conducted as needed or required. . As with the 2021 LRDP Draft EIR, UC Santa Cruz will notify the Native American Tribes of proposed projects per PRC Section 21080.3.1 (b)(1), and provide an opportunity to consult under AB 52. Additionally, as described below under Response O10-15, revised Mitigation Measure 3.4-1(1) states that for project sites that have not been subject to a prior complete intensive archaeological survey, UC Santa Cruz shall invite a representative of the Amah Mutsun Tribal Band to participate. As described in Mitigation Measure 3.4-2, the Amah Mutsun Tribal Band will also be provided an opportunity to monitor during ground disturbance for potential archaeological materials and human remains within 400 feet of a known prehistoric archaeologic deposit.

Comment O10-8

(Redacted by the Amah Mutsun Tribal Band for confidentiality purposes)

Response O10-8

The comment states that avoidance is the preferred method of treatment. Consistent with the commenter’s request, avoidance of tribal cultural resources is identified as the preferred method of treatment in Mitigation Measure 3.4-2, and the LRDP EIR does not propose development in any area where a known tribal cultural resources is located. Further, any treatment other than avoidance would be subject to a Tribe-approved treatment plan that is outlined as performance criteria in the mitigation measure.

Comment O10-9

(Redacted by the Amah Mutsun Tribal Band for confidentiality purposes)

Response O10-9

The redacted comment states that the Amah Mutsun Tribal Band is not familiar with the Westside Research Park site. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required.

Comment O10-10

Please note that all statements and requests made in this comment letter regarding tribal consultation, surveying, monitoring, and treatment of Tribal Cultural Resources on the UCSC main campus also apply to the Westside Research Park Site. Prior to any significant disturbance of native soils at the Westside Research Park Site, AMTB requests tribal consultation.

Response O10-10

Please see Response O10-7.

Comment O10-11

Identification and testing of known prehistoric archaeological sites on the main UCSC residential campus occurred primarily in the 1960’s, 70’s and 80's. As a result, these assessments are largely outdated in light of advances in modern archaeological science and because they failed to include tribal perspectives.

In order to truly understand the boundaries and significance of these sites and to protect them, they must be systematically surveyed and defined by tribal members, professional archaeologists and other research partners. To this end, the Amah Mutsun Tribal Band and Amah Mutsun Land Trust (AMLT) advocates a proactive and integrative approach to the identification and protection of tribal cultural resources such as archaeological sites, sacred sites, ethnobotanical resources, and other culturally significant features through a well-developed systematic Integrative Cultural Resource Survey (ICRS) program. Such a program would be conducted by tribal members and professional archaeologists selected by the Amah Mutsun Tribal Band and its subsidiary organization, the Amah Mutsun Land Trust, in coordination with UC Santa Cruz and in association with UCSC research partners (e.g., archaeology faculty members) with relevant expertise.

The Amah Mutsun Tribal Band and Amah Mutsun Land Trust requests consultation and collaboration with the University to support and fund an ICRS program to define and protect culturally significant sites and resources.

The Amah Mutsun Tribal Band also requests notification in advance of any activities that will significantly disturb native soils on the UC Santa Cruz campus, so that appropriate cultural resource surveying and monitoring by representatives of the Amah Mutsun Tribal Band may be arranged. Monitoring and surveying activities will be coordinated by the Amah Mutsun Land Trust, a subsidiary organization of the Amah Mutsun Tribal Band which manages the Tribe's archaeological monitoring work.

Response O10-11

As noted in Response O10-2, UC Santa Cruz is committed to further cooperation and collaboration with the Amah Mutsun Tribal Band. This may include the development and implementation of an ICRS program, as requested by the commenter. It is assumed that such a program could be designed to expand and complement the current Amah Mutsun Relearning Program that is currently provided on campus. Further and separate from the potential program, UC Santa Cruz will continue to coordinate with the Amah Mutsun Tribal Band and in accordance with AB 52 requirements to identify, monitor, and protect tribal cultural resources, as appropriate. The Draft EIR mitigation measures, as amended through the Final EIR, adequately address the potentially significant impacts of the 2021 LRDP. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process. Please see Response O10-7 related to notification of ground disturbing activities.

Comment O10-12

Based on the results of a tribal-led Integrative Cultural Resource Survey (ICRS) program, the Amah Mutsun Tribal Band requests that culturally significant sites and landscapes on campus be ​protected in perpetuity​ by means of cultural conservation easements, or other legally equivalent mechanisms, with provisions that formally allow for tribal access and stewardship of culturally significant landscapes and sites. Stewardship activities may include ceremony, management and harvest of ethno-botanically significant species, and restoration activities including the removal of invasive species and enhancement of specific patches of native plants.

Response O10-12

The request for protection of tribal cultural resources is acknowledged and is not inconsistent with Mitigation Measure 3.4-2 (as presented on page 3.4-21 of the Draft EIR), which states that “the preferred method of treatment is avoidance and preservation of… resources.” Additionally, the aforementioned Amah Mutsun Relearning Program (and potential ICRS program) include cultural and ecological understanding, consistent with the stewardship goals identified in this comment. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process.

Comment O10-13

Impact 3.4-2: Substantial Adverse Change in the Significance of a Tribal Cultural Resource states *that “Although no specific tribal cultural resources have been identified, there are eight prehistoric archaeological sites that currently exist on the main residential campus… ”* and that *“no tribal cultural resources, as defined in PRC Section 21074, have been documented on the main residential campus*.*”*

In fact, the Amah Mutsun Tribal Band identifies many significant Tribal Cultural Resources on the UC Santa Cruz main campus, including sites defined as prehistoric archaeological sites in the DEIR. Please correct statements throughout the DEIR that incorrectly indicate the absence of known Tribal Cultural Resources on campus lands, including on page 4-23 (Cumulative Impacts).

Response O10-13

Please see Response O10-6 which addresses the requested revisions.

Comment O10-14

CRHR Eligibility: On pages 3.4-12 and 3.4-18 of the DEIR, it is stated that three precontact cultural sites at UCSC campus “may be eligible for listing in the CRHR,” none having been formally evaluated for listing. We recommend instead stating that these sites are “presumed eligible for listing in the CRHR,” which is the language that was utilized in the 2005 LRDP EIR.

As part of an Integrated Cultural Resource Survey program, the Amah Mutsun Tribal Band would like to engage in comprehensive studies of prehistoric archaeological sites and tribal cultural resources on campus lands, which would allow for eligibility for CRHR nomination to be evaluated. Following evaluation, the Amah Mutsun Tribal Band may choose to formally nominate eligible TCR’s on campus lands to the California Register of Historic Resources and/or the National Register of Historic Places, as appropriate.

Response O10-14

Section 3.4, “Archaeological, Historical, and Tribal Cultural Resources,” of the Draft EIR states that eight prehistoric archaeological sites have been identified on campus and that while they have not been formally evaluated, they are presumed eligible for listing. For clarity, the Draft EIR is revised as follows (modifications are shown in Chapter 4, “Revisions to the Draft EIR”):

Third paragraph under “Prehistoric Archaeological Sites” on page 3.4-12:

The remaining five sites are recorded as lithic scatters (scattered chipped stone tool manufacture debris), several with Monterey-banded chert: CA-SCR-94/P-44-00098, CA-SCR-142/P-44-000145, CA-SCR-143/P-44-000146, CA-SCR-180/P-44-000182, and CA-SCR-181/P-44-000183. The last site, CA-SCR-181/P-44-000183, was not relocated during a 2005 archaeological survey. In general, the boundaries of these sites are not well defined, it has been difficult to accurately relocate these sites in subsequent surveys, and it is unclear whether the deposits have subsurface components. These eight sites have been assumed eligible for listing in the CRHR for management and preservation purposes until their significance can be documented through archaeological testing.

Second paragraph under Impact 3.4-1 on page 3.4-18:

Eight prehistoric archaeological sites have been recorded on the main campus. None has been formally evaluated for listing in the CRHR. Three habitation sites have the potential to yield important information and may be eligible for listing in the CRHR. The remaining five sites are recorded as lithic scatters. These eight sites have been assumed eligible for listing in the CRHR, however for management and preservation purposes until their significance can be documented through archaeological testing.

The above-listed change provides clarity and consistency within the Draft EIR but does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification.

Comment O10-15

Mitigation Measure 3.4-1: Identify and Protect Unknown Archaeological Resources

Section 3.4-1.1 of the DEIR states,

*“For project sites that have not been subject to a prior complete intensive archaeological survey, UC Santa Cruz shall ensure that a complete intensive surface survey is conducted by a qualified archaeologist, who meets the Secretary of the Interior’s Professional Qualification Standards in Archaeology, once the area of ground disturbance has been identified and prior to soil disturbing activities. ”*

Consistent with AMTB’s request for the adoption of an Integrative Cultural Resource Survey (ICRS) program, as delineated earlier in this comment letter, AMTB recommends the addition of the following provisions to Mitigation Measure 3.4-1.

If the subject location on UC Santa Cruz campus where ground disturbance activities are planned has not previously been surveyed by a professional archaeologist and tribal member of the Amah Mutsun Tribal Band as part of an Integrative Cultural Resource Survey (ICRS) program, AMTB requests to be provided the opportunity to conduct a survey of the subject area prior to the initiation of ground disturbance activities. A complete intensive surface survey should be conducted by a qualified archeologist in addition to a tribal representative, in consultation with the Amah Mutsun Tribal Band.

Inclusion of a tribal representative in the surveying of areas of planned ground disturbance is essential for reducing the risks posed by construction-related activities to Tribal Cultural Resources, including significant ethno-botanical resources and landscape features of cultural significance that non-tribal members may not properly identify.

Response O10-15

In response to the Amah Mutsun Tribal Band’s request to participate in archaeological surveys for locations that have not previously been surveyed, Mitigation Measure 3.4-1 on pages 3.4-19 and 3.4-20 is revised as described in Response L12-2 (modifications are shown in Chapter 4, “Revisions to the Draft EIR”), consistent with the commenter’s request. The modified mitigation measure is presented below for convenience of review, as follows:

**Mitigation Measure 3.4-1: Identify and Protect Unknown Archaeological Resources**

As early as possible in the project planning process for individual projects under the 2021 LRDP, UC Santa Cruz shall define the project’s area of effect for archaeological resources. UC Santa Cruz shall determine the potential for the proposed project to result in cultural resource impacts, based on the extent of ground disturbance and site modifications anticipated for the proposed project. UC Santa Cruz shall also review confidential resource records to determine whether complete intensive archaeological survey utilizing current techniques and practices, including consultation with a culturally-affiliated Native American tribe, has been performed on the site and whether any previously recorded cultural resources are present. UC Santa Cruz shall implement the following steps to identify and protect archaeological resources that may be present in the project’s area of effects:

1. For project sites that have not been subject to a prior complete intensive archaeological survey, UC Santa Cruz shall ensure that a complete intensive surface survey is conducted by a qualified archaeologist, who meets the Secretary of the Interior’s Professional Qualification Standards in Archaeology, once the area of ground disturbance has been identified and prior to soil disturbing activities. Additionally, UC Santa Cruz shall notify the Amah Mutsun Tribal Band of the area not subject to an intensive survey and a tribal representative shall be invited to participate. If an archaeological deposit is discovered, the archaeologist will prepare a site record and file it with the California Historical Resource Information System. In the event of a find within the area of potential effects, UC Santa Cruz shall consult with a qualified archaeologist to design and conduct an archaeological subsurface investigation and/or a construction monitoring plan of the project site to ascertain the extent of the deposit relative to the project’s area of potential effects, to ensure that impacts to potential buried resources are avoided. If the qualified archaeologist determines that the archaeological material is Native American in origin and the qualified archaeologist assigned to the surveying and monitoring process is not an authorized representative of the Amah Mutsun Tribal Band, UC Santa Cruz and/or archaeologist shall ~~notify~~consult with the Amah Mutsun Tribal Band in the process of designing a survey and monitoring program ~~the appropriate Native American tribe and extend an invitation for monitoring~~.
2. Where native soils will be disturbed, UC Santa Cruz shall require contractor crews to attend an informal training session provided by UC Santa Cruz prior to the start of earth moving, regarding how to recognize archaeological sites and artifacts. In addition, campus employees whose work routinely involves disturbing the soil shall be informed how to recognize evidence of potential archaeological sites and artifacts. Prior to disturbing the soil, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts and to notify UC Santa Cruz if any are found. In the event of a discovery, UC Santa Cruz shall implement item (4), below.
3. If it is determined that ~~the~~ ~~resource~~ a known archaeological site extends into the project’s area of potential effects, UC Santa Cruz shall ensure that the ~~resource~~ site is evaluated by a qualified archaeologist, who will determine whether it qualifies as a historical resource or a unique archaeological resource under the criteria of CEQA Guidelines Section 15064.4. This evaluation may require additional research, including subsurface testing, or avoidance measures, as described in item (5) below. If the archaeological resources is determined to be Native American in orgin, and the qualified archaeologist performing the evaluation is not an authorized representative of the Amah Mutsun Tribal Band, the archaeologist shall consult and partner with the Amah Mutsun Tribal Band in the process of evaluating the significance and eligibility of the resource. If the resource does not qualify, or if no resource is present within the project’s area of effect, this will be reported in the environmental document and no further mitigation will be required unless there is a discovery during construction.
4. If an archaeological resource is discovered during construction (whether or not an archaeologist is present), all soil disturbing work within 100 feet of the find shall cease. UC Santa Cruz shall contact a qualified archaeologist to provide and implement a plan for survey, subsurface investigation as needed to define the deposit, and assessment of the remainder of the site within the project area to determine whether the resource is significant and would be affected by the project. If the archeological resource is determined to be Native American in origin, and the qualified archaeologist performing the evaluation is not an authorized representative of the Amah Mutsun Tribal Band, the archaeologist shall consult and partner with the Amah Mutsun Tribal Band in the process of planning a survey program and evaluating the significance and eligibility of the resource. Mitigation Measure 3.4-1(2) and (3) shall also be implemented.
5. If archaeological material within the project’s area of effects is determined to qualify as a historical resource or a unique archaeological resource (as defined by CEQA), UC Santa Cruz shall consult with the qualified archaeologist to consider means of avoiding or reducing ground disturbance within the site boundaries, including minor modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or ~~other means~~ more substantial modifications where feasible that will permit avoidance or substantial preservation in place of the resource. If the archeological resource is determined to be Native American in origin, and the qualified archaeologist performing the evaluation is not an authorized representative of the Amah Mutsun Tribal Band, the archaeologist shall consult and partner with the Amah Mutsun Tribal Band in the process of planning a survey program and evaluating the significance and eligibility of the resource. If avoidance or substantial preservation in place is not possible, UC Santa Cruz shall implement Mitigation Measure 3.4-1(6).
6. If avoidance or preservation in place is not possible for an archaeological site that has been determined to meet CEQA significance criteria, before the property is excavated, damaged, or destroyed, UC Santa Cruz shall retain a qualified archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards in Archaeology. UC Santa Cruz is aware that the Amah Mutsun Tribal Band (AMTB) maintains a staff of registered professional archaeologists and tribal monitors who engage in cultural resource management through the tribe’s nonprofit organization, the Amah Mutsun Land Trust (AMLT). When selecting a qualified archaeologist for work that relates to archaeological resources on campus lands that are determined to be Native American in origin, UC Santa Cruz will include AMTB/AMLT in notifications regarding forthcoming opportunities and contracts. The qualified archaeologist, in consultation with UC Santa Cruz and Native American tribes as applicable, shall prepare a research design, and plan and conduct archaeological data recovery and monitoring that will capture those categories of data for which the site is significant. UC Santa Cruz shall also ensure that appropriate technical analyses are performed, and a full written report prepared and filed with the California Historical Resources Information System; UC Santa Cruz shall also provide for the permanent curation of recovered materials.

The aforementioned change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 because it does not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification.

Comment O10-16

For the Amah Mutsun Tribal Band and many other Native American tribes, biological and abiotic natural resources that were used traditionally for cultural purposes are essential for contemporary cultural practitioners and for tribal cultural revitalization efforts. These resources frequently occur in association with prehistoric archeological sites and other tribal cultural resources, as a key component of tribal cultural landscapes. Documenting and stewarding such natural resources in the traditional territory of the Amah Mutsun Tribal Band is an integral part of the mission of the tribe and Amah Mutsun Land Trust.

The Amah Mutsun Tribal Band, through the Amah Mutsun Land Trust and its stewardship and cultural monitoring programs, has gained extensive field experience in surveying, mapping, and managing biological and cultural resources at sites across Santa Cruz, San Benito, Monterey, and Santa Clara counties. Through AMTB’s relationship with UC Santa Cruz and the Amah Mutsun Relearning Program—an ongoing partnership with the UCSC Arboretum—tribal members have developed relationships with the lands of UCSC campus, including the rich native habitats of the UCSC campus at large. Amah Mutsun tribal members frequent the Arboretum to manage and harvest ethno-botanical resources from the California Conservation Gardens and related gardens and habitat areas.

The coastal prairie ecosystem is of particular cultural significance to the Amah Mutsun Tribal Band. Combining traditional ecological knowledge with ongoing collaborative scientific research, the Amah Mutsun Land Trust engages in coastal prairie restoration on a landscape scale, most notably at the State Parks Quiroste Valley Cultural Preserve in San Mateo County. Coastal prairie ecosystems are rich in many of the native plant species that tribal cultural practitioners utilize for food, medicine, basketry, etc.

Response O10-16

UC Santa Cruz is committed to continuing its partnership with the Amah Mutsun Tribal Band with regard to protecting all resources of tribal and cultural importance. The comment is included within the record for consideration by the decisionmakers as part of the 2021 Long Range Development Plan approval process.

Comment O10-17

Section 3.5.2 of the DEIR provides a table of the approximate distribution by acreage of vegetation communities on the UC Santa Cruz campus. We found this data to be highly coarse and speculative, and also inconsistent with habitat typing data provided in the UCSC’s previous (2005) LRDP EIR. For example, the treatment of “redwood forest” as a monolithic forest type spanning 860.4 acres of campus lands is notably out of touch with the diverse range of habitat associations that are present in the North Campus and other forested areas of campus.

The vegetation communities table in Section 3.5.2 states that UCSC campus lands contain 399 acres of grassland and only 107.9 acres of coastal prairie. Coastal prairie is considered a sensitive natural community, while grassland is regarded as less sensitive. The DEIR defines coastal prairie habitat as

*“similar to other grassland habitat within the LRDP area, but with greater incidence of native grass species, including California oat grass and western panic grass (Panicum acuminatum). Coastal prairie habitat also supports a diverse assemblage of native forbs, including coyote thistle (Eryngium armatum), wild hyacinth (Triteleia hyacinthina), dwarf brodiaea (Brodiaea terrestris), and yampah (Perideridia kelloggii).”*

We note that the distinction made in the DEIR between coastal prairie and grassland ecosystems is a very arbitrary and subjective one. Over time, as a result of poor management of coastal prairie ecosystems and cumulative habitat degradation, loss of species diversity occurs, and native forbs become more sparse. Rather than downgrading historic/former coastal prairie ecosystems as grasslands, we recommend viewing these as **degraded coastal prairie with significant restoration potential**.

As highlighted in the DEIR, the Marshall Field complex and the “Mima Meadow” in the far SW corner of the main UCSC campus both contain a rich assemblage of coastal prairie species including special-status plant species and the federally endangered Ohlone Tiger Beetle. These are immensely valuable sites for coastal prairie research which, in addition to their biological richness, are regarded by the Amah Mutsun as important cultural heritage areas. We believe the Marshall Field complex and Mima Meadow are worthy of the highest level of protection in perpetuity. The Amah Mutsun Tribal Band is interested in exploring avenues towards co-management and preservation in perpetuity of these important cultural and ecological landscapes.

Response O10-17

As stated in Section 3.5.2, “Environmental Setting” on page 3.5-8 of the Draft EIR, the 2019 mapping was favored because it was more recent than the mapping used in the 2005 EIR; however, where specific, known sensitive natural communities (i.e., coastal prairie, northern maritime chaparral) were mapped, the 2005 LRDP layers were amended to the 2019 mapping. As stated in this section, some vegetation communities may be overrepresented or underrepresented due to changes in the more recent mapping. Nevertheless, Mitigation Measure 3.5-1a, on page 3.5-39 of the Draft EIR would require project-level review of future projects under the 2021 LRDP and would require project-level mapping of vegetation communities at a finer scale than provided in the Draft EIR. However, the full range of potential impacts are disclosed, as are measures to mitigation these impacts.

This comment also states that areas mapped as grassland habitat in the Draft EIR should be considered degraded coastal prairie habitat. See Response S3-19.

This comment also states that the Marshall Field complex and the “Mima Meadow” are worthy of the highest level of protection in perpetuity. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP. Regarding the protection of on-campus lands associated with sensitive species (including Ohlone tiger beetle) under the 2021 LRDP, please also refer to Master Response 12.

Comment O10-18

A defining feature of the North Campus is the “seep zone,” a sensitive habitat type. These pocket wetlands formed by perennial seeps support distinct assemblages of native plant species, including giant chain ferns, azaleas, rushes and large concentrations of sedges. The unique concentration of ethno-botanically significant plant species found in the seep zone area is valued by Amah Mutsun cultural practitioners for specific cultural uses, including sedges (Carex sp.) and rushes (Juncus sp.). Each of the three projected development areas in the North Campus as outlined in the 2021 LRDP overlaps with the North Campus seep zone, however, potential impacts to the seep zone are not properly analyzed in the DEIR.

Response O10-18

Under Impact 3.5-4 on pages 3.5-69 through 3.5-70 of the Draft EIR, seep habitat is identified as state-protected wetland habitat and it is addressed that much of this seep habitat has not been previously mapped. Impacts on state and federally protected wetlands, including seeps, were appropriately considered potentially significant in the Draft EIR. As a program-level analysis, the Draft EIR does not quantify every resource for every future project under the 2021 LRDP. Prior to implementation of future projects under the 2021 LRDP, Mitigation Measure 3.5-1a on page 3.5-39 of the Draft EIR, would require project-level surveys to identify sensitive habitats, including seeps. If potential seep habitat is identified on the project site, Mitigation Measure 3.5-4 on pages 3.5-69 and 3.5-70 of the Draft EIR would require delineation of these features, avoidance of these features, or permitting and compensation (e.g., restoration, replacement) for unavoidable impacts such that there is no net loss of the habitat. Refer also to Master Response 12 regarding long-term habitat protection.

Comment O10-19

Impact 3.5-4: Please map and quantify the extent of seep zone wetlands relative to proposed development areas in North Campus. The DEIR should also provide a specific figure of how many acres of the seep zone could be impacted by proposed development in the North Campus, and discuss how development within the seep zone area could alter drainage patterns, leading to additional impacts.

Response O10-19

Please see Response O10-18 regarding evaluation of state and federally protected wetlands, including seeps, in the Draft EIR.

Comment O10-20

Figure 3.5-3​, ​Aquatic Habitat Mapped by the County of Santa Cruz and USFWS in the LRDP Area​ fails to identify any portions of the North Campus seep zone.

Response O10-20

Please see Response O10-18 regarding evaluation of state and federally protected wetlands, including seeps, in the Draft EIR.

Comment O10-21

Impact 3.5-4 incorrectly states that seeps on campus have not been previously mapped. Please contact the UCSC Campus Natural Reserve and the Kenneth S. Norris Center for Natural History to request maps and documentation regarding the seep zone and other wetland areas on campus. Note that a poorly scanned map of the seep zone areas was submitted as a public comment to the 2005 LRDP EIR.

Response O10-21

Please see Response O10-18 regarding evaluation of state and federally protected wetlands, including seeps, in the Draft EIR. Additionally, please note that the UC Santa Cruz Natural Reserves staff provided input regarding seeps on campus. This information was included in the evaluation of state and federally protected wetlands under Impact 3.5-4. As explained in Master Response 11, Level of Detail, the 2021 LRDP EIR in intended to be used in conjunction with review of individual 2021 LRDP projects, consistent with CEQA’s tiering provisions. Accordingly, Impact 3.5-4 notes that some features, including seeps were not comprehensively mapped.

Comment O10-22

The Amah Mutsun Tribal Band is concerned with potential impacts to biological and ethno-botanical resources in the area identified in the 2021 LRDP as the Northwest Housing and College Expansion area, located roughly north of Kresge College and W/SW of the North Remote Parking Lot. This area, and in particular the relatively flat section roughly in the center of it and west of the UCSC camper park, is of a unique character, defined by the presence of a grove of old growth douglas fir trees with a relatively open understory, bordered on the southeast by a distinctive stand of dwarf redwood trees.

As noted in a UCSC-commissioned June 25, 1996 Biotic Study of this site by the distinguished late Santa Cruz County naturalist Randall Morgan, “the large Douglas-firs noted above are mostly concentrated within a one-acre area in the center of the site. Such a stand of large, old growth firs is unusual if not unique on the campus. The stand is certainly worthy of protection; it provides valuable bird habitat in addition to its obvious aesthetic value.”

Douglas fir, known as *rappak* in the Mutsun language, is a culturally significant tree to the Amah Mutsun Tribal Band, and old growth stands of such grandeur are uncommon, and rarely so easily accessible—which is a relevant matter for our tribal elders. A number of understory plant species within the Northwest Housing and College Expansion Area are of ethno-botanical value, including *sirak* (California hazel), western anemone (Anemone oregano), and *mamawkwa* (California rose).

Morgan also notes that “another specialized native plant assemblage is located in a roughly triangular area at the southern end of the study area…the area is characterized by an overstory of madrones and an unusually rich herbaceous understory containing woodland aster, western anenome, pussy ears, milkmaids, California hazel, trail plant, and western fescue. The assemblage is small, but botanically significant in the context of the campus. Three of the species (trail plant, hazel, and oniongrass) are considered ‘significant’ in the 1987 Buck report. One additional species, western anemone, is relatively rare in Santa Cruz County.”

Although not observed by Randall Morgan in his 1996 observations, we note from field experience the presence of multiple patches of western rattlesnake plantain (Goodyera oblongifolia) within the proposed Northwest Housing and College Expansion Area. This occurrence of western rattlesnake plantain (denoted as a locally rare species on the UCSC Plant List​) may represent the very southern end of this species’ distribution in the California Coast Ranges.

Response O10-22

PRC Section 21074 defines “tribal cultural resources” as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the CRHR or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. While culturally significant plants referenced do not meet this definition because they are not eligible as resources under the CRHR, UC Santa Cruz is committed to continuing its partnership with the Amah Mutsun Tribal Band to honor and protect all resources of tribal and cultural importance on campus. Through continued coordination with tribal representatives and implementation of mitigation measures related to biological resources, implementation of the 2021 LRDP would not significantly affect sensitive native plants within the LRDP area. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-23

LRDP impacts to special-status species and locally significant populations

Amah Mutsun tribal members consider ourselves to be culturally obligated to be vocal advocates for our plant and animal relatives. We are concerned about the potential impacts of development projects outlined in the 2021 LRDP to native habitats and species of UCSC campus lands. Many of the species of special status identified as potentially being adversely affected by proposed campus development projects are of cultural significance to the Amah Mutsun, including *weecici* (burrowing owl), *siirih* (golden eagle), *wakracmin* (red-legged frog), *tikwiS* (American badger), *Simtikla* (bats), *hireh* (woodrat) and *peyay* (loggerhead shrike).

The mosaic of native habitats and soil types encompassed by the UCSC main campus supports an extraordinary level of biodiversity, with over 500 recorded species of plants, about 500 recorded species of mushrooms (Haff, et al. 2008), and 50 species of mammals known to occur on campus. Over 70 invertebrate species have been identified within the karst cavern system found in UCSC’s Cave Gulch (Ubick 2001), including narrow endemic species such as the Empire Cave Pseudoscorpion (*Fissilicreagris imperialis*) that have been found nowhere else on earth.

Multiple species new to science have been discovered on UCSC campus lands, including the federally-endangered Ohlone Tiger Beetle (named by naturalist Randall Morgan for the proximity of the species type locality to a shellmound cultural site), the Dolloff cave spider (discovered in UCSC’s Cave Gulch, considered one of the rarest spiders of North America), and a unique purple agaric mushroom species, *Pseudobaeospora deckeri*, discovered north of the Engineering 2 building on the North Campus in 2012. It must be noted that the 2021 LRDP ​slates the portion of North Campus north of the Engineering 2 building for development.

Many plant species that are locally rare in Santa Cruz County are found within UCSC’s unique assemblage of habitats. Some of these species, which are characteristic of the northern coastal ranges of California, appear to reach their southern distribution limit in UCSC’s North Campus (eg. *Calypso bulbosa*, *Vaccinium parvifolium* ). The deceiving sedge (*Carex saliniformis*, 1B.2) was believed to be extirpated from Santa Cruz County, but was re-discovered in 2000 in the North Campus of UCSC.

Response O10-23

As noted above in Response O10-22, the plant species identified do not meet the definition of a tribal cultural resource, as evaluated under CEQA. However, the Draft EIR does assess the potential impacts of the 2021 LRDP and provides appropriate mitigation measures to prevent significant impacts to special-status species and sensitive habitat within Section 3.5, “Biological Resources.” The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-24

Although CEQA does not require analysis of impacts to populations of plants or other species that are not listed as threatened, endangered or special-status, it must be understood that further development on campus lands is likely to significantly impact distinct populations of rare plants which are regionally significant from a biological standpoint, and in some cases are also culturally significant to the Amah Mutsun Tribal Band. These impacts should be assessed through project-level surveys by botanists and UCSC researchers familiar with campus lands, and through University support and funding for a campus-wide survey program and natural biodiversity database for recording observations of plant species on campus lands, with an emphasis on species identified as uncommon on campus and uncommon within Santa Cruz County.

Response O10-24

Please see Response O10-22 with respect to the significance of biological resources to the Amah Mutsun Tribal Band. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-25

We note that mitigation measures for special-status species are frequently ineffective or misleading. Habitat “creation” for listed species, such as was attempted at UCSC’s Inclusion Area A (IAA) preserve, is often unsuccessful, as the DEIR acknowledges in the case of the IAA. Removal and relocation of species and nests or roosts is also commonly unsuccessful and detrimental. The designation of “compensatory habitat” to offset the impacts of destroying known, occupied habitat is often only effective on paper, ultimately resulting in net habitat loss, and local species absence.

Response O10-25

The comment provides a general discussion of the commenter’s opinion regarding replacement and relocation of sensitive biological resources. The Draft EIR’s mitigation measures pertaining to biological resources, which include some provisions for relocation and replacement/restoration of habitat if avoidance is not possible, are considered appropriate, adequate, and in accordance with current guidance provided by CDFW and USFWS. Further and with respect to IAD (not IAA as stated by the commenter), the area was identified as a preserve as part of the Ranch View Terrace HCP but did not involve habitat “creation.”

Comment O10-26

The failure of surveys to detect species at a project site does not necessarily indicate the absence of that species. Some species, such as the burrowing owl, may be present some years at a given site and absent on some years—but once a habitat is destroyed, the species can never return.

Response O10-26

The Draft EIR assesses potential impacts based on the potential presence, which accounts for intermittent habitation, and provides species-specific mitigation to prevent impacts to individuals that may be present prior to construction. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-27

As part of the DEIR’s discussion of cumulative impacts and biological resources, we recommend that the DEIR provide an accounting of species, such as the coast horned lizard, that were formerly recorded on the UCSC campus and are now considered to be extirpated on campus. The disappearance of species from campus lands serves as a sobering indicator of the health of campus ecosystems that reflects factors including the cumulative impacts associated with the scale of existing campus development as well as the adequacy of current land management practices.

Native plant species reported as extirpated from campus lands by the UCSC Campus Natural Reserve (derived from Haff, et al. 2008) include *Allium unifolium* (one-leaved onion—locally rare), *Sisyrinchium californicum* (yellow-eyed grass—locally rare), *Muilla maritima* (sea mullia—a coastal prairie species), *Schoenoplectus acutus* (hardstem bulrush), *Pyrola picta* (white-veined wintergreen—locally rare), *Vaccinium parvifolium* (red huckleberry—the only recorded SC County occurrence outside of Big Basin), *Lupinus polyphyllus* (bigleaf lupine), *Quercus* *chrysolepis* (canyon oak), *Castilleja ambigua* ssp. *ambigua* (johnny nip—locally rare), and *Plantago subnuda*​ (Mexican plantain—locally rare). Per local botanist and restoration ecologist Dr. Grey Hayes (2011), additional native plant species now extirpated from campus lands include *Isoetes nuttallii* (Nuttall’s quillwort—locally rare), *Limnanthes douglasii* (meadowfoam—locally rare), *Heterocodon rariflorum* (rareflower heterocodon), and *Spiranthes romanzoffiana* (hooded lady’s tresses).

Response O10-27

Most of the plant species listed in this recommendation do not qualify as special-status species under CEQA (i.e., listing under the federal of California Endangered Species Acts, California rare plant rank of 1, 2, or 3). Additionally, the special-status plant species impact analysis on pages 3.5-38 through 3.5-42 of the Draft EIR included analysis of special-status plant species known to occur in the eight U.S. Geological Survey quadrangles surrounding the LRDP area (see Table 3.5-2 on pages 3.5-41 through 3.5-19 of the Draft EIR), which would likely account for any special-status species that occur in the region but have been extirpated from the LRDP area. Further, potential impacts to coast horned lizard are evaluated on pages 3.5-49 and 3.5-50. As stated on page 3.5-50, implementation of Mitigation Measures 3.5-1a and 3.5-2d would reduce potential impacts on coast horned lizard by requiring reconnaissance-level surveys for projects under the LRDP to determine the likelihood of presence of the species, focused visual surveys for the species if determined to be likely to occur, and relocation of individual lizards by a qualified biologist with an appropriate CDFW Scientific Collecting Permit, if detected.

Comment O10-28

The scenic UCSC campus is often described as a “living laboratory,” owing to its exceptional levels of biodiversity. It must be understood that the native ecosystems of campus are delicate and finite, and have already experienced significant degradation as a result of the cumulative impacts of the existing level of UCSC campus development. The best policy to reduce impacts on native species, including special status species, is to avoid the destruction and further fragmentation of intact native habitats whenever possible. For this reason we recommend LRDP alternatives that result in a reduced development footprint on the main UCSC residential campus.

Response O10-28

The comment expresses preference for an alternative that considers a reduced development footprint (e.g., Alternative 3) and is noted. This comment expresses an opinion regarding the 2021 LRDP and does not address the adequacy of the EIR analysis. No further response is necessary. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-29

**DEIR Section 3.10— Hydrology and Water Quality**

*Please refer to the passage in “Tribal Cultural Resources” section of this comment letter for a discussion of the cultural significance of springs to the Amah Mutsun Tribal Band and specific requests regarding tribal consultation and the preservation of these resources.*

Response O10-29

Please refer to Response O10-6.

Comment O10-30

The Amah Mutsun Tribal Band is concerned about the potential impacts of well development and groundwater pumping as well as the development of additional impervious surfaces (roads, buildings, parking lots, etc) on subsurface aquifers that are the source of freshwater springs.

Response O10-30

It should be noted that the 2021 LRDP does not include the development of additional wells, but assesses the potential for groundwater pumping within the capacity of an existing well in the lower campus subarea of the main residential campus. These impact evaluations related to groundwater pumping and impervious surfaces are provided within Section 3.10, “Hydrology and Water Quality” of the Draft EIR. Refer to 3.10-3 (Alteration of Drainage Patterns and Increased Runoff) and 3.10-5 (Impacts to Karst Aquifer Supply, Recharge and Groundwater Quality), beginning on page 3.10-31 of the Draft EIR, as well as in Master Response 10, Hydrology and Water Quality, including impacts to water quality from post-construction runoff and groundwater conditions.

Comment O10-31

We are additionally concerned about the potential for an increase in urban pollutants entering these aquifers as a result of increased parking lot and roadway runoff during rain events.

Response O10-31

Impact 3.10-5, beginning on page 3.10-33 of the Draft EIR, provides analysis of increased urban runoff. Also refer to Mater Response 10 related to Hydrology and Water Quality.

Comment O10-32

DEIR Figure 3.15-1, “Trail Network On the Main Residential Campus” depicts the fire roads and a very small number of official trails maintained by the University, which is not reflective of the large number of unofficial trails that criss-cross campus lands.

Response O10-32

UC Santa Cruz acknowledges that Figure 3.15-1 on page 3.15-5 of the Draft EIR does not attempt to identify unofficial trails within the main residential campus. The presence of unofficial trails is subject to ongoing planning, and is not considered recreational facilities within the context of the analysis of Section 3.15, “Recreation.” This comment does not address the adequacy of the EIR analysis. No further response is necessary. The Draft 2021 LRDP (page 138) states, “There are also a number of undesignated trails throughout the campus, some of which are used by bicyclists. The LRDP integrated transportation strategy recommends better managing the fire roads and existing campus bike paths and identifying key through-campus routes to connect the lower, central and upper campus to adjacent parks. This on-going planning process balances pedestrian access for student research areas, recreation and wellness with the need for protecting environmental resources to ensure the health of the natural landscape while providing regional bicycle trail connectivity.”

Comment O10-33

In DEIR Figure 3.16-1, “Existing Circulation Roadway Network,” a maze-like network of unsanctioned single-track mountain bike trails and footpaths in the North Campus appear to be incorrectly depicted as “local streets.”

Response O10-33

Please refer to Response S4-3.

Comment O10-34

The ever-increasing number of unsanctioned recreational trails in the forest and coastal prairie of the North/Upper Campus has caused significant degradation to habitats and has also impacted Tribal Cultural Resources including prehistoric archaeological sites. Recreational mountain biking on unsanctioned, single track trails—many constructed and maintained by mountain bikers themselves—has been allowed to continue expanding unchecked for decades, with many damaging effects. Although campus regulations prohibit mountain bike use in the North Campus outside of fire roads, mountain bikers widely disregard these regulations because they are not enforced by the University in any apparent manner.

The DEIR should evaluate the impacts that a significant increase in the campus population would likely have on unsanctioned trail use and the continued degradation of campus habitats due to over-visitation and high-impact recreation. In order to mitigate this significant existing problem and its probable intensification with an increase in campus population, we recommend that the University allocate resources to provide for proper stewardship of the habitats and natural areas of the campus, especially those areas that are not designated as Campus Natural Reserve lands.

Response O10-34

The Draft EIR provides an evaluation of the potential impacts associated with the increased population, including impacts to recreational opportunities (refer to Section 3.15, “Recreation” of the Draft EIR). The evaluation of potential impacts to biological (Section 3.5) and tribal cultural (Section 3.4) resources, also considers impacts related to increased population within the LRDP area. However, within the context of CEQA, it is reasonable to assume regulatory compliance when evaluating the potential physical environmental impacts of a project. Regarding the use of unauthorized trails, refer to Response S3-12. See Response 010-32 regarding the ongoing planning efforts for the unsanctioned trails. UC Santa Cruz looks forward to continued discussions with the Amah Mutsun Tribe on measures to protect the TCRs in the vicinity of these unsanctioned trails.

Comment O10-35

While other resource issues evaluated for cumulatively considerable impacts in Table 4-1 such as Biological Resources, Hydrology and Air Quality are evaluated within a *regional* geographic area, “Archaeological, Historical, and Tribal Cultural Resources” are instead noted as being evaluated within the *local (LDRP) area*.

The Amah Mutsun Tribal Band objects to this view of the Tribal Cultural Resources of campus lands in isolation from surrounding regional impacts of Tribal Cultural Resources such as sacred sites, burial sites, and village sites. The cultural impact of adverse changes to tribal cultural resources and landscapes at UC Santa Cruz campus is not experienced by the Amah Mutsun Tribal Band and our members​ ​as separate or isolated from the severe impacts our tribe has experienced as a result of the desecration of the majority of our cultural and sacred sites in the region. Please also note that the destruction of sacred sites and TCR’s represents a distinct form of cumulative impact from the scientific impact of the loss of archaeological deposits and sources of data. The destruction and diminishment of TCR’s may be understood as a form of cultural violence connected to the devaluation of Indigenous history and places in western science.

We believe the cumulative impacts of the destruction and fragmentation of cultural heritage sites by means of residential construction, road construction, historic quarry development, and other forms of development must be taken into account when evaluating the local impacts of potentially disrupting or desecrating our Tribal Cultural Resources at UCSC campus.

Response O10-35

Although Table 4-1 states, “Local (LRDP area)” for the geographic area, the discussion of cumulative impacts, which begins on page 4-23, of the Draft EIR states, “The cumulative context for archaeological resources, human remains, and tribal cultural resources is the former territory of the Ohlone tribelet, recorded in Mission Santa Cruz records as Uypi.” Table 4-1 in Chapter 4, “Cumulative Impacts,” of the Draft EIR is revised as follows (modifications are shown in Chapter 4, “Revisions to the Draft EIR”):

Table 4-1 Geographic Scope of Cumulative Impacts

| Resource Issue | Geographic Area |
| --- | --- |
| Aesthetics | Local (LRDP area and surrounding public viewpoints) |
| Agriculture and Forestry Resources | Regional (Santa Cruz County) |
| Air Quality | Regional (North Central Coast Air Basin for pollutant emissions that have regional effects)  Local (immediate vicinity for pollutant emissions that are highly localized such as Carbon Monoxide) |
| Archaeological, Historical, and Tribal Cultural Resources | Historical Resources: Local (LRDP area and City of Santa Cruz)  Archaeological and Tribal Cultural Resources: Regional (historic lands of the Uypi people) |
| Biological Resources | Regional (Santa Cruz County) and local (LRDP area and immediately surrounding area) |
| Energy | Regional (Pacific Gas and Electric Company grid in Santa Cruz County) |
| Geology and Soils | Local (LRDP area) |
| Greenhouse Gas Emissions and Climate Change | Global |
| Hazards and Hazardous Materials | Local (LRDP area) |
| Hydrology and Water Quality | Regional (Santa Cruz County) and local (LRDP area) |
| Land Use and Planning | Local (LRDP area and immediately surrounding area) |
| Noise | Local (immediate project vicinity where project-generated noise could be heard concurrently with noise from other sources) |
| Population and Housing | Regional (Santa Cruz County) and local (LRDP area and immediately surrounding area) |
| Public Services | Local service areas of service providers |
| Recreation | Regional (Santa Cruz County) and local (LRDP area) |
| Transportation | Regional (Santa Cruz County) and local (LRDP area and immediately surrounding area) |
| Utilities and Service Systems | Local service areas of utility providers |
| Wildfire | Regional (Santa Cruz County) and local (LRDP area and immediately surrounding area) |

The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as it resolves a typo/inconsistency between the table and the analysis presented in the Draft EIR. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification.

Comment O10-36

In addition, we believe that the cumulative effects of the desecration of existing prehistoric archaeological sites and Tribal Cultural Resources within UCSC campus lands merit consideration. This includes the removal of ancestral remains from UCSC lands by University-sanctioned archaeologists, trails and roads that bisect or adjoin prehistoric archeological sites, and past campus development projects that have resulted in impacts to Tribal Cultural Resources and culturally significant landscape features. This also should include consideration of the untold number of cultural sites and artifacts that were looted and destroyed on UCSC campus lands without ever being recorded or documented, in the historic period— possibly including earlier chapters of UCSC development before cultural or archaeological resource protection laws meaningfully existed.

Response O10-36

The cumulative context of tribal cultural resources has been expanded. The following has been added as the first paragraph under “Tribal Cultural Resources” on page 4-23 of the Draft EIR (modifications are shown in Chapter 4, “Revisions to the Draft EIR”):

The cumulative context for the cultural resources cumulative analysis considers the broad regional system of which the resources are a part. The cumulative context for archaeological resources, human remains, and tribal cultural resources is the former territory of the Ohlone tribelet, recorded in Mission Santa Cruz records as Uypi. The historic lands of the Uypi people have been affected by development since the arrival of the Portolá expedition in 1769. Division of the land into land grants was soon followed by limestone production and related commercial development through the 1800s. Development of the Uypi lands continued with agricultural growth, residential growth throughout the county and city of Santa Cruz, and the establishment of UC Santa Cruz in 1965. These activities have resulted in an existing significant adverse effect on tribal cultural resources. The cumulative context for historical resources is UC Santa Cruz and the city of Santa Cruz, where common patterns of historic-era settlement have occurred over roughly the past two centuries.

The above-listed change does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 because it provides additional context regarding tribal cultural resources but does not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by The Regents for certification.

Comment O10-37

4.3.4.4—Historical Resources:

*“…It is possible that a historic building would need to be demolished or altered in such a way that it would no longer convey its historic significance. Therefore, the project’s contribution to cumulative historic resource impacts would be potentially cumulatively considerable. No additional mitigation, beyond that identified in Section 3.4, “Archaeological, Historical, and Tribal Cultural Resources,” is available to reduce the 2021 LRDP’s contribution.”*

This appears to represent a double standard in regard to how impacts to cultural resources are evaluated in the DEIR. In reference to cumulative impacts to Tribal Cultural Resources, Section 4.3.4 of Cumulative Impacts states that

*“With compliance with existing regulations and implementation of Mitigation Measure 3.1-2* [note: this is a typo in the DEIR, it should say 3.4-2], *development under the 2021 LRDP would not contribute to a cumulative loss of tribal cultural resources in the area, and as a result would not be cumulatively considerable.”*

However, just as “it is possible that a historic building would need to be demolished or altered in such a way that it would no longer convey its historic significance,” the DEIR states in Cultural Resources Impact 3.4-2 that “future development associated with the 2021 LRDP would involve land development activities that could cause a substantial adverse change in the significance of a tribal cultural resource… this impact would be potentially significant.” and that “if avoidance or preservation is not possible, potential curation or reinterment (either on-site or at an appropriate off-site location)… of the encountered tribal cultural resources would be coordinated and approved by the tribe.” Just as demolishing or altering a historic building could alter it in such a way that it “would no longer convey its historical significance,” demolishing or altering part of an Indigenous cultural heritage site, sacred site, burial site or other Traditional Cultural Resource could also alter it in such a way that it would no longer convey its historical (and more importantly for tribal members, spiritual) significance.

In regard to historic period resources, the DEIR states that the University cannot alter, relocate or demolish a historic building without potentially impacting its cultural and historical significance in a manner that cannot be mitigated. Yet in regard to prehistoric Tribal Cultural Resources, the DEIR acknowledges that the University can alter, relocate or demolish a Traditional Cultural Resource if deemed necessary in order to complete a development plan— while stating that the resulting impacts after relocation of (all or portions of) the resource would be “less than significant” and, inexplicably, “would not contribute to a cumulative loss of tribal cultural resources in the area.”

We view this as a double standard which appears to reflect a cultural bias. This can be understood as a form of discrimination, because it results in disparate impacts to Native American tribes. It is not possible, from our Indigenous viewpoint, to disrupt and relocate portions of a sacred site, burial site, or ancient village site without causing substantial harmful disruption of that site. We believe the significance of these potential and largely unmitigable impacts should be fully acknowledged within the analysis of Cultural Resources impacts as well as Cumulative Impacts—not minimized.

Response O10-37

The EIR reached different conclusions regarding these impacts based on (1) the information available to UC Santa Cruz regarding the existence of potential historic resources and tribal cultural resources at the time the Draft EIR was published, and (2) the location of planned LRDP projects, and the reasonably foreseeable impacts on historic resources and tribal cultural resources as a result of those projects.

The Draft EIR recognized the existence of known historic resources within the LRDP area, including the Cowell Lime Works Historic District and a potential discontiguous Campus Core historic district. The 2021 LRDP focuses the majority of development in and around existing development, including several historic structures (e.g., within these districts), and it is reasonably foreseeable that development under the 2021 LRDP would result in the removal or potential modification of known resources that are considered historic features. Typical mitigation for the loss of an historic structure, including documentation of the structure, may not be sufficient to reduce the impact to less than significant.

In contrast, no specific tribal cultural resources had been identified to UC Santa Cruz within the LRDP area at the time the Draft EIR was released. Consistent with AB 52 requirements, UC Santa Cruz staff shared the archaeological investigation and consulted with representatives of the Amah Mutsun Tribal Band (the commenter) in an effort to ascertain the types, scale, and locational information regarding tribal cultural resources that may occur within the LRDP area. (See Draft EIR at 3.4-13 and 3.4-14 for details regarding outreach and consultation). As noted in Table 3.4-1 elsewhere on page 3.4-14 of the Draft EIR, although a general sensitivity of the area was noted no specific tribal cultural resources were identified by the Amah Mutsun Tribal Band at publication of the Draft EIR.

Accordingly, because there were no known specific tribal cultural resources at the time, significant impacts were not reasonably foreseeable. However, because there was the potential that unknown tribal cultural resources could be encountered during earthwork activities, UC Santa Cruz staff consulted with the Amah Mutsun Tribal Band regarding appropriate mitigation for previously unidentified resources, the results of which are reflected in Mitigation Measure 3.4-2, which provides, in part:

…a Native American monitor of the Amah Mutsun Tribal Band will be provided the opportunity to monitor grading within 400 feet of the find. If the find is Native American in origin, the Amah Mutsun Tribal Band shall coordinate with UC Santa Cruz regarding appropriate treatment, including preparation and implementation of a formal treatment plan. As described in Mitigation Measure 3.4-1(5), the preferred method of treatment is avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. If avoidance or preservation is not possible, potential curation or reinterment (either on-site or at an appropriate off-site location, as designated and previously approved by the tribe), of the encountered tribal cultural resources would be coordinated and approved by the tribe.

Pursuant to this measure, if unknown tribal cultural resources were encountered, they would be avoided and protected if possible. If avoidance were not possible, the resource would be curated or reinterred. As described in the mitigation measure, any treatment of previously unidentified tribal cultural resources would be done in cooperation with the Amah Mutsun Tribal Band and in a manner that is respectful of the history and cultural importance of the resources.

Therefore, the differences between the evaluations of historical and tribal cultural resources were based on the fact that there were known historic resources on the site, but there were (at that time) no known tribal cultural resources on the site at the time of publication of the Draft EIR, and the footprint of the project demonstrated that impacts to known historic resources were reasonably foreseeable, whereas potential impacts to unknown tribal cultural resources were not reasonably foreseeable.

As noted in earlier comments provided by the commenter, additional location-specific information regarding tribal cultural resources within the LRDP Area has been provided since release of the Draft EIR. UC Santa Cruz has evaluated the tribal cultural resources, including confidential location-specific information, identified by the commenter and has determined that implementation of the 2021 LRDP and associated development will avoid the known resource(s), which would reduce impacts to a less-than-significant level. This includes potential extension of infrastructure within the north campus area (e.g., water and wastewater infrastructure). As noted previously, the location of infrastructure identified in Chapter 2, “Project Description” was determined based on a planning level analysis and is diagrammatic; the actual alignment require additional design and siting study considerations prior to implementation, including the location of nearby sensitive resources and slopes. As such, the alignment shown reflects preliminary siting consistent with the program-level analysis in the Draft EIR, but may change during the project-level design phase.Based on initial siting, no known resources would be affected.

Further, development under the 2021 LRDP would be subject to project-specific environmental review, as appropriate, and in accordance with CEQA requirements. If additional tribal cultural resources are identified as part of this project-specific review, UC Santa Cruz would coordinate with the Amah Mutsun Tribal Band in accordance with AB 52 requirements to determine the location and manner in which the tribe would like to proceed.

Comment O10-38

In consideration of the scale of potential impacts to cultural and biological resources that would result from the 2021 LRDP land use plan and enrollment growth targets, we recommend the adoption of Alternative 3, “Reduced Development Footprint.”

Although the DEIR concludes that impacts to native species and habitats as well as potential impacts to Tribal Cultural Resources can be mitigated to a less than significant level, in our view, it is probable that the risks and impacts posed by the scale of proposed development would remain significant, despite the implementation of mitigation measures.

Response O10-38

The commenter’s preference for Alternative 3 is noted and will be included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP. With respect to the significance conclusions for biological resources and tribal cultural resources, which would also apply to the conclusions related to implementation of Alternative 3, refer to Responses O10-16 through O10-28 and O10-37.

Comment O10-39

While the State of California requires the UC system as a whole to grow in order to accommodate an increasing population of California high school graduates, it is up to UC Santa Cruz and other individual campuses to determine their actual capacity to accommodate increased enrollment growth. We encourage the further exploration of solutions to address the UC system-wide need for enrollment growth that would not require the destruction of the sensitive native ecosystems of UCSC campus and would decrease the risk of disturbing Tribal Cultural Resources.

Response O10-39

This comment expresses an opinion on the project, the 2021 LRDP, as well as the UC system to accommodate increased enrollment. Refer to Master Response 2, regarding enrollment and planned development. With respect to impacts to the native ecosystems, including archaeological and tribal cultural resources, the Draft EIR concludes within Sections 3.4, “Archaeological, Historical, and Tribal Cultural Resources” and 3.5, “Biological Resources” that all impacts to natural resources (excluding impacts to historic resources associated with the built environment) would be mitigated to less than significant. The comment is included in the record, which will be considered by the UC Regents in their deliberations over potential approval of the 2021 LRDP.

Comment O10-40

The Amah Mutsun Tribal Band requests consultation and collaboration on any future projects that may impact tribal cultural resources as well as continued consultation and collaboration to facilitate the protection of known resources and tribal access to these resources in perpetuity.

Response O10-40

UC Santa Cruz, as was done for the 2021 LRDP EIR, will continue to consult with the Amah Mutsun Tribal Band in accordance with CEQA requirements and in furtherance of UC Santa Cruz’s dedication to restore traditional stewardship practices within the LRDP area.