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RE: Comments on Student Housing West Housing Project DEIR
Sent by Email to: eircomment@ucsc.edu

To Whom It May Concern:

The enclosed letter is to convey my personal comments on the most recent revision of the Draft Environmental Impact Report (DEIR) prepared in connection with the University's consideration of a proposed "Student Housing West" housing project. It is important to understand, of course, that this title disguises the location of some of the most significant physical and other impacts associated with the proposed project, which actually includes significant construction on the UCSC East Meadow. Since an Environmental Impact Report (EIR) is supposed to be an "informational document," alerting the public to what is being proposed, the title given to this project is disingenuous and objectionable.

My comments and questions follow:

Introduction

Page 1.2 - The DEIR says that the University prepared updated water and population and housing studies for this document and indicates that these will be used for other projects using the 2005 LRDP. Does this mean that the University intends to tier off this DEIR?

Page 1-4 – TIERING. The DEIR states its intention to tier its analysis off the 2005 LRDP in a number of areas. Before tiering, the DEIR will need to consider whether there is new information of circumstances that have changed that make tiering inappropriate. This is particularly important with respect to cumulative impacts because the analysis needs to consider potential off campus impacts as well as on campus impacts.

Project Description

On Pages 3.0-9-12, the Final EIR needs to clarify the changes in the project description for the Heller site between the original Draft EIR and the Revised Draft EIR. For example, the original DEIR indicated that the total number of units at Heller Drive would be 871 with 2,852 beds and a total of 972, 211 square feet in 7 buildings. In the Revised DEIR, the number of housing units increases to 944 (+73), the number of beds increases to 2,932 (+80) but the building square footage decreases to 858,911 (-3,300). In addition, the site plan remains essentially the same in both versions with seven buildings, but the heights are reduced from 7-10 stories in the original DEIR to 5-6 stories in the

Revised DEIR. The Final EIR needs to explain how it is possible to increase the number of units and bed spaces while significantly reducing the total building square footage as well as the building heights.

On Page 3.0-13 – Utilities. The original DEIR contains the chart below:

**Table 3.0-2
Utility Demand**

Utility Type	Heller Site	Hagar Site	Existing FSH	Net New Demand
Potable Water	19.1 million gallons/year	9.5 million gallons/year	7,197,915 gallons/year	21.4 million gallons/year
Recycled Water	15,471,584 gallons/year	NA	NA	-15,471,584 gallons/year
Irrigation Water	2,566,491 gallons/year ^a	3,496,267 gallons/year	NA ^b	3,496,267 gallons/year ^c
Wastewater	100,000 gallons/day ^d	25,000 gallons/day	NA	25,000 gallons/day
Solid Waste	783,196 lbs/year	325,008 lbs/year	394,534 lbs/year	713,670 lbs/year
Natural Gas	31,920 cfh	0	NA	31,920 cfh
Electricity	17,986 KVA	1,891 KVA	NA	19,877 KVA

a. All water used for irrigation at the Heller site would be provided by recycled water.
b. Irrigation water use for most of the FSH landscaping is not metered separately from the buildings, therefore irrigation water use for existing FSH is included in the potable water use.
c. Since recycled water would be used for all irrigation at the Heller site, there would be no new demand for irrigation water at the Heller site.
d. All wastewater would be treated on site with no discharge to the sanitary sewer system.

It appears that a change in the project between the original and Revised DEIR is to recycle water at the Hagar site. Is it correct to say that the total new water demand from the project will be 34.46 million gallons a year but 16.67 million gallons a year of that demand will be met with recycled water?

The original DEIR indicated that the total new water demand would be 36.871 million gallons a year (including recycled water). Since the revised project will provide more units than the original project, what is the basis for determining that the total water demand will decrease by 2.411 million gallons a year?

Why is irrigation water demand not included in the Revised DEIR? What will be the irrigation water demand and how is it calculated?

Page 3.0-13ff – It is proposed that none of the project’s wastewater from the Heller site would be sent to the City’s sewer system, except in an emergency. It would be recycled at a plant on site and used for toilet flushing and irrigation at the site and Porter College. Any recycled water not used would be pumped into one of two dry wells. It isn’t clear from the figures or the project description where the wastewater plant, the dry wells, or the pipes to distribute the recycled water would be located. They may be located on the housing site, but the figures are unclear. Their location should be clearly identified for an adequate project description, and the impacts of any physical construction needs to be documented and analyzed.

Page 3.0-22 – Habitat Improvements. The DEIR states all development at the Heller site will occur within the area currently developed with Family Student Housing. Does this include the wastewater plant and dry wells?

Will a take permit be required from State and/or federal Fish and Wildlife due to the proximity of the red legged frog?

3.0-30 – LRDP Amendment. The DEIR describes the proposed amendment to change the land use designation of the Hagar site. However, other LRDP amendments are needed, and these are not specified or analyzed here.

The LRDP contains Planning Principles and Guidelines that are incorporated into the Plan. One of these states: "Integrate the natural and built environment: New development will respond to the aesthetic qualities of UCSC's unique natural environment through siting, development patterns and architecture that are sensitive to the natural setting. In forested areas, buildings generally should not protrude above the surrounding tree canopy; in visually sensitive areas, interruption of prime viewsheds and viewpoints will be minimized." The proposed seven story buildings near a campus entrance, within a prime viewshed clearly violate this LRDP provision. The proposed very tall, high density project will change the visual aesthetic of the entire campus. The LRDP Planning Principles and Guidelines need to be changed to reflect and allow this altered aesthetic perspective, or the project must be redesigned to comply with the policies applicable to the development. See page 4.1-9 where this policy is cited in the DEIR.

In addition, the 2005 LRDP contains this policy: "Consider the visual continuity of the forest edge as seen from a distance when designing buildings there. Maintain heights of buildings and infrastructure elements significantly below the tree line." Since some of the buildings on the Heller Drive site violate this policy, it needs to be amended, or the project must be redesigned to comply with the policy. See page 4.1-10 of the Revised DEIR.

Page 3.0-34 – Construction. The DEIR indicates that the first stage of the Heller site construction will be to locate the off-site utilities. Won't this involve work in red legged frog habitat? If so, the DEIR fails to document and analyze the impacts.

Also, the original DEIR indicated that 30,000 to 40,000 cubic yards of fill would be imported to the Heller site. The Revised DEIR states that no fill will need to be imported and that there would be 10,000 cubic yards of excess material to be exported. Since the number and location of buildings are essentially the same, the Final EIR needs to provide evidence to support this change in the project description.

Page 3.0 – 38ff. – The Comprehensive Settlement Agreement entered into between the University, the City, and other parties, requires the University to provide 10,125 on campus beds. At the end of this project there will be 11,467 on campus student beds. Since these additional 1,342 beds will not be constructed until a new LRDP is adopted, it appears that they are intended to serve future enrollment growth that would only be permitted if a subsequent LRDP is adopted, providing for such growth. If this project provides housing for future UCSC growth, as it appears to, the potentially significant impacts of this growth should be considered in this DEIR.

Page 3.0-39ff – While the California Environmental Quality Act (CEQA) doesn't require an analysis of the effectiveness of projects in attaining their objectives, it is illuminating to compare the Baseline projections of the 2005 LRDP with the 2020-21 projections contained in Tables 3.0-5 and Table 3.0-6. The 2005 LRDP estimated that student

enrollment would increase from 14,052 in 2003-04 to 19,500 in 2020-21 (a 39% increase). The Revised projections indicate that student enrollment will, in fact, reach 19,500. The 2005 LRDP estimated that the number of faculty and staff would also increase about 39%, going from 3,736 to 5,074 (+1,338). However, the revised 2020-21 projection only shows an increase of about 7% (+238). In terms of the projected building space increases, the 2005 LRDP estimated an increase of 62% (+3,175,000 square feet). However, the Revised DEIR indicates that as of 2017 only 176,197 square feet of building space has been added (3.4%). It is important that the EIR recognize the outcomes from the previously analyzed Plan, and then use an analysis based on actual events in considering the probable impacts of the project considered in this DEIR.

Page 3.0-35 – Responsible Agencies. The DEIR lists the State Department of Fish and Wildlife as a responsible agency but doesn't indicate what permits/approvals would be required. This should be included in the Final EIR. Also, given the proximity of the red legged frog to the project site, wouldn't the federal Fish and Wildlife Service be involved? In addition, if an encroachment permit is needed from the County of Santa Cruz for the Coolidge Drive access to the Hagar site, shouldn't the County also be listed as a responsible agency?

Environmental Analysis

Page 4.0-3 – The DEIR asserts that the cumulative impact analysis can largely be tiered from the 2005 LRDP EIR. There are two reasons why this is not the case. First, given the growth in the City and County and the current plans for significant new development, in both jobs and housing, the earlier cumulative impact analysis is no longer valid. Second, since, under CEQA, cumulative impact analysis must consider past, present, and future projects, the University's intention to increase student enrollment by 10,000 students, as formally announced by the Chancellor, must be considered in the cumulative impact analysis for this project. This is particularly true given that the number of housing beds proposed by this project exceeds the number required to meet the University's obligation under the Comprehensive Settlement Agreement (CSA), as noted earlier. This comment applies to the cumulative impact analysis in most chapters and will not be repeated again.

Table 4.0-1 on page 4.0-6ff lists "Near-Term Cumulative Projects." The 2020 LRDP, proposed to be released in the Spring of 2019, should be added to the list.

Page 4.0-8ff – Table 4.0-2 contains brief descriptions of the changes in the project from the original to the Revised DEIR. There are also drawings showing the previous and revised Heller site plans. While the revised site plan shows a significant reduction in the height of a number of buildings, the DEIR never explains how the height can be reduced while the number of units increases. The Final EIR should compare the number of units and/or beds in each building under the two options.

Aesthetics

Page 4.1-13 – Project design principles. The DEIR cites a number of planning and design principles to apply to this project including one to: "Consider tall buildings along the eastern forest edge of the site, where they will have less visual impact than in open meadow areas." Is this policy intended to replace or revise the policies in the 2005 LRDP? If so, it should be identified as an amendment to the LRDP, and a full analysis of what that change might mean for the entire campus must be conducted. As written, the

project design principles violate the existing LRDP policies to protect important viewsheds.

Page 4.1-19 – LRDP EIR Mitigation Measures. The following mitigation measure is included in Table 4.1-1: “The UC Santa Cruz Design Advisory Board shall review project designs for consistency with the valued elements of the visual landscape identified in the 2005 LRDP, and the character of surrounding development so that the visual character and quality of the project area are not substantially degraded.” This is an inadequate and misleading mitigation measure as it does not change the project and implies that by simply reviewing a project’s designs, the visual quality of the project area will not be degraded. However, in proposing this project, the University has chosen to ignore the opposition of the Design Advisory Board to the proposed Hagar site development. A mitigation measure that simply designates a body to review a project, without having the authority to change it, is not any mitigation measure at all, and it totally inadequate. Subsequent mitigation measures concerning lighting and glare impacts do provide the Design Advisory Board authority to require changes to the project.

Page 4.1-29 – Hagar Site visual character. The Revised DEIR finds that the proposed project would substantially degrade the visual character of the Hagar site, which constitutes a Significant and Unavoidable impact. It also finds that no mitigation measure is feasible. However, the original DEIR did include the following mitigation measure:

The project development at the Hagar site shall incorporate climate appropriate shrubs and low trees on the parking lot and along the Hagar Drive and Glenn Coolidge Drive. Site appropriate earth tone colors that reduce the contrast between the proposed development and the surrounding meadow shall be used.

It isn’t clear from the Revised DEIR that the components of this measure have been incorporated into the project. This should be clarified in the Final EIR. In addition, of course, saying that the impacts of development at the Hagar site are “unavoidable” is demonstrably false. Relocating the proposed Family Student Housing buildings to another site can be accomplished. Even relocating the proposed development to the “top” of the East Meadow, as opposed to siting it at the “bottom,” at the intersection of Hagar Drive and Coolidge Drive, would greatly mitigate or even eliminate the visual impacts of the proposed Hagar Drive development.

Page 4.1-37 – Cumulative Aesthetic Impact. The DEIR determined that the project would have a less than significant aesthetic impact. This is incorrect and inadequate under CEQA. The project would have a cumulatively considerable impact on future development on the campus. It sets the precedent for tall, high density buildings largely protruding above the tree line. It also sets the precedent for future development on the great meadow. The impact of this project on future campus develop will be cumulatively considerable and significant. This particularly the case since the original vision of development of the campus approved by the Chancellor, UC President, and the Regents valued the great meadow and rejected an earlier site plan that proposed development on it. In addition, the proposed seven story buildings at the west entrance undermine the original vision to fit development into the environment. The Final EIR needs to consider the likelihood that the proposed project will serve as a catalyst for future development that will cause significant cumulative impacts.

Air Quality

Page 4.2-19 – Unmitigated Construction Emissions. The Revised DEIR compares the project’s estimated construction emissions to the Monterey Bay Air Resources District (MBARD) significance thresholds. However, it isn’t clear which of the District’s thresholds are being used. The District adopted thresholds in 2008 and, then, in 2016. On page 4.2-13, the DEIR mentions that the 2016 thresholds are different from the ones used in the 2005 LRDP EIR. Given that the DEIR tiers extensively from the 2005 LRDP EIR, this DEIR should clarify that the thresholds used for this analysis are the ones adopted by MBARD in 2016.

Biological Resources

Page 4.3-34 – Purple Needlegrass Grassland. Mitigation for the loss of this sensitive natural community at the Hagar site (BIO-1B) requires the permanent protection of at least 15 acres of existing purple needlegrass grassland on a 1 to 1 basis. Since the project will destroy the existing natural community that is protected under the 2005 LRDP land use designation, the replacement ratio should be at least 2 to 1 and, as noted in my comment below, a more meaningful feasible mitigation measure would be permanently to protect the nearby PL lands.

Page 4.3-26ff – While the DEIR analyzes the potential impacts on the California Red Legged Frog (CRLF) from the construction of the project, there is no discussion of the potential impacts from the 2,600 students who will be living at the Heller site in a very urbanized development. The use of the surrounding CRLF habitat by residents of the project is likely to constitute a potentially significant impact on the habitat and should be considered in the EIR. Simply providing fencing is not a sufficient mitigation.

Geology and Soils

Page 4.5-6 – Hagar Site. The DEIR states that the Hagar site has a moderate to high potential for karst-related hazards. The highest level, #4, is not proposed for development but appears close to the development area, which is considered to be in Hazard Level #3. How many test borings were taken on the site and what is the degree of certainty that other sinkholes do not exist under the area proposed for development? The Hazard Level #4 zones identified in Figure 4.5-1 are very precise. How often in the past have the initial borings proved to be inaccurate at predicting site conditions?

Page 4.5-13ff – Mitigation GEO-3A, 3B. The DEIR should explain what an acceptable and adequate “design void span” is. Also, “doline” is never defined and should be. The undefined technical language in the DEIR makes it difficult for members of the general public to evaluate the information, and because CEQA demands that the EIR serve as an “informational document” for the public, this is a serious failing. If there is an undiscovered sinkhole beneath the Hagar site development, how will the design void span prevent the buildings from sinking?

Greenhouse Gases

Page 4.6-22 – The Revised DEIR identifies two thresholds for determining the significance of a project’s contribution to greenhouse gases: (1) “A bright-line threshold of 1,150 MTCO₂e/year”; (2) “An efficiency threshold of 4.9MTCO₂e/resident/employee. Then, on page 4.6-26, in Table 4.6-2, the total project emissions are estimated at 1,714 MTCO₂e/year, about 50% over the bright-line threshold. However, since the per capita

emissions are below the efficiency threshold (3.9 versus 4.9), the DEIR concludes that the project's impact is less than significant. Given the devastating environmental effects on climate change from greenhouse gas emissions, the EIR should consider the total emissions from the project in determining whether the impact is significant. Not doing so, makes the impact determination inadequate.

Page 4.6-32 – Cumulative impacts. Using either the per capita emissions of 3.9 MTCO₂e/year or the total emissions of 1,714 MTCO₂e/year, the project's impact cannot be considered de minimus. The expected impacts are clearly cumulatively considerable. The EIR needs to provide a much more detailed analysis of the potentially significant impacts of other projects, including the proposed 2020 LRDP, in order to provide substantial evidence that the project would result in a less than significant cumulative impact.

Hydrology and Water Quality

Page 4.7-33ff – Altered Drainage Patterns. The DEIR finds that currently there is little impervious surface at the Hagar site. With the project, 6.27 acres of the site will become impervious surface. This seems low given that the development area is 12.7 acres and there will be 35 buildings. Evidence supporting this figure should be provided in the Final EIR.

The DEIR describes how pollutants will be reduced by the project and how the rate of runoff will be kept to pre-development levels. However, the DEIR does not examine the potentially significant off-site impact from the substantial increase in runoff due to the increase in impervious surfaces. The Final EIR should include calculations for the amount of runoff from at least a 20-year storm under current conditions and compare it to an estimate of the additional runoff resulting from the project. With that information, it will be possible to estimate whether the increased runoff would have a significant impact. This is particularly important because there is substantial evidence from other areas that increases in impervious surfaces are a significant factor increasing flood danger.

Land Use and Planning

Page 4.8-1ff – The Revised DEIR summarizes the key issues raised in comments on the original DEIR. While the document states that the comments are addressed in the revised documents, this is, in fact, neither clearly nor adequately done. Therefore, since the Revised DEIR is a new document and comments made on the original DEIR do not need responses, I am adding the following comments to my review of the Revised DEIR so that the Final EIR considers and responds to them individually and specifically:

- The proposed development at both sites would be inconsistent with many policies listed in the LRDP related to land use planning and aesthetics. The development at the Heller site does not comply with LRDP policies and includes buildings that would extend above the tree canopy. The Draft EIR is incorrect in stating that the buildings would not extend above the tree canopy. The Draft EIR does not present substantial evidence that the Hagar site development will not result in a violation of the LRDP policy to respect the natural environment and preserve open space as much as possible.
- The explanation under SHW Impact LU-1 of why the Hagar site development does not conflict with the policy to integrate with the natural and built environment is

contradictory. It argues that there would be no conflict but in the Aesthetics section, the impacts are found to be significant and unavoidable.

- The proposed Hagar site development would degrade the scenic resources on the campus and therefore would be in conflict with the 2005 LRDP policies even after the land use designation of the site is amended. Therefore, the LRDP policies would also need to be amended, or the project revised to comply with the policies.
- Construction of the low-density housing on the Hagar site at about 10 beds per acre represents wasteful spending of a scarce resource (i.e., land). This low-density development is in conflict with the LRDP policy to encourage sustainability and efficiency in building layout by reducing building footprints and increasing building heights. LEED does not dictate building footprints or heights and therefore LEED certification would not help the project achieve consistency with the LRDP policy.
- The Draft EIR's arguments as to why the rest of the East Meadow will not be developed due to development pressure created by the Hagar site development do not hold true. The precedent set by the project will lead to the development of more of the East Meadow. The analysis in the Draft EIR does not address the indirect and cumulative impacts from the development of the rest of the meadow area.
- The proposed project includes 10-story tall buildings near the campus' western entrance and development on the East Meadow. These developments will change a visitor's sense of the campus values. The precedent-setting impacts of this project need to be recognized and analyzed in the Final EIR.
- Development of the Hagar site would permanently affect the scenic value of the East Meadow and make it more likely for the updated LRDP to take a more permissive view of development on lands to the north and west that are under Protected Landscape (PL) designation.
- How protected are the lands with the PL designation? The University should place a permanent conservation easement on PL lands as mitigation for the impacts of developing the Hagar site.
- The proposed Hagar site was considered but rejected by the 2005 LRDP committee for development and was then designated Campus Resource Land. Before developing this site, the Campus needs to evaluate each suitable housing site identified in the 2005 LRDP.
- Amendment of the 2005 LRDP to accommodate the project is being completed in a rushed manner without significant community engagement, which is inconsistent with the way campus growth should be planned.
- Planning objectives created in the 1960s are no longer relevant to the 2020s. We need to be open to land use change if we are going to address the housing crisis in the state.

- All LRDPs preceding the 2005 LRDP have listed the lower East Meadow as Protected Landscape (PL). The 2005 LRDP changed the designation of the lower East Meadow to Campus Resource Land, and now it is being changed to Colleges and Student Housing. These changes in land use designation were not anticipated by the residents of the Springtree neighborhood.
- Development of two colleges on the East Meadow was envisioned in the 1963 LRDP. That LRDP also stated that while during the early years of campus development, building heights would remain up to three stories but that the average height of building would increase as land became scarcer.
- The Draft EIR incorrectly asserts that the Hagar site development will not be incompatible with existing land uses surrounding the site, including lands to the north, east and west of the site that are designated PL. In fact, the development as proposed *will* be incompatible with existing land uses surrounding the site.
- Locating student housing on the Hagar site would adversely affect the nearby Hagar Court employee housing as the students living in or visiting the Hagar site would use employee parking spaces, barbecues, and garbage dumpsters in the employee housing area, and the employee housing would be exposed to noise, traffic and congestion associated with the project.

Page 4.8-4 and Figure 4.8-1 – The PL designation refers to Protected Landscape. How protected are lands with this designation? Could the next LRDP propose to convert these lands to another classification? Given the significant impacts of developing the Hagar site on the great meadow, the University should establish a permanent conservation easement over the PL lands as a mitigation for the loss of the Hagar site, rather than a simple 1 to 1 replacement of the sensitive natural community.

Figure 4.8-1 shows employee housing off campus near Bay and High streets. How many units does the University own at this location?

Page 4.9ff – The DEIR cites the planning principles from the 2005 LRDP “to maintain the unique character of the UC Santa Cruz campus.” This project, with its seven-story buildings at a campus entrance and the planned destruction of a sensitive natural community in the East Meadow violates these principles. As the campus becomes more like one of the overbuilt urban campuses, the unique character of the campus will be lost. This project is a major step in that direction. The precedent setting impacts of this project need to be recognized and analyzed in the EIR.

The first planning principle from the 2005 LRDP calls for respecting the natural environment and preserving open space as much as possible. Valuable visual and environmental features should be retained, and a pedestrian-friendly campus encouraged. Locating family student housing a significant distance from the core does not encourage a pedestrian friendly campus. In addition, it is clear from the Aesthetic chapter and the simulations of the structures proposed at the Heller site that a valuable visual feature (an entrance to the campus) is not being retained. The Final EIR needs to consider the impacts on the proposed project on this policy.

The second planning principle from the 2005 LRDP calls for integrating the natural and built campus environment with new development responding to the aesthetic qualities

of the campus' unique natural environment. Again, the proposed seven-story buildings at the west campus entrance are inconsistent with this policy. The Final EIR needs to discuss this inconsistency.

Finally, the third planning principle in the 2005 LRDP requires the maintenance of the campus' core configuration where development follows the traditional land use pattern of locating new facilities, including housing around the core of academic and administrative buildings. Locating family student housing a significant distance from the core is inconsistent with this policy.

In sum, the proposed project violates three of the development principles of the 2005 LRDP. Either the principles or the project needs to change in order for there to be internal consistency in the LRDP.

Page 4.8-12 – Impact LU-1. The DEIR states that the proposed project would not conflict with the 2005 LRDP and reviews the language of principles in an extremely selective manner. In addition to the concerns expressed in the previous comments, here are additional problems with the Revised EIRs analysis:

- In terms of the Hagar site, the DEIR finds no violation of the policy to “respect the natural environment and preserve open space as much as possible,” even though a sensitive natural community will be converted to urban development. There is no explanation for the conclusion that it is not possible to preserve this site as open space. This is not adequate under CEQA.
- The explanation for why the project does not conflict with the policy to integrate the natural and built environment is contradictory. On the one hand, the DEIR argues that the project fits into the landscape. On the other hand, it references the Aesthetic chapter, which concluded that the aesthetic impacts of the Heller site development were significant and unavoidable.
- The proposed project conflicts with 2005 LRDP principles as described above, and those principles would need to be amended for this project to be consistent with the 2005 LRDP. The violation of these policies is a significant impact of the project if the policies are not changed.

Page 4.8-16ff – Impact LU-2, Compatibility of the project with adjacent land uses – The DEIR argues that the proposed project at the Hagar site would not place development pressure on the surrounding lands. The area west of Hagar is designated CRL and development in the future should be expected according to the document. The PL (Protected Landscape) north and east of the site are said to be unlikely to be developed because they are valued by the campus for their scenic value and are in Karst hazard level 3 with pockets of 4. Of course, the same can be said for the Hagar site. It is greatly valued for its scenic qualities and it is also in karst hazard level 3 and 4 areas. Finally, the DEIR argues that changing the PL land use designation would require a “major” LRDP amendment, which the Regents would have to approve. This is a disingenuous argument at best since many people consider the proposed LRDP amendment for the Hagar site to be a “major” one and it will have to be approved by the Regents.

In fact, locating development on the East Meadow side of Coolidge Drive will result in increased pressure to develop other areas of the meadow with uses incompatible with

existing uses. It is similar to a forest fire jumping a road. The proposed development puts a whole new area at risk. Thus, the project sets a significant precedent for development in the great meadow and the impact is significant. The Final EIR needs to recognize this, and fully analyze the impacts.

Transportation and Traffic

Page 4.11-5ff – Intersection Operations. The Revised DEIR, like the 2005 LRDP EIR, relies on Level of Service analyses to determine the significance of traffic impacts. Recent changes in State law and the CEQA Guidelines are requiring a vehicle miles traveled (VMT) analysis to determine traffic impacts of proposed projects. The Final EIR should include an analysis of the project’s potential impacts on VMT. There is ample evidence that a VMT analysis is now required for the analysis of traffic impacts.

Page 4.11- Intersection Traffic Volumes. The information in the figure is difficult to understand. It might be more usable to provide a table showing the data.

Page 4.11-18 – Figure 4.11.2, Morning Peaks – The figure needs a legend. It is impossible to evaluate the Figure without this. The same is true for Figure 4.11-3 – Evening Peaks.

Page 4.11-9ff – Table 4.11-4 – Campus Shuttle Routes. With the proposed increase in students living on campus requiring campus shuttles and the increase in early evening classes, the Final EIR should consider a mitigation measure that would extend the Day Loop service, with 10 minute headways, to at least 7:00 p.m., or 7:45 p.m., rather than continue starting 20 minute headways on the loop route at 6:00 p.m.

Page 4.11-36 – The original DEIR in Table 4.11-7 indicated that the Level of Service (LOS) at the Hagar Driveway with the project will deteriorate to F during the evening peak. Table 4.11-12 in the Revised DEIR indicates that the LOS at both the Hagar Drive and Coolidge Drive entrances during the evening peak will be B. Is the change simply due to the changed project that now provides two driveways? The Final EIR needs to justify the new finding.

Utilities and Service Systems

Page 4.13-6 – The DEIR states that the University’s goal was to reduce solid waste 75% by 2012. Table 4.13-1 indicates that in 2017 only about 58% was diverted from the landfill. Won’t adding another 2600+ beds increase the generation of solid waste overall? Not meeting the University’s diversion goals should be considered a significant impact.

Page 4.13-17ff – Impact UTIL-1, Wastewater treatment plant – The Revised DEIR considers the potentially significant impacts of the proposed wastewater plant and the conveyance system at the Heller site. However, it does not seem to provide information on the location or the potential impacts of the dry wells, which are a component of the treatment plant project. Where will the dry wells be located and what are their potentially significant impacts, if any?

Page 4.12-18 – The Revised DEIR indicates that the treated wastewater from the Hagar site, about 1 million gallons a year, will be disposed of directly into Jordan Gulch. The Revised DEIR doesn’t seem to consider the potentially significant adverse significant impacts of dumping this treated wastewater into a natural drainage channel. What level of treatment will the wastewater receive and what are the potential impacts on the water

bodies receiving this wastewater? The Final EIR must provide an analysis of the potential impacts.

On page 4.13-10, under Impact UTIL-2, the Revised DEIR states that all the wastewater generated from the Hagar site would be treated and “would not be conveyed off site.” This statement contradicts the information provided on page 4.13-18 which states: “The excess recycled water would be conveyed off site via a pipeline and discharged into Jordan Gulch.” This contradiction needs to be explained and resolved.

Page 4.13-24 – Impact UTIL-5 – Solid Waste. The projected increase in solid waste at the Heller site for the 2,600+ students is estimated to be only about double the solid waste for 199 families currently living on the site. This doesn’t seem reasonable and should be clarified. Since the campus already has achieved a 58% recycling rate, even reaching the 75% goal would entail a more significant increase in solid waste generation with the proposed increase in population.

The last paragraph in the discussion of solid waste states that both the Heller and Hagar sites combined would “generate about 358 tons/year of municipal solid waste.” Shouldn’t the 358 number be the increase, not the total? How does this number relate to the figures in Table 4.13-1?

Alternatives

Page 5.0-11ff – The Revised DEIR analyzes more alternatives than the original DEIR, which is an improvement over the original DEIR. All of the alternatives remove the Hagar site development from the proposal. However, all the alternatives, except the No Project alternative, include the Family Student Housing (FSH) and child care center at the Heller site. Because combining the FSH and student housing at one location creates both timing and compatibility problems for the project, this choice contributes to the determination in the DEIR that the alternatives are less feasible than the proposed project.

An alternative that was not considered is to locate the FSH units and child care center at the Delaware campus. Alternative 6 includes 220 graduate student beds located here, which indicates that the site is potentially available to meet the needs of this project. It is unclear from the Delaware site plan (page 5.0-65, Figure 5.0-11) whether it would be possible to locate FSH and the child care center (or a portion of it) on the site but the Final DEIR should consider this alternative.

Page 5.0-50 – Alternative 5. This alternative includes the construction of 594 undergraduate housing beds at the East Campus Infill (ECI) site. While the Revised DEIR finds that the project will significantly alter the visual character of the area, it doesn’t seem to mention that an EIR was certified for the ECI project a number of years ago.

The Revised DEIR states: “Furthermore, due to the need to obtain approvals to remove timberland and the need for site evaluation and design work for the ECI site development, the commencement of construction would be delayed, and the alternative would likely fail to develop all the needed housing in a timely manner.” This statement seems somewhat disingenuous since the University has received timber removal permits for many other campus projects and the process is a relatively short one. Moreover, since site evaluation and design work was carried out when the ECI EIR was prepared,

the timing for constructing this project could be substantially less than the site and design work required for the Heller site development.

The Final EIR should discuss the previous work done on the ECI project and the EIR prepared for that project in greater depth to justify its conclusion that constructing this component reduces the feasibility of the overall project.

Supplement To 2005 LRDP EIR (Chapter7)

Referring to the Water Supply and Population and Housing chapters of the DEIR as a Supplement to the LRDP EIR is misleading and incorrect under CEQA. CEQA Guidelines Section 15163 indicates that Supplemental EIRs are relevant when a previously approved project requires additional approval and environmental conditions have changed with new significant impacts identified. This is not the situation here.

The University is providing the expanded analysis because the CSA prohibited tiering from the 2005 LRDP EIR for the water supply and population and housing sections. By providing the analyses of these impact areas in this EIR, the University would be able to tier off these analyses in subsequent environmental documents under the 2005 LRDP EIR. What will be the legal effect on this EIR, or on the 2005 LRDP and EIR, if these analyses are successfully challenged and found inadequate?

Water Supply

Page 7.1-3 – The DEIR refers to the contracts the University has with the City under which the City agreed to provide water to the campus. However, the document does not discuss the State law requiring the City to receive approval from the Local Agency Formation Commission (LAFCO) before providing extraterritorial water or sewer services. The Revised DEIR simply states that the University doesn't agree it needs LAFCO's approval in order to receive City water beyond the City's boundaries. This is insufficient, particularly because there is an appellate court decision, in a case to which the University was a party, that holds exactly the opposite. Since the north campus area is outside the City and would require extraterritorial service, State law mandates that the City receive LAFCO approval before providing services to the north campus, as well as agreement by the City, of course. While the University disputes the need for the City to receive LAFCO approval, the DEIR, as a public disclosure document, must discuss this issue. Simply citing the terms of the CSA is insufficient.

In addition, the University never carried out the intent of the Settlement Agreement requirement that it pursue an application at LAFCO for approval of extraterritorial service. The application was filed but when the EIR was overturned at by the appellate court as inadequate, the EIR was not revised and resubmitted. The Final EIR should discuss the status of the EIR as well as the relationship of the proposal to LAFCO policies.

Pages 7.1-29ff and 53 – Water Demand. The Revised DEIR finds that the proposed mitigation measures would reduce the projected portable water demand of 220 MGY in 2023 to 205 MGY, which is less than the 2003 water demand of 214.1 MGY. However, it is significantly greater than the 2017 water demand of 184.3MGY (see Table 7.1-7). In fact, the University's water demand will increase by 35.4 MGY over the six years between 2017 and 2023 (almost a 20% increase) without the mitigations. Even with mitigations, however, water demand will increase by over 11%.

The EIR must clearly identify the threshold of significance for water demand impact and determine, based on this, whether the projected demand is potentially significant. There is substantial evidence from other projects that an increase in water demand of over 19 MGY, after mitigation, would be considered a significant and unavoidable impact of the project. This is a separate project impact from the one cited in the Revised DEIR related to the City's need to develop a new water source.

Population and Housing

Page 7.2-2ff- The DEIR provides a comprehensive quantitative analysis of the off-campus housing demand by both students and employees. There is a good deal of useful information in this material. However, as discussed in the growth inducement chapter of the 2005 LRDP EIR, Campus growth not only has a direct impact on the community's housing supply due to students and employees, but an indirect one as well.

There is a multiplier effect, in terms of additional off and on-campus employment and housing demand, that would not have occurred absent the campus' growth. Although it will not change the conclusion that the impact is significant and unavoidable, this multiplier effect must be quantified and considered in the EIR to provide a complete picture of the effect of proposed campus growth on the community's housing stock.

The Revised DEIR argues that quantification of the multiplier effects of a project's growth inducing impacts is not required by CEQA and that the identification of these impacts is "generally informational." However, as an informational document, CEQA requires that where the potentially significant impacts of a project on the environment can be reasonably identified, they should be included. In this case, where the potential direct growth inducing impacts of development under the 2005 LRDP have been estimated and the use of multiplier effects are well known and often used, that information should be included in the EIR. In fact, previous LRDP EIRs have included such an analysis. Moreover, this is the chapter on Population and Housing. The multiplier effects of the 2005 LRDP are particularly relevant when considering the impacts here. The Final EIR needs to include this information.

Thank you for taking these comments into consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Patton", with a stylized, flowing script.

Gary A. Patton

cc: CLUE
East Meadow Action Committee
Santa Cruz County Board of Supervisors
Santa Cruz City Council
Other Interested Persons