

7.0 SUPPLEMENT TO THE 2005 LRDP EIR

7.0.1 INTRODUCTION

In September 2006, The Regents certified UC Santa Cruz 2005 LRDP EIR (SCH #2005012113) and approved the UC Santa Cruz 2005 LRDP. The 2005 LRDP provides a comprehensive framework for the physical development of the UC Santa Cruz campus (which includes the 2,030-acre main campus and the 18-acre University-owned property at 2300 Delaware Avenue) to accommodate an on-campus three-quarter-average enrollment of 19,500 full time equivalent (FTE) students by 2020-21, or an increase of approximately 5,100 students from the 2003-04 baseline. The 2005 LRDP includes a building program to accommodate UC Santa Cruz's academic, research, and public service mission as enrollment grows, and a land use plan that assigns elements of the building program to designated land-use areas and describes general objectives that will guide development within those areas. The building program identifies a total of about 3,175,000 gross square feet of net new building space, including 1,196,000 gross square feet of student and employee housing. The 2005 LRDP identifies targets for on-campus housing for 50 percent of undergraduate students and 25 percent of graduate students. Thus, the 2005 LRDP EIR evaluated the addition of 2,300 student beds to the inventory of 6,891 beds existing in fall 2004, for a total of 9,190 beds.

The certification of the 2005 LRDP Final EIR was challenged in 2007 by several entities, including the City of Santa Cruz. A ruling by the Santa Cruz County Superior Court in *City of Santa Cruz et. al. v. Regents of the University of California et. al.* (CV155571, consolidated with Case No. CV155583) concluded that additional analyses relating to water supply, housing, and traffic mitigation were required. Specifically the Court ruled that:

- a. The water supply analysis in the EIR for the 2005 LRDP is deficient because it failed to meet the standards set forth in *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova*, 40 Cal.4th 412 (2007).
- b. Mitigation Measure TRA-2 does not constitute a feasible enforceable measure for ensuring the University's payment of fair share contributions to transportation improvements under the control of the City of Santa Cruz.
- c. The population and housing analysis of the 2005 LRDP EIR is deficient because it fails to identify the probable locations of housing necessary to serve the LRDP and the growth contemplated by the plan.

The Court also ruled that the University suspend all project approvals and construction-related activities that are based upon the 2005 LRDP approvals and that could result in any adverse change or alteration to the physical environment until: (1) the writ had been discharged, or (2) adequate stand-alone CEQA documents had been prepared for those projects.

In August 2008, a Comprehensive Settlement Agreement (2008 Settlement Agreement) was executed by all parties to resolve the lawsuits. The 2008 Settlement Agreement was entered as a final judgment of the Court, thereby superseding the previous court ruling. Key provisions of the 2008 Settlement Agreement are as follows:

- **Enrollment:** The 2005 LRDP projected a full time equivalent (FTE) on campus three quarter average (fall winter spring) combined graduate and undergraduate enrollment of 19,500 in academic year 2020-2021. The 2008 Settlement Agreement revised the 2005 LRDP enrollment projections by limiting undergraduate enrollment to 17,500, and total on-campus combined graduate and undergraduate to 19,480 in academic year 2020-2021. The 2008 Settlement Agreement provides that enrollment will be adjusted downward by UC Santa Cruz if its settlement housing commitment (see below) is not met or water demand increases during a City service area wide moratorium.
- **Housing:** UC Santa Cruz will provide 7,125 beds for student enrollment up to 15,000 FTE and will provide additional housing to accommodate 67 percent of new student enrollment above 15,000 FTE. This results in provision of a total of 10,125 available beds for an enrollment of 19,500 FTE. The 2005 LRDP originally called for UC Santa Cruz to provide housing for 50 percent of undergraduates and 25 percent of graduate students during the life of LRDP for a total of 9,190 beds. The 2008 Settlement Agreement increases student housing by 935 beds to be provided by new construction, remodeling, and off-campus housing. UC Santa Cruz will also contribute specified fees to the City for each UC Santa Cruz owned or leased, off-campus student bed that results in a tax revenue loss to the City (which will be used by the City to support services for UC Santa Cruz's off-campus population).
- **Water and Sewer Services:** To support UC Santa Cruz in achieving its on-campus housing commitment, the City agreed to continue to provide water service to the campus through the existing connections. Under the 2008 Settlement Agreement, the City and UC Santa Cruz agreed to concurrently apply to the Santa Cruz LAFCO for a Sphere of Influence amendment (City application), under Government Code Section 56425, and for extraterritorial water and sewer services (University application), under Government Code Section 56133, for the area identified as the North Campus to allow for the development of 3,175,000 gross square feet of additional building space as described in the 2005 LRDP. The Settlement Agreement provides that the University's application to LAFCO for extraterritorial water and sewer services is not an admission that the University is subject to LAFCO jurisdiction, and does not change the underlying agreements between the City and the University.

UC Santa Cruz will pay a fee for increased water use (equivalent to the City's "system development charges") to cover its proportional share of use of City developed new water source capacity and the City's construction of public facilities to serve UC Santa Cruz's non-drought water demand on the Main Campus. Additionally, UC Santa Cruz will comply with any service area wide water restrictions and mandatory use curtailment imposed by the City in response to a declaration of water shortage emergency and/or if the City establishes a service area wide moratorium on new connections because of a water shortage emergency.

- **2005 LRDP & LRDP EIR:** For future projects under the 2005 LRDP, UC Santa Cruz will not "tier" from or otherwise rely on the 2005 LRDP EIR water or housing analyses as invalidated by the Santa Cruz Superior Court.

In compliance with the court order and the 2008 Settlement Agreement, between 2007 and the present time, the Campus did not undertake any projects that were based upon the 2005 LRDP approvals. The Campus did approve a few small- to mid-sized projects based on stand-alone CEQA documents.

The proposed Student Housing West (SHW) project is a project under the 2005 LRDP. Although the SHW project would not, in itself, cause campus enrollment to increase, it would house some of the increased student enrollment under the 2005 LRDP. It would also add new building space to the campus that would be within the building space projections of the 2005 LRDP. As an on-campus student housing project, this project would have the effect of increasing the demand for potable water on the campus above current conditions, and the project would contribute to the campus' total demand for water under the 2005 LRDP. Therefore, the University has determined that in order to comply with the court order, it must prepare a new water supply impact analysis for the 2005 LRDP as a whole that is inclusive of the water demand associated with the proposed SHW project. The new 2005 LRDP water supply impact assessment is presented in **Section 7.1**.

As an on-campus student housing project that would add 3,072 student beds to the Campus's housing stock, the SHW project would have the effect of reducing the impact of the 2005 LRDP on off-campus population and housing, and therefore, the SHW project EIR does not rely on any program-level analysis of the population and housing impacts of the 2005 LRDP as a whole. Nonetheless, the University has determined that it will address the Court's directive and prepare a new population and housing analysis for the 2005 LRDP. The new analysis is presented in **Section 7.2**.

This document supplements the 2005 LRDP EIR. The analysis in **Section 7.1** replaces in full the prior water supply impact analysis reported under LRDP Impact UTIL-9 in the 2005 LRDP EIR on pages 4.15-29 to 4.15-36 in Volume 2, and the amended water supply analysis for the Reduced Enrollment

Alternative on pages 2-14 through 2-16 in Volume 4 of the 2005 LRDP EIR. The analysis in **Section 7.2** replaces in full the prior analysis under LRDP Impact POP-1 and LRDP Impact POP-3 in Section 4.11 in Volume 2 and the amended population information for the Reduced Enrollment Alternative in Volume 4 of the 2005 LRDP Final EIR.