

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

F11e



Prepared April 17, 2008 (for May 9, 2008 hearing)

To: Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: **City of Watsonville LCP Major Amendment Number 1-08 (Solar Power Generation Facilities at City Landfill).** Proposed major amendment to the City of Watsonville certified Local Coastal Program to be presented for public hearing and California Coastal Commission action at the Commission’s May 9, 2008 meeting to take place at the Marina del Rey Hotel, 13534 Bali Way, in Marina del Rey.

Summary of Staff Recommendation

The City of Watsonville proposes to amend its Local Coastal Program (LCP) Land Use Plan (LUP) and Implementation Plan (IP) to allow for future reuse of a portion of the City Landfill as a solar power generation facility. Staff notes that the proposed amendments are consistent with the resource protection policies of the Coastal Act and the LUP, specifically regarding environmentally sensitive habitat, visual resources, and prime agricultural land.

Staff recommends that the Commission find that the proposed land use plan amendments are consistent with and adequate to carry out the policies of the Coastal Act, and that the proposed implementation plan amendment is consistent with and adequate to carry out the policies of the amended land use plan, and that the Commission approve the LCP amendments as submitted.

Staff Report Contents

- I. Staff Recommendation – Motions and Resolutions.....2
- II. Findings and Declarations3
 - A. Proposed LCP Amendment.....3
 - B. Consistency Analysis.....3
 - C. California Environmental Quality Act (CEQA)5
- III. Exhibits
 - Exhibit 1: Landfill Site Location Map
 - Exhibit 2: Resolution and Proposed LUP Text Amendments
 - Exhibit 3: Resolution and Proposed IP Text Amendment



I. Staff Recommendation – Motions and Resolutions

Staff recommends that the Commission, after public hearing, approve the proposed amendment as submitted. The Commission needs to take two actions, one on the LUP component and one on the IP component, to effect this recommendation, and the required motions and resolutions follow.

A. Approval of Land Use Plan Amendment as Submitted

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

Motion. I move that the Commission **certify** Major Amendment Number 1-08 to the City of Watsonville Local Coastal Program Land Use Plan as submitted by the City of Watsonville.

Resolution to Certify LUP Amendment. The Commission hereby certifies Major Amendment Number 1-08 to the City of Watsonville Local Coastal Program Land Use Plan as submitted by the City of Watsonville and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact that the Land Use Plan Amendment may have on the environment.

B. Approval of Implementation Plan Amendment as Submitted

Staff recommends a **NO** vote on the motion below. Failure of this motion will result in certification of the implementation plan amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission **reject** Major Amendment Number 1-08 to the City of Watsonville Local Coastal Program Implementation Plan as submitted by the City of Watsonville.

Resolution to Certify IP Amendment. The Commission hereby certifies Major Amendment Number 1-08 to the City of Watsonville Local Coastal Program Implementation Plan as submitted and adopts the findings set forth below on grounds that Major Amendment Number 1-08 as submitted is consistent with and adequate to carry out the certified Land Use Plan, and certification of the Implementation Plan amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Plan amendment.



II. Findings and Declarations

The Commission finds and declares as follows:

A. Proposed LCP Amendment

The City of Watsonville proposes to amend its Local Coastal Program (LCP) Land Use Plan (LUP) and its Implementation Plan (IP) to allow solar electric utility facilities as a conditional use at the City's landfill site. Please see Exhibit #1 for a location map of the landfill site, Exhibit #2 for the proposed LUP text amendments, and Exhibit #3 for the proposed IP text amendments.

B. Consistency Analysis

1. Land Use Plan Amendments

The standard of review for Land Use Plan amendments is that they must be consistent with the Chapter 3 policies of the Coastal Act.

The City's solid waste disposal landfill site is located off San Andreas Road and consists of about 50 acres (see Exhibit #1). The landfill site is designated/zoned Coastal Zone Area E. The principal permitted use in Area E is municipal solid waste landfill. The LUP establishes a number of conditional uses for this site, including public recreation and agriculture (once the entire landfill is filled), methane gas production, and waste recycling conversion facilities. The City of Watsonville has been approached by an electric company with the concept of establishing a 4.7 megawatt solar electrical system on an eight-acre portion of the City's landfill that has been already filled and capped with a ruderal land cover. Gas collection from the covered landfill is ongoing, but this area is otherwise unused currently. The solar array that would be constructed at this site is part of the City's vision to fully offset City electrical use (and associated carbon footprint) via solar power.¹ The total system (including the solar arrays located outside the coastal zone) would generate approximately 6.6 to 6.7 megawatts of electricity, and would constitute one of the largest municipal arrays in California. The proposed amendment modifies the LUP to allow solar electrical generation and transmission facilities as a conditional use in Area E (see Exhibit #2 for proposed LUP text amendments).

Chapter 3 of the Coastal Act requires that terrestrial and marine habitats be protected, and where feasible, enhanced. More specifically, Coastal Act Section 30240 requires that environmentally sensitive habitat be protected against any significant disruption of the habitat values and that only uses dependent upon those resources be allowed. The only potential sensitive habitat in the immediate landfill area is a riparian corridor that is located on the eastern side of the existing landfill. The area of the landfill proposed for solar panel installation is over 300 feet from this riparian corridor. Given this distance, allowing installation and operation of solar panels as a conditional use on a portion of the landfill will not cause any significant disruption of the riparian corridor, including because solar power generation

¹ The City plans on using the landfill site and sites at the City's airport and atop downtown buildings (both outside the coastal zone) for installation of solar arrays.



would not introduce new noise, lights, or activities to the landfill area because solar power generation is fairly inert. Thus, the proposed amendment is consistent with Coastal Act Section 30240 regarding protection of environmentally sensitive habitat.

Coastal Act Section 30251 requires that new development be sited and designed to protect public views to and along the ocean and scenic coastal areas, and that new development be visually compatible with the character of the surrounding area. The landfill site is located in a valley behind existing agricultural fields along San Andreas Road. The site is generally not visible from the ocean, Highway 1, or San Andreas Road. The site may be partially visible from very distant ocean and Highway 1 views (i.e., from several miles away), but only as part of a larger tapestry of rural Santa Cruz County. Solar panels can readily be sited and designed in this context to blend into the existing landform and visual aesthetic (including keeping the panels low to the ground, avoiding glare, plantings as necessary, etc.). For these reasons, allowing installation of solar panels as a conditional use in Area E will not create any future visual impacts to the surrounding area. Thus, the proposed amendment is consistent with Coastal Act Section 30251 regarding protection of public views.

Coastal Act Section 30241 requires that the maximum amount of prime agricultural land be maintained in agricultural production. As stated above, the landfill site is located in a valley behind existing agricultural fields along San Andreas Road. The existing landfill has been used to deposit the City's solid waste for the last 50 years. For this reason, the landfill site is not viable agricultural land at this time, nor will it be in the near future. The existence of the landfill, however, has not impeded surrounding agricultural use over the years and the two uses have proven compatible in this sense. Therefore, it is reasonable to expect that allowing use of a portion of the landfill site for installation of solar panels will not impede the continued use of nearby agricultural lands for agricultural purposes. Thus, the proposed amendment is consistent with Coastal Act Section 30241 regarding maintaining the maximum amount of prime agricultural land in agricultural production.

Accordingly, the Commission finds that the proposed LUP amendments are consistent with the Chapter 3 policies of the Coastal Act.

2. Implementation Plan Amendments

The proposed IP amendment adds "Electric Utility Facilities (Solar)" as a conditional use in Area E (see Exhibit #3 for the proposed text). The standard of review for Implementation Plan (IP) amendments is that they must be consistent with and adequate to carry out the certified LUP. Many of the policies of the certified LUP mimic the policies of the Coastal Act regarding protection of environmentally sensitive habitat, visual resources, and agricultural land. As discussed above, allowing solar panel installation as a conditional use in Area E will not cause any significant impacts to environmentally sensitive habitat, coastal or scenic views, or adjacent agricultural land. Thus, the proposed IP amendments are consistent with and adequate to carry out the policies of the LUP.



3. LCP Amendment Conclusion

In conclusion, the Commission finds that the proposed LUP and IP amendments are consistent with Chapter 3 of the Coastal Act, and consistent with and adequate to carry out the policies of the LUP. The new allowed use on this site will provide for appropriate reuse of an otherwise underused, capped landfill area for solar power generation that will serve to provide clean energy to the City of Watsonville. A solar array in this area can effectively blend into the established aesthetic and can be sited and designed to protect coastal resources. The Commission approves the LCP amendment as submitted.

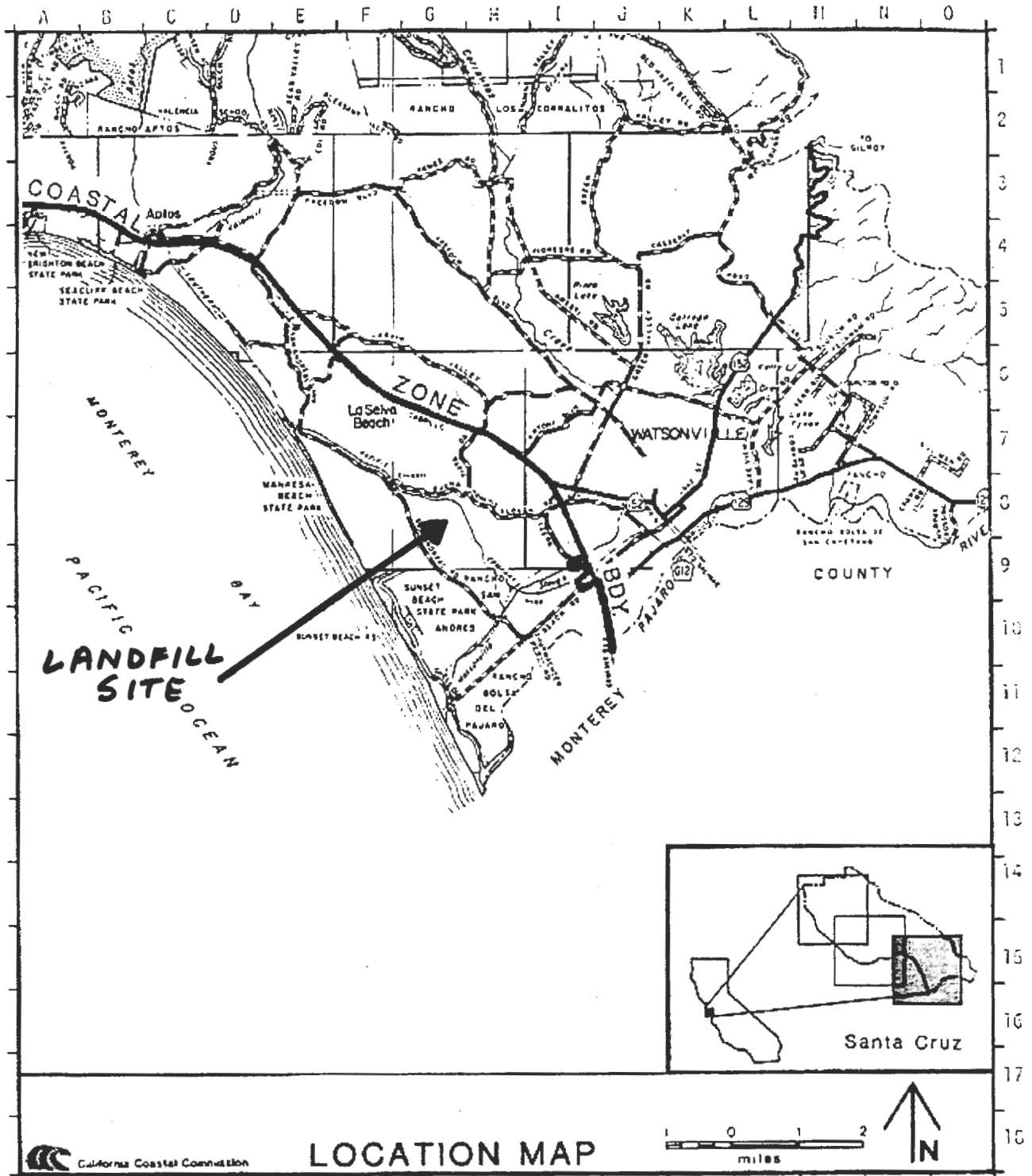
C. California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City, acting as the lead CEQA agency in this case, exempted the proposed amendment under CEQA. This staff report has discussed the relevant coastal resource issues with the proposal. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse environmental effects that approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).





California Coastal Commission

LOCATION MAP

0 1 2 miles



County of Santa Cruz

Sheet 3 of 3

CCC Exhibit 1
(page 1 **of** 1 **pages)**

RESOLUTION NO. 25-08 (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FIRST AMENDMENT TO THE WATSONVILLE VISTA 2030 GENERAL PLAN; AMENDING THE WATSONVILLE 2005 LOCAL COASTAL PROGRAM LAND USE PLAN ELEMENT AND DIRECTING SUCH CHANGES TO BE MADE TO THE WATSONVILLE VISTA 2030 GENERAL PLAN CONDITIONAL AND EFFECTIVE UPON CONCURRENCE BY THE CALIFORNIA COASTAL COMMISSION TO ACCOMMODATE A 4700 KILO WATT SOLAR PANEL INSTALLATION AT THE CITY LANDFILL

Amends Resolution No. 340-82 (CM)

WHEREAS, the City Council entered into an agreement with Cupertino Electric to install solar panels on an eight (8) acre portion of the City's landfill that is closed; and

WHEREAS, the Project is located in Coastal Zone E which requires an amendment to the *Watsonville 2005 Local Coastal Program* to allow the installation of solar power equipment; and

WHEREAS, the City Council of the City of Watsonville has established the *Watsonville 2005 Local Coastal Program* consisting of the *Watsonville Local Coastal Land Use Plan* and a *Coastal Zone Implementation Plan* (codified in Chapter 9-5 of the *Watsonville Municipal Code*); and

WHEREAS, the *Watsonville 2005 Local Coastal Program* must be amended if the installation of solar power generation equipment and transmission lines is to occur; and

WHEREAS, the proposed amendments will allow the installation of solar power facilities in Coastal Zone E (City landfill) with a Coastal Development Permit; and

WHEREAS, the proposed amendments are exempt from CEQA per categorical exemption 15305; and

CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ }

I, LORRAINE WASHINGTON, CITY CLERK OF THE CITY OF WATSONVILLE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE ATTACHED RESOLUTION NO. 25-08 (CM) IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF SAID RESOLUTION AS IT APPEARS UPON THE OFFICIAL RECORDS OF SAID CITY OF WATSONVILLE.

DATE: 3/6/08

Lorraine Washington
CITY CLERK OF THE CITY OF WATSONVILLE

WHEREAS, pursuant to Section 65358(b) of the Government Code, the General Plan may only be amended four times during any calendar year by a General Law city; and

WHEREAS, on May 23, 2006, the *Watsonville Vista 2030 General Plan* was adopted by Resolution No. 115-06 (CM); and

WHEREAS, this proposed General Plan Amendment, if adopted, will be the first (1st) amendment to the *Watsonville VISTA 2030 General Plan* and will be the first (1st) amendment of the 2008 calendar year; and

WHEREAS, notice of time and place of hearing for approval of the General Plan Amendment was given at the time and in the manner prescribed by Section 14-10.900 of Title 14 of the Watsonville Municipal Code and California Code of Regulations Section 13551. The matter was called for hearing; evidence both oral and documentary was introduced, was received, and the matter was submitted for decision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That good cause appearing therefor that the first (1st) Amendment to the *Watsonville Vista 2030 General Plan* amending the Watsonville 2005 Local Coastal Program Element as follows is hereby amended:

1. That the changes in the *Local Coastal Implementation Plan* as set forth in Ordinance No. 1233-08 (CM) are hereby incorporated in the *Watsonville 2005 Local Coastal Program*.

2. That the Council authorizes the City Manager or representative to submit this *Watsonville 2005 Local Coastal Program* amendment to the California Coastal

CCC Exhibit 2
(page 2 of 5 pages) 2

Commission to be effective upon approval of the Director of the California Coastal Commission and concurrence in said approval by the California Coastal Commission.

3. That section E.2—Conditional Uses of Area E of section III—Policies Affecting Specific Areas of the *Watsonville 2005 Local Coastal Program Land Use Plan* is hereby amended by to read as follows:

“E.2 Conditional Uses

- a. Public Recreation
- b. Agriculture
- c. Methane Gas Production
- d. Waste Recycling Conversion Facilities
- e. Solar Electrical generation and transmission facilities”

3. That “Relationship to Coastal Act” of section E.3—Performance Standards for All Development of Area E of section III—Policies Affecting Specific Areas of the *Watsonville 2005 Local Coastal Program Land Use Plan* is hereby amended by to read as follows:

“Relationship to Coastal Act: The Watsonville Disposal Site is a permitted Class II-2 sanitary landfill operating under Waste Discharge Requirements of the Regional Water Quality Board. Eventually the site will be closed and the land reclaimed. As part of the reclamation plan the City intends to construct a 4700 kilo watt solar energy system to supply clean energy to the city and surrounding communities. The site overlaps a portion of the Gallighan Slough riparian zone, which is identified in the County Local Coastal Program as a sensitive riparian habitat, and requires protection under Sections 30231 and 30233, and a buffering under Section 30240(b). The riparian portion of the site will be left undisturbed by the City landfill.”

4. That Area E of section B—Issues Affecting Specific Areas in Light of Coastal Act Policies of section V—Discussion of Issues of the *Watsonville 2005 Local Coastal Program Land Use Plan* is hereby amended by to read as follows:

CCC Exhibit 2
(page 3 of 5 pages) 3

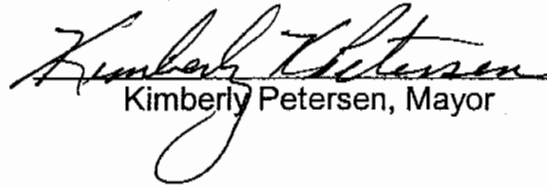
Area E. The City's solid waste disposal landfill site is an "island" located off San Andreas Road just south of Buena Vista Road and consists of about 50 acres. It is one ridge away from the ocean - the closest part of the City to the shoreline. Topography of the site varies from gently to moderately sloping grasslands in the southern portions to steeply sloped heavily forested areas in the northern part. Two large, north-trending ravines cut partially through the site. The forested area, including all riparian habitat on the site is designed to be left undisturbed by the sanitary landfill master plan. There is also a 20 foot setback from all property lines. The allowed fill area is enforced by the waste discharge requirements of the Regional Water Quality Board.

Based on the fill capacity, cover requirements and estimated disposal rates, the remaining life of the site is ten (10) years. This parcel indirectly affects the entire Coastal Zone as a result of potential leachate problems. Water quality of the slough system and groundwater could be degraded temporarily by the landfill's operation, but if degradation is detected corrective measures are required under the facility's waste discharge requirements. Such measures have been successfully implemented in the past. There is regular monitoring of the quality of effluent downstream of the facility by the Regional Water Quality Control Board. This site presents some opportunities for future recreational use within the Coastal Zone, and is being considered for the location of a solar power generation facility to support green energy policies of the state

CCC Exhibit 2
(page 4 of 5 pages)

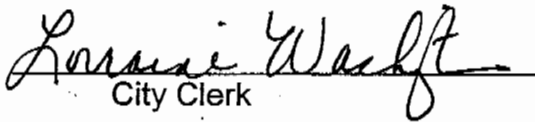
The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 12th day of February, 2008, by Member Skillicorn, who moved its adoption, which motion being duly seconded by Member Bersamin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	COUNCIL MEMBERS:	Bersamin, Caput, Din, Rios, Skillicorn, Rivas, Petersen
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



Kimberly Petersen, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

CCC Exhibit 2
(page 5 of 6 pages)

ORDINANCE NO. 1233-08 (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AMENDING SECTION 9-5.704 (CONDITIONAL USES) OF ARTICLE 7 (DISTRICT REGULATIONS) OF CHAPTER 5 (COASTAL ZONE IMPLEMENTATION PLAN) OF TITLE 9 (ZONING AND PLANNING) OF THE WATSONVILLE MUNICIPAL CODE TO ADD ELECTRIC UTILITY FACILITIES AS A CONDITIONAL USE TO COASTAL ZONE E

Amends Ordinance No. 789-88 (CM)

THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES
HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ENACTMENT.

Section 9-5.704 of Article 7 (District Regulations) of Chapter 5 (Coastal Zone Implementation Plan) of Title 9 (Zoning and Panning) of the Watsonville Municipal Code is hereby amended by amending Subsection (e) (Zone E) to read as follows:

Sec. 9-5.704 Conditional uses.

(e) Zone E.

GLU	81	Parks, public
GLU	84	Public recreational facilities
GLU	86	Open lands
GLU	89	Public and quasi-public open space
GLU	91	Irrigated agriculture
GLU	92	Nonirrigated agriculture
GLU	94	Animals, agriculture
GLU	98	Wetlands, sloughs, marshes, and swamps
GLU	49	Waste recycling and conversion facilities
★ GLU	491	Electric Utility Facilities (Solar)
GLU	492	Gas works, gasholders

CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ }

I, LORRAINE WASHINGTON, CITY CLERK OF THE CITY OF WATSONVILLE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE ATTACHED ORDINANCE NO. 1233-08 (CM) IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF SAID ORDINANCE AS IT APPEARS UPON THE OFFICIAL RECORDS OF SAID CITY OF WATSONVILLE.

DATE: 3/6/08

Lorraine Washington
CITY CLERK OF THE CITY OF WATSONVILLE

SECTION 2. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.

CERTIFIED

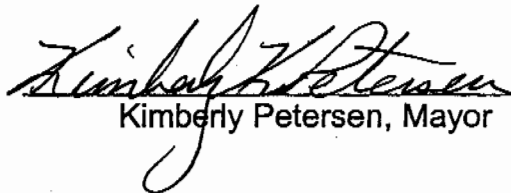
COUNTY OF SAN JUAN
STATE OF CALIFORNIA

I, LOURNE WARD, CLERK OF THE COUNTY OF SAN JUAN, DO HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF SAN JUAN, CALIFORNIA, ON FEBRUARY TWENTY SEVEN, 2008, AT FIVE TWENTY TWO (5:22) PM. THE ORIGINAL IS FILED UNDER THE FILE NUMBER 1233-08 (CM).
DATE: _____
L:\COUNCIL\2008\022608\WMC'9-5-704 Ord.doc
bvf 2/27/2008 5:02:22 PM

CCC Exhibit 3
(page 2 of 4 pages)

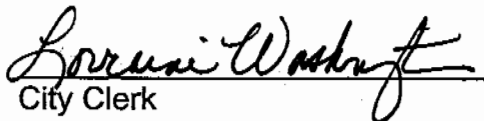
The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Watsonville, held on the 12th day of February, 2008, by Member Skillicorn, who moved its adoption, which motion being duly seconded by Member Bersamin, was upon roll call carried and ordered printed and published by the following vote:

AYES: COUNCIL MEMBERS: **Bersamin, Caput, Din, Rios, Skillicorn, Rivas, Petersen**
NOES: COUNCIL MEMBERS: **None**
ABSENT: COUNCIL MEMBERS: **None**



Kimberly Petersen, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

CCC Exhibit 3
(page 3 of 4 pages)

ORDINANCE NO. 1233-08 (CM)

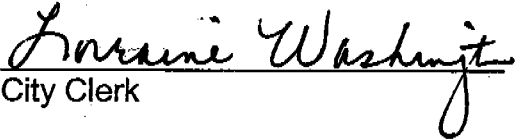
The foregoing ordinance, having been printed and published as required by the Charter of the City of Watsonville, and coming on for final consideration at the regular meeting of the Council of the City of Watsonville, held on the 26th day of February, 2008, by Mayor Pro Tempore Rivas, who moved its adoption, which motion being duly seconded by Member Skillicorn, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: COUNCIL MEMBERS: **Caput, Din, Skillicorn, Rivas, Petersen**
NOES: COUNCIL MEMBERS: **None**
ABSENT: COUNCIL MEMBERS: **Bersamin, Rios**



Kimberly Petersen, Mayor

ATTEST:



City Clerk

EFFECTIVE DATE:

March 27, 2008

CCC Exhibit 3
(page 4 of 4 pages)