

**TO:           Transportation Policy Workshop**  
**FROM:       Karena Pushnik, Senior Transportation Planner**  
**RE:           Recreational Rail Draft Environmental Impact Report - Public Hearing**

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## RECOMMENDATION

Staff recommends that the Regional Transportation Commission hold a public hearing on the Draft Environmental Impact Report (DEIR) for Recreational Rail between Capitola and Aptos with an extension to Seascape.

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## BACKGROUND

In 1999, the Santa Cruz County Regional Transportation Commission (RTC) reaffirmed its intention to pursue acquisition of the Santa Cruz Branch Rail Line currently owned by Union Pacific, consistent with its *Major Transportation Investment Study* of the Watsonville – Santa Cruz – UCSC corridor. In 2000, the RTC programmed \$10 million in State Transportation Improvement Program (STIP) funds for the Santa Cruz Branch Rail Line ROW acquisition. In 2003, Congressman Sam Farr secured a \$1.5 million federal appropriation for the project. Also in May 2003, following an evening public hearing, the RTC agreed to develop an application for Proposition 116 funds with an operating plan for recreational rail service between Capitola and Aptos with a possible extension to Seascape in order to qualify for \$11 million in Proposition 116 funds available exclusively to Santa Cruz County, and to initiate an EIR for the recreational rail service consistent with RTC policy.

In August 2003, the RTC entered into an \$85,000 contract with Public Affairs Management (PAM) to produce the EIR for the proposed recreational rail project. In October 2003, the RTC released an Initial Study for the EIR for a 30-day scoping period in accordance with the California Environmental Quality Act (CEQA). In November 2003, a publicized scoping meeting was held in Aptos. At the December, 2003 RTC meeting, Commissioners received copies of all comments on the Initial Study and approved three alternatives to be included in the analysis. In March of this year, the RTC held a public meeting and agreed to complete the EIR for future recreational rail service.

## DISCUSSION

The Regional Transportation Commission received copies of the DEIR for the Recreational Rail project at their May 20 Transportation Policy Workshop. At that meeting the RTC decided to release the document for public comment, extend the required comment period from 45 days to 60 days with the comment period ending on July 21 and to include links to the reference

documents on the RTC website. The DEIR was posted to the RTC web site on May 18 and copies were sent to libraries for additional public access. In addition, copies are available at the RTC offices.

Included in the document are chapters outlining the project description; environmental setting, impacts, and mitigation; air quality; hazardous/toxic substances; noise; transportation/circulation; other environmental topics; and alternatives. For each environmental topic, the DEIR includes discussion about the threshold criteria required to be used. Also included in the DEIR is a discussion of potential cumulative effects of projects anticipated through the year 2020, including projects in the 2001 Regional Transportation Plan and known projects such as the Aptos Village Plan.

The DEIR concludes that with the implementation of mitigations as recommended, all potential project-related impacts identified would be reduced to a less-than-significant level. No significant and unavoidable impacts would result from the project as proposed.

The analysis in the Initial Study determined that, with mitigation, the proposed project would not have the potential to result in a significant impact in the following areas: aesthetics, agricultural resources, biological resources, cultural resources, geology/soils, hydrology/water resources, land use/planning, mineral resources, population/housing, public services, and recreation and utilities/service systems.

### Alternatives

CEQA requires that an EIR include reasonable alternatives to the proposed project in order to assess whether any alternatives would result in fewer significant impacts while allowing the basic objectives of the project to be met. At the December 2003 RTC meeting, the Commission approved the following alternatives: 1.) No Project - as required by CEQA; 2.) Compressed Natural Gas/Alternative Fuel – alternatives fuels could include water-diesel-emulsified, biodiesel, ethanol-diesel-emulsified, Fisher-Tropsch and/or others resulting in reduced environmental impacts; and 3.) Less Frequent Service - running every 2 hours rather than every hour for a total of five round trips per day during peak tourist season in the spring, summer and fall.

According to the analysis, Alternative 2 would be considered the environmentally superior alternative among the alternatives evaluated and would achieve the project objectives.

### Aesthetic Resources

At the December 2003 meeting, the RTC approved an expansion of the scope of the aesthetic impact assessment to either bring a Budd Rail Car demonstration to Santa Cruz County or to develop visual simulations of the proposed rail vehicle at a couple of points along the route.

At the February 2003 meeting, a resolution was approved to expend up to \$5,250, to seek sponsorships and contributions, conduct promotional activities and make all necessary arrangements for a Budd Rail Car demonstration train, contingent upon the demo train running on the Capitola to Aptos corridor. As reported at the April 2003 meeting, bringing a demonstration train to Santa Cruz County was not feasible before the DEIR was complete for three reasons: Oregon Department of Transportation's Budd Rail Car was only available in the non-summer months, Union Pacific did not grant rights and access for a demonstration train and additional funds would have been required, necessitating unavailable staff time to seek sponsors and conduct promotional activities. Also at the April meeting, the RTC did not approve the additional funds to develop visual simulations.

### Hazardous Materials Assessment

The initial study stated that "the results of the Phase I and Phase II site assessments and recommended mitigation will be reported in the EIR." The Phase I information was included in the DEIR, however the RTC has not yet been able to secure a right-of-entry agreement from Union Pacific to conduct the soil samples and other studies for the Phase II Environmental Site Assessment. Therefore, this more detailed information was not included in the DEIR as anticipated. Union Pacific has stated that it will allow entry when there is a tentative negotiated purchase price.

### Timing

Per direction by the RTC at the 5/20/04 Transportation Policy Workshop, the DEIR was sent to appropriate agencies, the Association for Monterey Bay Area Governments (AMBAG) and the State Clearinghouse, and was registered with the County Clerk of the Board. In addition, either an e-mail or postal notice was sent to all people who have expressed interest in staying informed about the project. As noted earlier, the public comment period ends July 21. The final Environmental Impact Report (FEIR) consists of the response to substantive comments plus the DEIR. The consultants have stated that they may need up to 6 weeks to respond to comments. According to this timeline, the FEIR will be ready for release with the October RTC meeting packet in late September. If the FEIR is ready earlier, there may be an option to release the FEIR at the September Policy Workshop.

An update about the timeline, comments received and potential amendments to the contract will be provided to the RTC at either the regular or Policy Workshop meeting in August.

### **SUMMARY**

The Draft Environmental Impact Report (DEIR) for Recreational Rail Service between Capitola and The RTC invites public input on the DEIR by holding a televised public hearing at 7:00 am on June 17 at the County Board of Supervisors Chambers.

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