SPECIAL MEETING

AGENDA

Thursday, June 26, 2014
9:00 a.m.

NOTE LOCATION THIS MONTH
SCCRTC Conference Room
1523 Pacific Ave
Santa Cruz, CA

NOTE
See the last page for details about access for people with disabilities and meeting broadcasts.

En Español
Para información sobre servicios de traducción al español, diríjase a la última página.

AGENDAS ONLINE
To receive email notification when the TPW meeting agenda packet is posted on our website, please call (831) 460-3200 or email info@sccrtc.org to subscribe.

COMMISSION MEMBERSHIP

Caltrans (ex-officio)  Tim Gubbins
City of Capitola        Dennis Norton
City of Santa Cruz     Don Lane
City of Scotts Valley  Randy Johnson
City of Watsonville    Eduardo Montesino
County of Santa Cruz   Greg Caput
County of Santa Cruz   Neal Coonerty
County of Santa Cruz   Zach Friend
County of Santa Cruz   John Leopold
County of Santa Cruz   Bruce McPherson
Santa Cruz Metropolitan Transit District  Dene Bustichi
Santa Cruz Metropolitan Transit District  Daniel Dodge
Santa Cruz Metropolitan Transit District  Lynn Robinson

The majority of the Commission constitutes a quorum for the transaction of business.
1. Introductions

2. Oral communications

   Any member of the public may address the Commission for a period not to exceed three minutes on any item within the jurisdiction of the Commission that is not already on the agenda. The Commission will listen to all communication, but in compliance with State law, may not take action on items that are not on the agenda.

   Speakers are requested to sign the sign-in sheet so that their names can be accurately recorded in the minutes of the meeting.

3. Additions or deletions to consent and regular agendas

   **CONSENT AGENDA**

   All items appearing on the consent agenda are considered to be minor or non-controversial and will be acted upon in one motion if no member of the RTC or public wishes an item be removed and discussed on the regular agenda. Members of the Commission may raise questions, seek clarification or add directions to Consent Agenda items without removing the item from the Consent Agenda as long as no other Commissioner objects to the change.

4. Approve Highway 1 Auxiliary Lanes Project Budget and Legal Counsel (Resolution)

5. Approve recommendation to direct staff to propose design standards to guide implementation of the Monterey Bay Sanctuary Scenic Trail (MBSST) Network Master Plan

6. Approve Easement Exchange with the La Selva Beach Improvement Association

   **REGULAR AGENDA**

7. **9:15 a.m. Public Hearing** – Adoption of the 2014 Santa Cruz County Regional Transportation Plan (RTP) and Corresponding Environmental Documents
   *(Ginger Dykaar and Grace Blakeslee, Transportation Planners)*

   a. Staff report
   b. Final EIR for the 2014 Santa Cruz County RTP - *(Enclosed separately for Commissioners and available on the RTC website http://www.sccrtc.org/2014-rtp)*
   c. 2014 Santa Cruz County RTP EIR Resolution
   e. 2014 Santa Cruz County RTP Resolution
f. Comments on Final Draft 2014 Santa Cruz County RTP

8. Travel Time and Travel Time Reliability for Highway 1
   (Ginger Dykaar, Transportation Planner)
   a. Staff report

   (Rachel Moriconi and Karena Pushnik, Senior Transportation Planners)
   a. Staff report
   b. Preliminary Draft Goals
   c. Preliminary Evaluation Measures
   d. Preliminary Station Locations Map and List
   e. Sample Service Scenarios
   f. Outreach Plan for the Passenger Rail Study
   g. Project Schedule

10. State Budget Update
    (Rachel Moriconi, Senior Transportation Planner)
    a. Staff report
    b. Cap and Trade Budget Summary

11. Rail Motorcar Excursion on Santa Cruz Branch Rail Line
    (Luis Pavel Mendez, Deputy Director)
    (staff report and attachments distributed separately)

12. Review of items to be discussed in closed session

   CLOSED SESSION

13. Conference with legal counsel—anticipated litigation. Significant Exposure to
    Litigation to be considered for two cases pursuant to Government Code Section
    54956.9 (d)(2).

14. Conference with legal counsel—anticipated litigation. Significant Exposure to
    Litigation to be considered for one case pursuant to Government Code Section
    54956.9 (d)(2).

   OPEN SESSION

15. Report on closed session
16. Next meetings

The next SCCRTC meeting is scheduled for Thursday, August 7, 2014 at 9:00 a.m. at the Scotts Valley City Council Chambers, 1 Civic Center Drive, Scotts Valley, CA.

The next meeting of the Transportation Policy Workshop is scheduled for Thursday, September 18, 2014 at 9:00 am at the SCCRTC Offices, 1523 Pacific Avenue, Santa Cruz, CA.

HOW TO REACH US

Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue, Santa Cruz, CA 95060
phone: (831) 460-3200 / fax (831) 460-3215

Watsonville Office
275 Main Street, Suite 450, Watsonville, CA 95076
(831) 768-8012
email: info@sccrtc.org / website: www.sccrtc.org

HOW TO STAY INFORMED ABOUT RTC MEETINGS, AGENDAS & NEWS

Broadcasts: Many of the meetings are broadcast live. Meetings are cablecast by Community Television of Santa Cruz. Community TV’s channels and schedule can be found online (www.communitytv.org) or by calling (831) 425-8848.

Agenda packets: Complete agenda packets are available at the RTC office, on the RTC website (www.sccrtc.org), and at the following public libraries:

- Aptos Library
- Branciforte Library
- Santa Cruz Downtown Library
- Garfield Park Library
- Live Oak Library
- Watsonville Main Library
- Boulder Creek Library
- Capitola Library
- Felton Library
- La Selva Beach Library
- Scotts Valley Library

For information regarding library locations and hours, please check online at www.santacruzpl.org or www.watsonville.lib.ca.us.

On-line viewing: The SCCRTC encourages the reduction of paper waste and therefore makes meeting materials available online. Those receiving paper agendas may sign up to receive email notification when complete agenda packet materials are posted to our website by sending a request to info@sccrtc.org. Agendas are typically posted 5 days prior to each meeting.

Newsletters: To sign up for E-News updates on specific SCCRTC projects, go to http://sccrtc.org/about/esubscriptions/.
HOW TO REQUEST

❖ ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES

The Santa Cruz County Regional Transportation Commission does not discriminate on the basis of disability and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. This meeting location is an accessible facility. If you wish to attend this meeting and require special assistance in order to participate, please contact RTC staff at 460-3200 (CRS 800/735-2929) at least three working days in advance of this meeting to make arrangements. People with disabilities may request a copy of the agenda in an alternative format. As a courtesy to those persons affected, Please attend the meeting smoke and scent-free.

❖ SERVICIOS DE TRADUCCIÓN/ TRANSLATION SERVICES

Si gusta estar presente o participar en esta junta de la Comisión Regional de Transporte del Condado de Santa Cruz y necesita información o servicios de traducción al español por favor llame por lo menos con tres días laborables de anticipo al (831) 460-3200 para hacer los arreglos necesarios. (Spanish language translation is available on an as needed basis.) Please make advance arrangements (at least three days in advance) by calling (831) 460-3200.
TO: Regional Transportation Commission - Transportation Policy Workshop

FROM: Luis Pavel Mendez, Deputy Director

RE: Highway 1 Auxiliary Lanes Project Budget and Legal Counsel

RECOMMENDATIONS

Staff recommends that the Santa Cruz County Regional Transportation Commission (RTC) approve the attached resolution (Attachment 1):

1. Amending the fiscal year (FY) 2014-15 budget for the Highway 1 Auxiliary Lanes Project as shown on Exhibit A of Attachment 1; and

2. Authorizing the Executive Director to retain C. Patrick Stoll (Attachment 2) as RTC legal counsel for potential litigation in connection with the Highway 1 Soquel to Morrissey Auxiliary Lanes project.

BACKGROUND

In January of 2012, the RTC awarded a contract to RGW Construction to construct the Highway 1 Soquel to Morrissey Auxiliary Lanes project. The construction was completed in November 2013. The contract with RGW Construction continues through the completion of the plant establishment period.

Due to some construction challenges, RGW Construction filed notices of potential claims to the RTC. RTC construction manager, PB Americas, and special construction legal counsel, Paul Taylor, reviewed those claims. PB Americas issued responses to RGW’s potential claims on behalf of the RTC. In addition, PB Americas has been analyzing all of the work and claims in preparation for a resolution that is fair to the contractor and the taxpayers.

Anticipating potential resolution of claims during FY 2013-14, a FY 2014-15 budget for the Highway 1 Soquel to Morrissey Auxiliary Lanes project has not yet been established.

DISCUSSION

When the RTC approved its budget for FY 2014-15, there was no budget included for the Highway 1 Soquel to Morrissey Auxiliary Lanes Construction project. This was done in anticipation that claims from RGW Construction would be resolved in FY 2013-14, which could have had a significant impact on the FY 2014-15 budget
for the project. Claims from RGW Construction will not be resolved in FY 2013-14. Therefore, it is necessary for the RTC to budget estimated carryover funds from FY 2013-14 to FY 2014-15. In addition, it is necessary for the RTC to include funds for legal services in the budget for FY 2014-15, in case they are needed.

On May 22, 2014, the RTC received a legal claim from RGW Construction. According to RTC’s legal counsel, this is a prerequisite step before RGW Construction may file a lawsuit against the RTC, if they wish. The process also provides for the RTC and RGW Construction to continue communications towards a resolution outside of the court room. According to RTC legal counsel, it is prudent for the RTC to be fully prepared to respond to a lawsuit from RGW Construction should it be necessary. RTC’s special legal counsel for construction projects, Paul Taylor, no longer litigates cases. He recommends that the RTC hire C. Patrick Stoll to serve as the RTC’s litigator for this case should it be necessary. Mr. Stoll’s resume is included as Attachment 2 and his rate is $300 per hour. The Office of the Santa Cruz County Counsel agrees with Mr. Taylor’s recommendation.

Therefore, staff recommends that the RTC approve the attached resolution (Attachment 1) amending the fiscal year (FY) 2014-15 budget for the Highway 1 Auxiliary Lanes Project as shown on Exhibit A of Attachment 1, and authorizing the Executive Director to retain C. Patrick Stoll as RTC legal counsel for potential litigation in connection with the Highway 1 Soquel to Morrissey Auxiliary Lanes project.

SUMMARY

The construction of the Highway 1 Soquel to Morrissey Auxiliary Lanes project has been completed, with only plant establishment remaining in the contract. Claims from RGW Construction have not yet been resolved. It is necessary for the RTC to carryover project funds from FY 2013-14 to FY 2014-15 and establish a budget for legal services that may be needed. RTC’s legal counsel recommends that RTC hire C. Patrick Stoll as litigator in case he is needed. Staff recommends that the RTC approve the attached resolution (Attachment 1) amending the FY 2014-15 budget and authorize the Executive Director to retain C. Patrick Stoll as legal counsel for litigation.

Attachments:
1. Resolution amending the FY 2014-15 RTC Budget and Authorizing the Executive Director to Retain C. Patrick Stoll as Legal Counsel
2. Resume of C. Patrick Stoll

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RESOLUTION NO.

Adopted by the Santa Cruz County Regional Transportation Commission (RTC)
on the date of June 26, 2014
on the motion of Commissioner
duly seconded by Commissioner

RESOLUTION AMENDING THE FY 2014-15 BUDGET AND WORK PROGRAM AND AUTHORIZING THE EXECUTIVE DIRECTOR TO RETAIN LEGAL COUNSEL FOR LITIGATION ASSOCIATED WITH THE HIGHWAY 1 AUXILIARY LANES PROJECT

WHEREAS, the Santa Cruz County Regional Transportation Commission (RTC) adopts and periodically amends a budget and work program for each fiscal year to guide its expenses and work;

WHEREAS, it is necessary to carryover funds for the Highway 1 Soquel to Morrissey Auxiliary Lanes Construction project from FY 2013-14 to FY 2014-15;

WHEREAS, the construction contractor, RGW Construction, Inc., has presented a legal claim to the RTC which is a prerequisite step to file litigation against the RTC;

WHEREAS, it is prudent for the RTC to retain litigation counsel for legal services associated with the Highway 1 Soquel to Morrissey Auxiliary Lanes project to be fully prepared to respond to any potential litigation;

BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION:

1. The FY 2014-15 Budget and Work Program for the Santa Cruz County Regional Transportation Commission (RTC) are hereby amended as shown in Exhibit A; and

2. The Executive Director is authorized to enter into an agreement with the Law Office of C. Patrick Stoll to retain C. Patrick Stoll as legal counsel for necessary litigation services associated with the Highway 1 Soquel to Morrissey Auxiliary Lanes project at a rate of $300 per hour;

3. The Executive Director is authorized to amend the agreement with the Law Office of C. Patrick Stoll consistent with the approved RTC budget.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSTAIN: COMMISSIONERS

ABSENT: COMMISSIONERS

______________________________

Eduardo Montesino, Chair
ATTEST:

____________________________
George Dondero, Secretary

Attachments: Exhibit A - SCCRTC FY 2014-15 Budget as amended
Distribution: RTC Fiscal

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WHEREAS, it is prudent for the RTC to retain litigation counsel for legal services associated with the Highway 1 Soquel to Morrissey Auxiliary Lanes project to be fully prepared to respond to any potential litigation;

BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION:

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AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSTAIN: COMMISSIONERS

ABSENT: COMMISSIONERS

______________________________
Eduardo Montesino, Chair
ATTEST:

____________________________
George Dondero, Secretary

Attachments: Exhibit A - SCCRTC FY 2014-15 Budget as amended

Distribution: RTC Fiscal

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## SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
### HIGHWAY 1 CONSTRUCTION
#### FY 2014-2015 BUDGET

### HWY 1 CONSTRUCTION: 722200

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SUMMARY AND INTRODUCTION

I provide the expertise and experience that clients need to efficiently and effectively resolve a wide range of legal problems that typically arise in the construction industry. I bring not only a solid legal education and over twenty five years of construction litigation practice, but also a practical background as a contractor and engineer.

I have successfully handled commercial, residential, and public works contract drafting and interpretation, bid protests and substitution hearings, licensing issues, litigation involving preliminary notices, mechanics liens and stop notices, Miller Act claims, payment disputes, construction defect and property damage disputes, and extra work, change order, and delay claims, including actions that fall under the federal and state False Claims Acts. I can assist clients in negotiating terms and conditions of new agreements, including the preparation of state-of-the-art contract documents, prime contracts, subcontracts, purchase orders, payment applications, and specialty agreements, as well as close-out documentation, releases, and settlement agreements, and, if necessary, appellate work and collections. I have represented every player at every phase in the construction litigation arena - public and private owners, general contractors, subcontractors, material suppliers and vendors, project managers, sureties, architects, engineers, and insurance companies.

I can provide advice and customized forms to streamline project documentation before disputes arise, while enabling clients to process and control information vital to protecting their legal rights. I can also conduct in-house seminars that provide client’s top staff and field supervisors with practical information and procedures for thorough and effective contract administration.

Alternative methods of dispute resolution have gained increasingly wide application and acceptance among attorneys, the courts, and clients to mitigate the time and expense of conventional trials. I have participated in all these forums, both as an advocate and as the active third-party neutral, and advocate these methods to minimize the cost of dispute resolution.

EXPERIENCE

Law Office of C. Patrick Stoll - Sole Practice  2008-current

I have continued my practice with concentration in construction litigation, currently serving clients primarily in Northern California. Sole practice affords clients the advantage of personal service, quick response, and flexibility. As a sole practitioner, I have represented clients in the Court of Federal Claims, U.S. District Courts in the Eastern and Northern District of California, and California Superior Courts in El Dorado, Placer, Sacramento, Yolo, Solano, San Francisco, and Monterey County.

Herrig, Vogt & Stoll, LLP - Partner  2001 - 2008

I furthered my professional development when I became a name partner in this AV rated construction litigation firm representing general contractors, subcontractors, suppliers, sureties, design professionals, and public and private owners. I gained first hand experience in all phases of civil litigation from initial client interviews to collections on judgments, including discovery and motion practice; trial preparation; lead counsel in court and jury trials, arbitration, and mediation; bid and contract award protests; and civil appeals. Highlights:

● Defense of contractor claims against a Northern California School District, resulting in a settlement involving payment by the contractor to the District, with dismissal of all the contractor’s claims;

● Successful defense on appeal of a summary judgment against a major payment bond surety for attorney’s fees on a subcontractor’s stop notice claim, again for a public work;

● Served as special master for the federal district court, resolving a dispute between contractors involved in the construction of a new federal courthouse in Phoenix; and a dispute between parties involving...
marketing for credit card transaction hardware;

- Provided litigation support for a California metropolitan transit authority against a major contractor and its performance bond surety for extra work and delay claims, and counterclaims under the False Claims Act, culminating in a multimillion dollar judgment against the contractor, plus a multimillion dollar attorney fee award. The contractor successfully appealed, and the case returned to the trial court.

- Served as a volunteer judge pro tem in state courts in El Dorado and Placer County for Small Claims litigation and for Mandatory Settlement Conferences.

**Herrig & Vogt, LLP - Associate** 1994 - 2001

I carried my experience as a litigation paralegal to the newly-formed partnership of Herrig & Vogt as an associate with a concentration on construction-related disputes in state and federal courts, and federal claims forums. I assisted the partners in preparation for litigation, including extensive law and motion work, and handled bid protests and contract award disputes for public works. I also reviewed, revised and drafted contracts for general contractors, suppliers, subcontractors, design/build contractors, and homeowners in the fields of residential home improvements, commercial projects, and state and federal building projects. As I gained experience, I took on cases as lead counsel. A highlight was a 100% successful defense of a general contractor against multiple claims brought by homeowners in a lengthy jury trial for a residential project in Calaveras County. Co-authored course material for seminars in *Construction Contracting for Public Entities* and *Construction Lien Law in California*. I brought computer litigation expertise and software to the firm to enhance its litigation effectiveness.

I broadened my experience with cases in family law, probate, and personal injury, as well as pro bono work in contract cases.

**Diepenbrock, Wulff, Plant & Hannegan - Sacramento, California** 1989-1994

I started my legal career as the lead litigation paralegal in complex construction litigation for this well-established Sacramento law firm while attending McGeorge School of Law’s evening program. Though working full time in an intense litigation practice with this major firm, I was able to maintain a Dean’s list average and graduated with distinction.

**BAR ADMISSION**

Member of the California State Bar Association  Admitted 1993

**COURT ADMISSION**

*California:* All State and Federal Courts  *U.S.:* U.S. Court of Appeals, Federal Circuit

**LICENSES**

*California State Contractor’s License - Class B*  1988 (currently inactive)

**EDUCATION**

*McGeorge School of Law - Sacramento, California*  J.D. 1993  

Honors: The Traynor Society; American Jurisprudence Award - Professional Responsibility Trial Advocacy Competition Team Member

*U.S. Air Force Academy - Colorado Springs, Colorado*  B.S.  Aeronautical Engineering

*California State University - Sacramento, California*  Graduate Work  Mechanical Engineering

Community Service: Rotary Club of Folsom
RECOMMENDATIONS

Staff recommends that the Santa Cruz County Regional Transportation Commission direct staff to return to the Commission by June 2015 with proposed design standards to guide implementation of the Monterey Bay Sanctuary Scenic Trail (MBSST) Network Master Plan.

BACKGROUND

On November 7, 2013 the RTC adopted the Monterey Bay Sanctuary Scenic Trail Network Master Plan and certified the Final Environmental Impact Report. On December 5, 2013 the RTC allocated funding to construct two trail segments of the MBSST. One segment is in Watsonville and the other is in the City of Santa Cruz.

DISCUSSION

RTC staff has been meeting with project sponsors to help facilitate completion of these two important projects. A working group was formed with the intent to improve communication among and between RTC staff and the staff of project sponsors. This group has met once and will continue to meet as needed. During discussions regarding implementation, several questions regarding design standards have already surfaced, and more are anticipated. It is clear that RTC will play an oversight role on trail construction, and in order to do so will need to adopt some standards as guidance to all concerned for both current and future projects.

In addition, on June 5, Commissioner Coonerty sent a letter to the Commission (Attachment 1) recommending that the RTC give staff direction to develop design standards to assist in implementing the Trail Master Plan.

**Commissioner Coonerty recommends that the RTC direct staff to return to the Commission by December 2014 with proposed design standards to guide implementation of the Monterey Bay Sanctuary Scenic Trail (MBSST) Network Master Plan. Staff believes that more time will be needed, and recommends June 2015 as a more reasonable completion date.**

This is not a task that the RTC has undertaken in the past. Therefore, it is unknown how much time, effort and staff time may be required. If the level of effort required
is significant and will impact other projects or require additional resources to avoid impacts to other projects, staff will return to the RTC with additional recommendations.

SUMMARY
Commissioner Coonerty has written a letter to the RTC recommending that staff develop design standards to implement the MBSST Master Plan and return to the Commission by December 2014. Staff recommends returning June 2015 to allow adequate time to complete the standards.

Attachments:
1. Letter from Commissioner Neal Coonerty
Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue
Santa Cruz, CA 95060

RE: IMPLEMENTATION OF THE MONTEREY BAY SANCTUARY SCENIC TRAIL NETWORK MASTER PLAN (TRAIL MASTER PLAN)

Dear Members of the Commission:

As Commissioners are aware, the Commission recently adopted the Monterey Bay Sanctuary Scenic Trail Network Master Plan after a comprehensive planning process involving numerous public meetings and hearings before the Commission. Subsequently, the Commission approved funding for two specific rail trail projects to start the implementation of the Master Plan, one in North County and one in South County. The Commission also approved funding for an on-road bicycle and pedestrian trail that is part of the Twin Lakes Beachfront Improvement Project. During the coming year, the Cities of Santa Cruz and Watsonville will develop the detailed plans for these two segments in partnership with the Commission.

The Master Plan is a complex document with a great deal of information. Although Commission staff is very familiar with its details, actual implementation of the Plan will initially be undertaken by the Cities of Watsonville, Capitola, and Santa Cruz, as well as the County. While the Commission may act as construction manager in the future, the local jurisdictions, because of their public works and engineering capabilities, are being looked to as early project implementers. In my view, it would be very helpful to the staffs of these jurisdictions if a set of design standards based on the Master Plan were available to them. Having trail design standards would also simplify the process of assuring consistency as the different segments of the trail are developed over time. I have discussed the potential benefits of having a set of design standards with staff and they agree that development of such standards would assist in the implementation of the Master Plan.
June 5, 2014
Page 2

Therefore, I recommend that the Commission direct staff to return to the Commission by the end of this calendar year with proposed design standards for the implementation of the Trail Master Plan.

Sincerely,

[Signature]

NEAL COONERTY, Supervisor
Third District

NC:Ig
1402B3
TO: Regional Transportation Commission Transportation Policy Workshop
FROM: Luis Pavel Mendez, Deputy Director
RE: Easement Exchange with the La Selva Beach Improvement Association

RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission (RTC) authorize the Executive Director to sign the attached mutual grant of easement and easement agreement (Attachment 1) providing an easement to the La Selva Beach Improvement Association to access the beach under the La Selva Beach Trestle and securing an easement for the RTC and its agents through the La Selva Beach property to the trestle.

BACKGROUND

In August 2013, the Regional Transportation Commission (RTC) awarded a contract to Stacy and Witbeck, Inc (SWI). for rehabilitation of four railroad bridges on the Santa Cruz Branch Rail Line. The vast majority of the contract is for the La Selva Beach trestle which will require almost a complete reconstruction. SWI must go through property owned by the La Selva Beach Improvement Association (LSBIA) and use part of their property during the construction work.

DISCUSSION

The La Selva Beach Improvement Association has had access to cross the railroad property under the La Selva Beach trestle to go from their parking lot to the beach. In exchange the railroad has had access to the trestle for inspection, maintenance and repairs through the La Selva Beach Improvement Association property. However, there does not seem to be a formal written arrangement for this mutual access.

In order to provide access for the bridge construction work, the La Selva Beach Improvement Association requested a mutual easement agreement between the RTC and the La Selva Beach Improvement Association. RTC staff used the services of the Santa Cruz County Real Property Division and legal counsel to negotiate a mutual easement agreement. The negotiated agreement provides a recorded easement to the La Selva Beach Improvement Association for access to the beach on a foot path under the La Selva Beach trestle. In exchange the La Selva Beach Improvement Association provides an easement to the RTC and its agents through the property of the La Selva Beach Improvement Association to the La Selva Beach
trestle. In addition, the La Selva Beach Improvement Association will give up an easement to cross the track just south of the La Selva Beach Trestle. The easement exchange document will be recorded and is included as Attachment 1 to this report.

**Staff recommends that the RTC authorize the Executive Director to sign the attached easement exchange document (Attachment 1) providing an easement to the La Selva Beach Improvement Association to access the beach under the La Selva Beach Trestle and securing an easement for the RTC and its agents through the La Selva Beach property to the trestle.**

**Status of Railroad Bridge Rehabilitation Project**

The contractor, Stacy and Witbeck Inc., for the railroad bridge rehabilitation project continues its efforts to secure the necessary permits to construct the project. Currently, it is anticipated that all permits will be secured by August and construction would begin then. The contractor has expressed concern that obtaining the permits has taken more time, effort and expense than they anticipated. As a result the contractor communicated that they may file a claim and has requested an extension on the time allowed by the contract to complete the project. Because the required permits are a result of the contractor’s means and methods for construction, the contract documents do specify that securing the permits is the responsibility of the contractor and that was included in the bid documents. The completion date required by the contract remains the same at the middle of December 2014.

The fabrication of the La Selva Beach trestle by Stinger Bridge and Iron (SBI) in Arizona continues and is nearly complete. Currently, SBI is in the process of painting most of the bridge components using the color selected by the RTC, “Enviro Green” from the Sherwin Williams Series 4000 special and protective coatings.
Although most of the fabrication of bridge components has been completed, recently SBI ran into some difficulty with the fabrication of two girders. The welding of the flange to the web created warping of the flange that they were unable to control or correct. See the figure below for girder components.

According to SBI, this is due to a design flaw by the designer of record, Modjeski and Masters Inc. (MMI) because the flange thickness is less than the web thickness. According to MMI, the design is uncommon but one that can be fabricated using appropriate methods. The construction manager, the contractor and RTC staff are working to resolve the difference and complete the fabrication. Currently this is not a critical path item and there is some time available to get this issue resolved.

For the timber structures all of the timber components have been milled and are ready for shipping to begin construction as soon as the permits are secured.

**SUMMARY**

To allow access to the La Selva Beach trestle for construction, the La Selva Beach Improvement Association (LSBIA) requested a mutual easement agreement. Such agreement has been negotiated providing access to the RTC and its agents to the La Selva Beach trestle in exchange for an easement to the LSBIA to access the beach under the trestle from their parking lot. The efforts continue to secure the necessary permits to begin construction in August. Most of the La Selva Beach trestle components are currently being painted.

**Attachments:**

1. Mutual grant of easement and easement agreement with the La Selva Beach Improvement Association
MUTUAL GRANT OF EASEMENT AND EASEMENT AGREEMENT

The parties to this Mutual Grant of Easement and Easement Agreement ("Agreement") are the Santa Cruz County Regional Transportation Commission, a public agency created under California law ("RTC"), and the La Selva Beach Improvement Association, a California non-profit mutual benefit corporation ("Association").

WHEREAS, Association owns that certain real property commonly known as APN 045-161-05 ("Parking Lot Parcel") and APN 045-201-01 ("Beach Parcel") (together referred to as "Association Property"), as depicted on the attached Exhibit "A"; and

WHEREAS, RTC owns that certain real property commonly known as APN 045-201-16 and V72-4, No 3, which includes a portion of the RTC's La Selva Beach Trestle ("RTC Property"), also as depicted on the attached Exhibit "A"; and

WHEREAS, the RTC Property has been used and continues to be used for an operating railroad line under common carrier jurisdiction of the Surface Transportation Board; and

WHEREAS, the Santa Cruz & Monterey Bay Railway ("Operator") owns an easement over the RTC property for railroad freight operations and is responsible for inspection, maintenance and repair of RTC property; and

WHEREAS, the RTC Property separates the Association's Parking Lot Parcel and Beach Parcel; and

WHEREAS, Association has historically used an existing pathway located under the La Selva Beach Trestle and crossing over the RTC Property as a connection between the Parking Lot Parcel and the Beach Parcel; and

WHEREAS, the previous owners and operators of the RTC property and now the RTC and Operator have historically used portions of the Association Property for the purposes of access, inspection, repair and maintenance of the operating railroad; and
WHEREAS, Association and RTC desire to establish an accurate public record of the ongoing mutually beneficial uses of the Association Property and the RTC Property.

NOW, THEREFORE, the parties agree as follows:

1. **Grant of RTC Easement.** Association hereby grants to RTC, its operators, contractors, agents, employees upon full execution of this agreement, a non-exclusive easement for the purposes of inspection, construction, maintenance, repair, and replacement of the railroad tracks and trestle and such other utility facilities connected with the tracks or trestle that may need to be repaired or replaced in the future, over and across that portion of the Association Property as described and depicted in Exhibit “B”, attached hereto and incorporated herein by this reference (the “RTC Easement”), subject to all provisions of this Agreement.

2. **Grant of Association Easement.** RTC hereby grants to Association, for the use of its members and agents, upon full execution of this agreement, a non-exclusive easement for the purposes of ingress and egress across that portion of the RTC Property as described and depicted in Exhibit “C”, attached hereto and incorporated herein by this reference (the “Association Easement”), subject to all provisions of this Agreement.

3. **Mutual Indemnity.** Each party shall defend, indemnify, and save harmless the other party against all claims, demands, suits, damages, costs, expenses, losses, or liability, in law or in equity, of every kind and nature whatsoever, arising out of or resulting from the negligent acts or omissions of the indemnifying party (which shall include the indemnifying party’s officers, agents, employees or volunteers) in the performance of this agreement.

4. **Association Abandonment of Alternative Railroad Crossings.** Association hereby abandons, at full execution of this agreement, all other rights it may have to cross over the railroad or RTC Property as previously shown on parcel maps as a private road leading to the Beach Parcel.

5. **Association’s Right to Maintain Association Easement.** Association shall have the right, at its sole cost and expense, to maintain the Association Easement area, including repairs to pavement and retaining walls and control of gravel, dirt, sand, and other debris, provided that no maintenance activities shall impact the stability of safety of the railroad facilities or RTC Property. RTC and Operator shall have no responsibility to maintain the Association Easement area, except to the extent RTC’s inspection, maintenance, repair and replacement activities damage Association improvements in the Association Easement area.

6. **Gate Access / Site Security.** Association shall provide RTC with a key or combination to gate locks or allow RTC to place its own locks on gate in cooperation with other third parties who have such a need, such as the fire department. RTC shall be responsible for ensuring that the gate is locked at all times except when RTC’s employees or agents are entering and leaving. Subject to the following restrictions, RTC shall have access to the RTC Easement as follows:
   
   A. In the case of any emergency, RTC will have immediate access over the RTC Easement every day of the year at any time.
   
   B. In any case other than an emergency, RTC shall have access as needed for the purposes of the RTC Easement so long as such access shall not unreasonably interfere with the Association’s use of its property or the Association Easement of ingress and egress from the Parking Lot Parcel to the Beach Parcel.
C. In the event that RTC needs to interfere with the Association Easement in order to perform maintenance or repair or replacement activities on the railroad track or trestle, the RTC agrees as follows:

i. To notify the Association of its needs 30 days in advance of such interference;

ii. To work with the Association to minimize any interference with the Association’s use of the Easement Access and to prevent any damage or public safety danger to Association or its members;

iii. To repair and restore any damages to Association’s driveway or other improvements made by Association to its parcel or the Association Easement; and

iv. RTC and its agents shall keep Association’s property free of any liens arising out of work performed, materials furnished or obligations incurred by RTC and its agents.

7. Notification. Whenever in this agreement it shall be required or permitted that notice or demand be given or served by either party to this Lease to or on the other, such notice or demand shall be in writing, mailed or delivered to the other party at the following addresses:

To SCCRTC:
George A. Dondero, Executive Director
1523 Pacific Ave
Santa Cruz, California 95060
831-460-3200

To La Selva Beach Improvement Association:
President
La Selva Beach Improvement Association
314 Estrella
La Selva Beach, CA 95076

With copy to:
Ashley Winn
Law Office of Ashley M. Winn
11 Seascape Village
Aptos, CA 95003
831-684-2300

To Santa Cruz & Monterey Bay Railway:
STEPHEN J. HILL
CHIEF ENGINEER/ SC&MB RAILWAY
118 SOUTH CLINTON ST. SUITE 400
CHICAGO, IL 60661
(312) 384-0975
HillS@IowaPacific.com
Mailed notices shall be sent by United States Postal Service, certified or registered mail, postage prepaid and shall be deemed to have been given, delivered and received three (3) business days after the date such notice or other communication is posted by the United States Postal Service. All other such notices or other communications shall be deemed given, delivered and received upon actual receipt. Either party may, by written notice delivered pursuant to this provision, at any time designate a different address to which notices shall be sent.

8. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the parties and their successors and assigns and shall be and remain appurtenant to the RTC’s and Association’s Property and shall run with the land.

9. Merger Clause. This Agreement contains the sole and entire agreement of the parties with regard to the subject matter of this Agreement, and correctly sets forth the rights, duties and obligations of each to the other; any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are hereby superseded and are of no force or effect.

10. Captions. All captions and headings in this Agreement are for the purpose of reference and convenience only and shall not limit or expand the meanings of the provisions of this Agreement.

11. Jurisdiction. This Agreement shall be interpreted and enforced pursuant to the laws of the State of California.

12. Counterparts Clause. This Agreement and any subsequent amendments may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]
IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first written.

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Please see attached Notary Certificate
EXHIBIT “B-1”

ACCESS EASEMENT

SITUATE in the Unincorporated Area of the County of Santa Cruz, State of California and within San Andreas Rancho

BEING an easement for ingress and egress for the purpose of railroad maintenance, 13 feet in width, over a “Private Beach Park” as shown on that map titled “Tract No. 1 – La Selva Beach” filed in Volume 26 of Maps, at Page 2, Santa Cruz County Records, and over the lands of La Selva Beach Recreation District of the County of Santa Cruz, State of California, (now the La Selva Beach Improvement Association) as described in Volume 1250 of Official Records, at Page 496, Santa Cruz County Records, the centerline of which is described as follows:

BEGINNING at a ½ inch iron pipe, tagged LS 5513, located at the intersection of the Northwesterly line of said Private Beach Park and the Northerly line of Southern Pacific Railroad (now the lands of the Santa Cruz County Regional Transportation Commission) as shown on that map filed in Volume 85 of Maps, at Page 7, Santa Cruz County Records, from which an “old spike in root” on the Southerly line of Lot H shown on said map bears North 37° 28’20” East, a distance of 343.64 feet;

thence along the Northerly line of the lands of the Santa Cruz County Regional Transportation Commission, South 46° 55’ 00” East, a distance of 6.50 feet, to the TRUE POINT OF BEGINNING;

thence along the following courses and distances:

1. North 46° 49’ 00” East, a distance of 41.83 feet, to a tangent curve to the right having a radius of 25 feet,

2. thence along said curve to the right, through an angle of 79° 28’10”, an arc length of 34.68 feet;

3. thence South 53° 42’50” East, a distance of 34.44 feet, to a tangent curve to the right having a radius of 100 feet;

4. thence along said curve to the right, through an angle of 27° 36’ 27”, an arc length of 48.18 feet;

5. thence South 26° 06’ 22” East, a distance of 174.64 feet, to the common line between said Private Beach Park and said lands of La Selva Beach Improvement Association;

6. thence South 26° 06’ 22” East, a distance of 10.48 feet, to a tangent curve to the left having a radius of 200 feet;
7. thence along said curve to the left, through an angle of 07° 45' 33", an arc length of 27.08 feet;

8. thence South 33° 51' 55" East, a distance of 43.57 feet, to a tangent curve to the left having a radius of 20 feet;

9. thence along said curve to the left, through an angle of 92° 24' 52", an arc length of 32.26 feet;

10. thence North 53° 43' 13" East, a distance of 9.13 feet, to the Southerly line of Margarita Road as shown on said map titled “Tract No. 1 – La Selva Beach” filed in Volume 26 of Maps, at Page 2, Santa Cruz County Records,

the sidelines of said 13 foot wide easement to be extended or shortened to meet at angle points and to terminate at the Northerly line of the lands of the Santa Cruz County Regional Transportation Commission and the Southerly line of Margarita Road

and CONTAINING approximately 5483 square feet, more or less

END OF DESCRIPTION.

La Selva Beach Access Easement to RTC railroad property
EXHIBIT "C-1"

ACCESS EASEMENT

SITUATE in the Unincorporated Area of the County of Santa Cruz, State of California and within San Andreas Rancho

BEING an easement for ingress and egress, 13 feet in width, over the lands of Southern Pacific Railroad (now the Santa Cruz County Regional Transportation Commission) as shown on that map filed Volume 85 of Maps, at Page 7, Santa Cruz County Records, the centerline of which is described as follows:

BEGINNING at a ½ inch iron pipe, tagged LS 5513, located at the intersection of the Northwesterly line of said Private Beach Park and the Northerly line of Southern Pacific Railroad (now the lands of the Santa Cruz County Regional Transportation Commission) as shown on that map filed in Volume 85 of Maps, at Page 7, Santa Cruz County Records, from which an "old spike in root" on the Southerly line of Lot H shown on said map bears North 37° 28'20" East, a distance of 343.64 feet;

thence along the Northerly line of the Santa Cruz County Regional Transportation Commission, South 46° 55' 00" East, a distance of 6.50 feet, to the TRUE POINT OF BEGINNING;

thence along the following courses and distances:

1. South 43° 36' 31" West, a distance of 37.09 feet;

2. thence South 29° 57'23" West, a distance of 44.07 feet, to the southerly line of the lands of the Regional Transportation Commission of Santa Cruz County

the sidelines of said 13 foot wide easement to be extended or shortened to meet at angle points and to terminate at the Northerly and Southerly lines of the lands of the Santa Cruz County Regional Transportation Commission

and CONTAINING approximately 1,055 square feet, more or less

END OF DESCRIPTION.

La Selva Beach Access Easement over RTC railroad property
AGENDA: June 26, 2014

TO: Regional Transportation Commission (RTC)

FROM: Ginger Dykaar, Transportation Planner and Grace Blakeslee, Transportation Planner

RE: Adoption of the 2014 Santa Cruz County Regional Transportation Plan (RTP) and Corresponding Environmental Documents

RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission:

1. Receive the Final Environmental Impact Report for the 2014 Santa Cruz County Regional Transportation Plan (Attachment 1, enclosed separately for Commissioners and available on the RTC website);

2. Approve the resolution adopting the Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program as required by CEQA Guidelines (Attachment 2); and,

3. Adopt the 2014 Santa Cruz County Regional Transportation Plan (Attachment 3- enclosed separately for Commissioners and available on the RTC website).

BACKGROUND

As required by the state, the RTC has prepared the 2014 Santa Cruz County Regional Transportation Plan (RTP). This plan describes the existing transportation system, forecasts the amount of funding anticipated for transportation projects, and identifies transportation programs and projects to advance the region’s goals over the next 22 years. The RTC voluntarily adopted a sustainability framework for the 2014 RTP using the Sustainable Transportation Analysis and Rating System (STARS). Projects identified in the RTP include maintenance of and improvements to local roadways, highways, bicycle and pedestrian facilities, transit service, rail, specialized transportation for seniors and people with disabilities, and transportation demand management programs. Projects were selected using measurable targets that support sustainability goals including access, greenhouse gas emission reduction, economic vitality, health, safety, travel time reliability, equity, and maintenance of the existing transportation network. The draft 2014 Santa Cruz County Regional Transportation Plan (RTP) was released for public review on February 12, 2014. Comments on the draft RTP were due April 8, 2014.
The Commission held a public hearing on the draft RTP on March 6, 2014. The RTC reviewed comments received and changes for the final draft RTP on May 1, 2014.

AMBAG is the lead agency for the preparation of the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy Environmental Impact Report (MTP/SCS EIR), which collectively details the potential environmental impacts of the three regional transportation plans (Santa Cruz County, San Benito County, and Monterey County) and serves as the EIR for the 2014 Santa Cruz County RTP.

**DISCUSSION**

**Environmental Impact Report**

Environmental review for the 2014 Santa Cruz County Regional Transportation Plan is included in the 2035 Metropolitan Transportation Plan/Sustainable Communities (MTP/SCS) Final Environmental Impact Report. As a programmatic document, the 2035 MTP/SCS EIR presents a region-wide assessment of the impacts of the proposed 2035 MTP/SCS and evaluates the potential environmental effects of implementing the 2014 Santa Cruz County RTP, including alternative transportation investment scenarios, and identifies mitigation measures.

A 55-day public review period for the Draft EIR concluded on April 8, 2014. The Draft EIR was widely circulated and reviewed by RTC advisory committees. Two public hearings on the Draft EIR were held on March 4 and March 6 in Watsonville and Santa Cruz, respectively. The full document can be found on the SCCRTC website at [http://www.sccrtc.org/2014-rtp](http://www.sccrtc.org/2014-rtp).

As the lead agency under CEQA for the 2035 MTP/SCS EIR, AMBAG certified the Final EIR (Attachment 1) at the June 11, 2014 AMBAG Board Meeting. The Final EIR consists of: the Draft EIR as revised in response to comments, Appendices A-J, and comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies commenting on the Draft EIR, responses to significant points raised in the review and consultation process and other information. As a responsible agency under CEQA, prior to approving the 2014 Santa Cruz County RTP, the RTC should consider all information pertaining to the EIR, receive the Certified Final Environmental Impact Report and consider adoption of the CEQA Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program required by CEQA.

Details regarding the potential environmental impacts of the 2014 Santa Cruz County RTP are available in the Findings and Statement of Overriding Considerations (Attachment 2: Exhibit A). The Findings of Fact described the environmental impacts of the 2014 Santa Cruz County RTP. The Statement of Overriding Considerations provides specific reasons why the benefit of a proposed project outweighs the adverse effect including discussion of the social, economic and environmental benefits of the project and why alternatives, although feasible
from a technical standpoint, are rejected. In order to mitigate or avoid potential significant impacts, a Mitigation Monitoring and Reporting Program (Attachment 2: Exhibit A) has been developed, which identifies the action required, the monitoring that must occur, and the agency responsible for mitigation activities either during individual environmental review, prior to issuance of a grading permit, during project construction or following construction.

**RTC staff recommends that the RTC receive the Final EIR and approve a resolution adopting the Findings, a Statement of Overriding Considerations, and Mitigation and Monitoring and Reporting Program required by CEDA consistent with the Environmental Impact Report certified by AMBAG on June 11, 2014 (Attachment 2).**

**Regional Transportation Plan**

The 2014 RTP is different this time around in three significant ways.
1. There is a focus on sustainability. The 2014 RTP considers not only congestion, safety and maintenance needs but also access, economic vitality and public and environmental health.
2. There is a state mandate through Senate Bill 375 to reduce greenhouse gas emissions from transportation.
3. The plan assesses performance for advancing sustainability goals.

Extensive outreach has occurred throughout the development of the plan to get input on the 2014 RTP. RTC staff sought input from the Regional Transportation Commission (RTC) and RTC committees, project sponsors, partner agencies, resource agencies, city council members, county board of supervisors and the public at numerous key milestones in the form of surveys, email notices and public meetings. Comments approved by RTC on May 1, 2014 have been incorporated into the final draft 2014 Santa Cruz County Regional Transportation Plan. The full document can be found on the SCCRTC website at [http://www.sccrtc.org/2014-rtp](http://www.sccrtc.org/2014-rtp).

**RTC staff recommends that the RTC approve the attached resolution adopting the 2014 Santa Cruz County Regional Transportation Plan (Attachment 4).**

**Next Steps**
Following Commission action, staff will input any final changes, reprint, and distribute the adopted RTP to the state, partner agencies, commissioners, and major libraries. If the project is approved by the RTC, a Notice of Determination for approval of the 2014 Santa Cruz County RTP will be filed with the Santa Cruz County Clerk of the Board.

**SUMMARY**
The RTC has prepared a 2014 Santa Cruz County Regional Transportation Plan which identifies long-range funding and transportation needs and priorities for the
region. RTC staff recommends that the RTC receive the Final EIR and adopt a CEQA Findings, a Statement of Overriding Considerations, and Mitigation and Monitoring and Reporting Program related to the Environmental Impact Report certified by AMBAG on June 11, 2014 (Attachment 1). Staff recommends that the RTC approve the resolution adopting the 2014 Santa Cruz County Regional Transportation Plan (Attachment 4).

Attachments:
1. Final EIR for the 2014 Santa Cruz County RTP- Enclosed separately for Commissioners and available on the RTC website http://www.sccrtc.org/2014-rtp
2. 2014 Santa Cruz County RTP EIR Resolution
4. 2014 Santa Cruz County RTP Resolution
5. Comments on Final Draft 2014 Santa Cruz County RTP
RESOLUTION NO.

Adopted by the Santa Cruz County Regional Transportation Commission
on the date of June 26, 2014
on the motion of Commissioner
duly seconded by Commissioner

A RESOLUTION ADOPTING CEQA FINDINGS, A STATEMENT OF OVERRIDING
CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM
RELATED TO THE ENVIRONMENTAL IMPACT REPORT CERTIFIED BY THE
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS FOR THE 2014 SANTA CRUZ
COUNTY REGIONAL TRANSPORTATION PLAN

WHEREAS, the Santa Cruz County Regional Transportation Commission is the state-designated Regional Transportation Planning Agency (RTPA) for Santa Cruz County; and

WHEREAS, California Government Code Section 65080 (c) requires that each RTPA adopt and submit an updated Regional Transportation Plan to the California Transportation Commission and the Department of Transportation every five years in non-urban regions; and

WHEREAS, the Santa Cruz County Regional Transportation Plan has been prepared in accordance with California Transportation Commission 2010 Regional Transportation Plan Guidelines, pursuant to Government Code, Section 14522; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Res. Code, §21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. §15000 et seq.), the Association of Monterey Bay Area Governments (AMBAG) is the lead agency for the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) and Regional Transportation Plan for Monterey, San Benito and Santa Cruz County Environmental Impact Report (EIR), which incorporates the 2014 Santa Cruz County Regional Transportation Plan; and

WHEREAS, AMBAG has overseen, in coordination with the Santa Cruz County Regional Transportation Commission, the Transportation Agency for Monterey County and San Benito County Council of Governments the preparation of the EIR for each County’s Regional Transportation Plans; and

WHEREAS, AMBAG was designated the Santa Cruz County Regional Transportation Plan EIR lead agency by Santa Cruz County Regional Transportation Commission; and

WHEREAS, AMBAG has prepared and certified the Program EIR (SCH# 2013061052) for the 2035 MTP/SCS, which incorporates the 2014 Santa Cruz County Regional Transportation Plan, in compliance with CEQA; and
WHEREAS, the Santa Cruz County Regional Transportation Commission acknowledges that implementation of the 2014 Santa Cruz County Regional Transportation Plan would result in significant environmental impacts, as identified in the Final EIR; and

WHEREAS, CEQA Findings have been prepared in compliance with Public Resources Code §§21081 and CEQA Guidelines Section §15091 for every significant impact of the 2014 Santa Cruz County Regional Transportation Plan identified in the EIR and for each alternative evaluated in the EIR, including an explanation of the rationale for each finding (attached hereto as Exhibit A); and

WHEREAS, the 2014 Santa Cruz County Regional Transportation Plan will have significant impacts that cannot be avoided or substantially lessened, and a Statement of Overriding Considerations has been prepared in compliance with Public Resources Code §21081 and CEQA Guidelines §15093 (attached hereto as Exhibit A), which concludes that specific economic, legal, social, technological, and other benefits of the 2014 Santa Cruz County Regional Transportation Plan outweigh the significant and unavoidable impacts identified in the EIR; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097 (attached hereto as Exhibit A) to ensure implementation of the mitigation measures identified in the Final EIR; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, prior to taking action on the Project, the Santa Cruz County Regional Transportation Commission has considered all of the information in the EIR administrative record pertaining to the 2014 Santa Cruz County Regional Transportation Plan, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings;

NOW BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION:

1. The Santa Cruz County Regional Transportation Commission accepts that the Final EIR consists of: (1) the Final EIR (2) all appendices to the Final EIR (Appendices A-B); and (3) comments and recommendations received on the Draft EIR, a list of persons, organizations, and public agencies commenting of the Draft EIR, responses to significant environmental points raised in the review and consultation process, and other information (Appendix C);

2. The Santa Cruz County Regional Transportation Commission makes and adopts the Findings required in CEQA Guidelines §15091, which are attached hereto and included in Exhibit A and incorporated fully by this reference;

3. The Santa Cruz County Regional Transportation Commission adopts the Statement of Overriding Considerations as required by CEQA Guidelines §15093, which is attached hereto and included in Exhibit A and incorporated fully by this reference; and,
4. The Santa Cruz County Regional Transportation Commission adopts the Mitigation Monitoring and Reporting Program as required by CEQA Guidelines §15097, which is attached hereto as Exhibit A and incorporated fully by this reference.

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSTAIN: COMMISSIONERS
ABSENT: COMMISSIONERS

Eduardo Montesino, CHAIR
Santa Cruz County Regional Transportation Commission

ATTEST:

George Dondero, SECRETARY
Santa Cruz County Regional Transportation Commission

Exhibit A: CEQA Findings, Statement of Overriding Consideration, Mitigation Monitoring and Reporting Program

Distribution: Santa Cruz County Clerk of the Board
RTC Planner
AMBAG

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RESOLUTION NO.

Adopted by the Santa Cruz County Regional Transportation Commission
on the date of June 26, 2014
on the motion of Commissioner
duly seconded by Commissioner

A RESOLUTION ADOPTING THE 2014 SANTA CRUZ COUNTY
REGIONAL TRANSPORTATION PLAN

WHEREAS, the Santa Cruz County Regional Transportation Commission (RTC) is the state-designated Regional Transportation Planning Agency (RTPA) for Santa Cruz County; and

WHEREAS, California Government Code Section 65080 (c) requires that each RTPA adopt and submit an updated Regional Transportation Plan to the California Transportation Commission and the Department of Transportation every five years in non-urban regions; and

WHEREAS, the Commission has prepared a 2014 Santa Cruz County Regional Transportation Plan which describes goals and policies, financial projections, and programs and projects to be prioritized by the Commission, local jurisdictions, and local, state and regional agencies through 2035; and

WHEREAS, the Regional Transportation Plan was prepared through the conduct of a continuing, comprehensive and coordinated transportation planning process in conformance with all applicable state and federal requirements; and

WHEREAS, the Regional Transportation Plan has been prepared in accordance with California Transportation Commission 2010 Regional Transportation Plan Guidelines, pursuant to Government Code, Section 14522; and

WHEREAS, the required consultation with other agencies was conducted and adequate opportunity for public review and comment was provided, in accordance with state and federal law and consistent with the region’s public participation plan, including, but not limited to wide circulation and review by RTC advisory committees representing project sponsors and transportation stakeholders; representatives of State and Federal governmental agencies; representatives of special interest groups; representatives of the private business sector; and residents of Santa Cruz County; and

WHEREAS, a public hearing was conducted on March 6, 2014 to hear and consider comments on the 2014 Santa Cruz County Regional Transportation Plan; and

WHEREAS, the Regional Transportation Plans for Santa Cruz, San Benito and Monterey Counties are compiled within the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy prepared by the Association of Monterey Bay Area Governments; and

WHEREAS, the environmental impacts of the 2014 Santa Cruz County Regional Transportation Plan are analyzed as part of the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy and Regional Transportation Plans for Monterey, San Benito and Santa Cruz County EIR, prepared by AMBAG as the lead agency and reviewed by RTC as responsible agency, with RTC making
appropriate findings;

WHEREAS, the North Central Coast Air Basin, within which Santa Cruz County is located, meets Federal Criteria Pollutant Ambient Air Quality Standards, is in Attainment Status for these standards, and is therefore exempt from a Clean Air Act conformity analysis.

WHEREAS, the nature of the action being taken would not, in and of itself, directly cause any environmental impacts, since the action of adopting the RTP alone does not alone enable programs and projects to proceed;

NOW BE IT RESOLVED BY THE SANTACRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION:

1. The 2014 Santa Cruz County Regional Transportation Plan is hereby adopted following certification of the Final EIR by the Association of Monterey Bay Area Governments and the adoption of the Final EIR Findings, Statement of Overriding Consideration, and Mitigation Monitoring Reporting Program by the Santa Cruz County Regional Transportation Commission.

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSTAIN: COMMISSIONERS
ABSENT: COMMISSIONERS

______________________________
Eduardo Montesino, CHAIR

ATTEST:

______________________________
George Dondero, SECRETARY

Distribution: AMBAG, Caltrans, CTC, SCMTD, Cities, County, FHWA

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CEQA FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION TO CEQA FINDINGS

These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the Board of Directors for the Santa Cruz County Regional Transportation Commission as a responsible agency for the 2035 Metropolitan Transportation Plan and Sustainable Communities Strategy (“2035 MTP/SCS,”) and as approving body for the 2014 Regional Transportation Plan for Santa Cruz County (“2014 SC-RTP”, collectively with the 2035 MTP/SCS, “Project”). These findings pertain to the Final Environmental Impact Report (“EIR”) SCH #2013061052.

A. PROJECT DESCRIPTION SUMMARY

The proposed Project by the Association of Monterey Bay Area Governments (AMBAG) is the Metropolitan Transportation Plan and Sustainable Communities Strategy (MTP/SCS), which is a long range planning document required by both State and Federal law and is an update of the 2010 AMBAG MTP. It contains a compilation of Regional Transportation Plans (RTPs) for Monterey, San Benito, and Santa Cruz Counties and is used to achieve a coordinated and balanced regional transportation system. The Metropolitan Transportation Plan is organized into seven chapters, plus an executive summary, as follows: Chapter 1-Vision, Chapter 2 – Transportation Investments, Chapter 3 – Financial Plan, Chapter 4 – Sustainable Communities Strategy, Chapter 5 – Performance Measures, Chapter 6 – Public Participation, Chapter 7 – Glossary. Of the seven chapters of the 2035 MTP/SCS, Chapters 1, 2, and 4 are those with the potential to create physical changes to the environment.

For the first time, AMBAG now also has the responsibility to prepare a Sustainable Communities Strategy (SCS) as part of the MTP, pursuant to the requirements of California Senate Bill 375 as adopted in 2008. The SCS sets forth a forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, is intended to reduce greenhouse gas (GHG) emissions from passenger vehicles and light duty trucks to achieve the regional GHG reduction targets set by the California Air Resources Board (CARB).

The 2014 Santa Cruz County Regional Transportation Plan (2014 SC-RTP) is a component of the 2035 MTP/SCS and has goals and guidelines consistent with the 2035 MTP/SCS, except that the 2014 SC-RTP applies only to Santa Cruz County and not to Monterey or San Benito counties. Both the 2014 SC-RTP and the 2035 MTP/SCS include long-term horizons that reflect regional needs, identify regional transportation issues and problems, and develop and evaluate solutions that incorporate all modes of travel. The 2014 SC-RTP is organized into nine chapters, plus an executive summary, as follows: Chapter 1-Why Sustainability, Chapter 2-Transportation Network, Chapter 3-Travel Patterns, Chapter 4-Vision (Policy Element), and Chapter 5- Funding Our Transportation System (Financial Element), Chapter 6- Transportation Investment (Action Element), Chapter 7- System Performance, Chapter 8- Environmental Review, Chapter 9 – What’s Next. Transportation system improvement projects identified in the 2014 SC-RTP include: highway/roadway projects; bus rapid transit and rail projects; active transportation (bicycle and pedestrian projects); transportation demand management, transportation system management and intelligent transportation system (ITS) projects; and aviation projects.
The 2035 MTP/SCS and 2014 SC-RTP would be implemented with several other existing AMBAG and Santa Cruz County Regional Transportation Commission Program programs designed to reduce adverse impacts to transportation resources, air quality, greenhouse gas (GHG) emissions, and energy. These are described in Section 2.6 of the Final EIR, and include, but are not limited to, the Regional Vanpool Program, the AMBAG Energy Watch Program, the Electric Vehicle Infrastructure Master Plan for the Monterey Bay Area, Commute Solutions Rideshare Program, development of Park and Ride lots, Bike to Work/School Day, and Motor Assistance Program.

B. TYPE OF EIR

The 2035 MTP/SCS and RTPs for Monterey County, San Benito and Santa Cruz County EIR ("the EIR") is a Program EIR. A Program EIR is prepared for a series of actions that can be characterized as one project. An advantage of a Program EIR is that it allows the lead agency to consider broad policy alternatives and “program wide mitigation measures” at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts. (CEQA Guidelines §15168(b)(4).) The Program EIR can serve as a first-tier document for later CEQA review of individual projects included in the program. These project-specific CEQA reviews will focus on project-specific impacts and mitigation measures, and need not repeat the broad analyses contained in the Program EIR. As discussed by the California Supreme Court, “it is proper for a lead agency to use its discretion to focus a first-tier EIR on only the…program, leaving project-specific details to subsequent EIRs when specific projects are considered.” (In re Bay Delta (2008) 43 Cal. 4th 1143, 1174).

C. INCORPORATION OF FINAL EIR BY REFERENCE

The Final EIR, consisting of: (1) the Final EIR volume, which is a complete revision of the Draft EIR; (2) all appendices to the Final EIR and (3) comments and recommendations received on the Draft EIR, a list of persons, organizations, and public agencies commenting of the Draft EIR, AMBAG’s responses to significant environmental points raised in the review and consultation process, and other information is hereby incorporated by reference into these Findings.

D. REQUIREMENTS FOR CEQA FINDINGS

Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers,
make infeasible the mitigation measures or alternatives identified in the environmental impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the Project’s underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. (See City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410; California Native Plant Society v. City of Santa Cruz (2009) 177 Cal.App.4th 957.))

As required by CEQA Guidelines Section 15096(h), through this document, the Santa Cruz County Regional Transportation Commission has made one or more of these specific written findings regarding each significant impact associated with the 2035 MTP/SCS, including the 2014 SC-RTP. Those findings are presented below, along with a presentation of facts in support of the findings. The Board certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed. These findings are based on evidence contained in the totality of the administrative record before the Board, including but not limited to the Final EIR “supporting evidence” cited herein.
II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which these Findings of Fact are based are located at 455 Reservation Road, Suite G, Marina, California. The custodian of these documents is AMBAG. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15091(e).

For purposes of CEQA at these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by AMBAG and in conjunction with the Project.
- The Draft and Final EIRs, including appendices and technical studies included or referenced in the Draft and Final EIRs.
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR.
- All comments and correspondence submitted to AMBAG with respect to the Project.
- The MMRP for the Project.
- All Findings and resolutions adopted by AMBAG decision makers in connection with the Project, and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by RBF and Rincon, consultants to AMBAG.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the Project.
- All documents and information submitted to AMBAG by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the Project, up through the date the AMBAG Board of Directors approved the Project.
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by AMBAG, in connection with the Project.
- Any documentary or other evidence submitted to AMBAG at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to AMBAG, including, but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code § 21167.6(e).
III. FINDINGS FOR IMPACTS IDENTIFIED AS INSIGNIFICANT (Class III)

Public Resources Code § 21081 and CEQA Guidelines § 15091 do not require findings of fact for impacts that are less than significant. Nevertheless, for the sake of completeness, the Santa Cruz County Regional Transportation Commission Board of Directors hereby finds that the following environmental impacts of the 2035 MTP/SCS and 2014 SC-RTP either have no impact or are less than significant. These findings are based on the discussion of impacts in the detailed issue area analyses in Section 4.0 of the EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant (CEQA Guidelines § 15126.4(a)(3)).

Section 4.13 of the EIR explains why certain impacts were not found to be significant and therefore were not discussed in detail in the EIR, pursuant to CEQA Guidelines Section 15128. In addition, the findings below are for Class III impacts. Class III impacts are impacts that are adverse, but are less than significant.

A. AIR QUALITY (CLASS III)

1. Impact AQ-2. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would reduce emissions of ozone precursors as compared to existing conditions as defined by the 2035 MTP/SCS and 2014 SC-RTP 2010 baseline or the 2012 Triennial Plan Revision baseline and as compared to the future ‘no project scenario.’ PM\textsubscript{10} emissions would slightly increase, but the increase would be less than significant because there would be no interference with the attainment of state and federal air quality standards. Therefore, long-term operational impacts would be Class III, less than significant.

   a. Mitigation – No mitigation is required.

   b. Findings – The operational impacts of the 2035 MTP/SCS and 2014 SC-RTP on the attainment of state and federal air quality standards are less than significant.

   c. Supportive Evidence - Please refer to pages 4.2-16 through 4.2-17 of the Final EIR.

2. Impact AQ-4. Re-entrained dust has the potential to increase airborne PM\textsubscript{10} and PM\textsubscript{2.5} levels in Monterey, San Benito and Santa Cruz counties. The increase in growth expected through the 2035 MTP/SCS and 2014 SC-RTP planning horizon would result in additional vehicle miles traveled, which would add to the PM\textsubscript{10} and PM\textsubscript{2.5} levels in the area. However, re-entrained dust levels would be lower with the 2035 MTP/SCS and 2014 SC-RTP than under the ‘no project scenario.’ In addition, with implementation of MBUAPCD control measures to reduce such emissions, increases in airborne PM\textsubscript{10} and PM\textsubscript{2.5} levels impacts would be a Class III impact, less than significant.

   a. Mitigation – No mitigation is required.

   b. Findings – With implementation of planned Monterey Bay Unified Air Pollution Control District (MBUAPCD) control measures to reduce emissions of PM\textsubscript{10} and PM\textsubscript{2.5}, impacts would be less than significant.
c. **Supportive Evidence** - Please refer to pages 4.2-21 through 4.2-23 of the Final EIR.

3. **Impact AQ-5.** Since the MBUAPCD 2012 Triennial Plan Revision was prepared before the more recent socioeconomic growth assumptions that are used in the 2035 MTP/SCS and 2014 SC-RTP were adopted, the 2035 MTP/SCS and 2014 SC-RTP growth assumptions and forecast horizon are not consistent with those in the Triennial Plan Revision. However, since the 2035 MTP/SCS and 2014 SC-RTP reduce emissions of ozone precursors to levels below those identified in the Triennial Plan Revision, it would not conflict with or obstruct implementation of the Triennial Plan Revision; and therefore, impacts would be Class III, *less than significant.*

a. **Mitigation** – No mitigation is required.

b. **Findings** – The 2035 MTP/SCS would be consistent with the Triennial Plan Revision.

c. **Supportive Evidence** - Please refer to pages 4.2-23 through 4.2-24 of the Final EIR.

B. **ENERGY (CLASS III)**

1. **Impact E-1.** Future transportation improvement projects and implementation of the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP would increase demand for energy beyond existing conditions. However, the 2035 MTP/SCS and 2014 SC-RTP would not result in inefficient, unnecessary, or wasteful direct or indirect consumption of energy, and would be consistent with applicable federal, state, and local energy conservation policies. As such, this impact would be considered Class III, *less than significant.*

a. **Mitigation** – No mitigation is required.

b. **Findings** – Impacts would be less than significant without mitigation

c. **Supportive Evidence** – Please refer to pages 4.5-9 through 4.5-14 of the Final EIR.

2. **Impact E-2.** 2035 MTP/SCS and 2014 SC-RTP projects would not significantly impact the transportation of energy resources within the region. This impact would be Class III, *less than significant.*

a. **Mitigation** – No mitigation is required.

b. **Findings** – Truck transportation safety is a consideration in the design of all highway and roadway construction, and all transportation improvements pursuant to the 2035 MTP/SCS and 2014 SC-RTP would comply with federal, state, and local regulations that govern transportation safety; therefore, this impact would be less than significant.

c. **Supportive Evidence** – Please refer to page 4.5-14 of the Final EIR.
C. ENVIRONMENTAL JUSTICE (CLASS III)\(^1\)

1. **Impact EJ-1.** Implementation of the 2035 MTP/SCS and 2014 SC-RTP may cause adverse effects on a minority or low income population; however, these potential impacts would not be disproportionately high as per Executive Order 12898 regarding environmental justice. This would be a Class III, *less than significant* impact.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – Programmed and planned projects proposed in the 2035 MTP/SCS and 2014 SC-RTP would not disproportionately expose minority populations, low income population or low mobility populations to adverse environmental impacts. Impacts would be less than significant.

   c. **Supportive Evidence** - Please refer to pages 4.6-14 through 4.6-16 of the Final EIR.

2. **Impact EJ-2.** The mobility benefits derived from the 2035 MTP/SCS and 2014 SC-RTP related to travel accessibility by transit, single occupancy vehicles, bicycling or walking will not be less for minority populations and low income populations in the AMBAG region than for the population as a whole. This impact would be Class III, *less than significant*.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – The 2035 MTP/SCS and 2014 SC-RTP would improve mobility for minority populations and Environmental Justice communities, as well as non-minority populations.

   c. **Supportive Evidence** - Please refer to pages 4.6-16 through 4.6-17 of the Final EIR.

D. GREENHOUSE GAS EMISSIONS (CLASS III)

1. **Impact GHG-2.** Implementation of the 2035 MTP/SCS and 2014 SC-RTP would not result in a significant increase in per capita GHG emissions from the transportation sector compared to both 2010 baseline and future ‘no project’ conditions. In addition, the 2035 MTP/SCS and 2014 SC-RTP would not result in a significant increase in total GHG emissions from the transportation sector compared to future ‘no project’ conditions. Impacts would be Class III, *less than significant*.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – The 2035 MTP-SCS would result in decreased per capita emissions from the transportation sector compared to both 2010 baseline and future ‘no project’ conditions. Therefore, impacts would be less than significant. In addition, the 2035 MTP/SCS and 2014 SC-RTP would not result in a significant increase in total GHG emissions from the transportation sector compared to future ‘no project’ conditions.

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\(^1\) Environmental justice impacts are socioeconomic impacts for which EIR analysis and CEQA findings are not required. (See CEQA Guidelines Sections 15064(e), 15131.) Environmental justice discussions are included in the 2035 MTP/SCS EIR and findings document for informational purposes only.
c. **Supporting Evidence** – Please refer to pages 4.8-15 through 4.8-17 of the Final EIR.

2. **Impact GHG-3.** Implementation of the 2035 MTP/SCS and 2014 SC-RTP would not interfere with the GHG emissions reduction goals of AB 32 or SB 375. Impacts would be Class III, *less than significant*.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – Implementation of the 2035 MTP/SCS and 2014 SC-RTP would help the region achieve its SB 375 emissions reduction targets, and therefore would help achieve AB 32’s 2020 emissions reductions target. Therefore, impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to pages 4.8-17 through 4.8-18 of the Final EIR.

3. **Impact GHG-4.** Implementation of the 2035 MTP/SCS and 2014 SC-RTP would not interfere with the goals of applicable GHG reduction plans and policies, including the adopted climate action plans for Monterey County, the City of Monterey, the City of Santa Cruz, and the City of Gonzales, as well as AB 32 and SB 375. Impacts would be Class III, *less than significant*.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – Since the 2035 MTP/SCS and 2014 SC-RTP are consistent with the goals of AB 32, it would not conflict with the goals of local reduction plans designed to meet the same state goals. Impacts would be less than significant.

   c. **Supporting Evidence** – Please refer to pages 4.8-18 through 4.8-19 of the Final EIR.

E. **LAND USE (CLASS III)**

1. **Impact LU-2.** The 2035 MTP/SCS and 2014 SC-RTP would be consistent with applicable adopted State and local goals, policies, and regulations. This impact would be Class III, *less than significant*.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – The 2035 MTP/SCS and 2014 SC-RTP and associated programmed or planned projects are generally consistent with local and regional plans and policies. Additionally the 2035 MTP/SCS and 2014 SC-RTP include policies for encouraging consistency with other State, regional, and local policies. Impacts regarding consistency with applicable plans and policies would be Class III, less than significant.

   c. **Supportive Evidence** – Please refer to pages 4.10-8 through 4.10-10 of the Final EIR.
2. **Impact LU-5.** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP could redistribute residential and commercial development; however, the 2035 MTP/SCS and 2014 SC-RTP projects that are included in local General Plans would not significantly induce growth beyond that already projected and anticipated, as the primary purpose of proposed improvements is to accommodate projected growth. This is a Class III, *less than significant*, impact.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – The land use pattern envisioned by the 2035 MTP/SCS and 2014 SC-RTP would generally result in modification of existing transportation facilities within existing highway roadway, or railroad rights-of-way and would encourage infill development and development near existing transportation corridors. Infill projects would not necessarily result in significant new population growth within these jurisdictions; rather they would accommodate anticipated growth and concentrate it within existing urban cores instead of on the periphery of urban areas or within rural or semi-rural areas. Therefore, population growth impacts would be less than significant.

   c. **Supportive Evidence** – Please refer to pages 4.10-13 through 4.10-14 of the Final EIR.

F. **TRANSPORTATION AND CIRCULATION (CLASS III)**

1. **Impact T-1.** Implementation of the 2035 MTP/SCS and 2014 SC-RTP would improve total vehicle miles traveled, overall delay as defined by total peak period congested vehicle miles traveled, when compared to 2035 conditions without the 2035 MTP/SCS and 2014 SC-RTP. For informational purposes, the EIR compared VMT and congested VMT under the 2035 MTP/SCS and 2014 SC-RTP to existing conditions, as well as to 2035 no project conditions. Impacts would be Class III, *less than significant*.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** – Overall, the 2035 MTP/SCS and 2014 SC-RTP would result in many performance improvements in the overall transportation system. It would not conflict with measures of effectiveness for the performance of the regional circulation system. Thus, impacts would be *Class III, less than significant*.

   c. **Supporting Evidence** – Please refer to pages 4.12-16 through 4.12-20 of the Final EIR

2. **Impact T-2.** The 2035 MTP/SCS and 2014 SC-RTP would generally be consistent with applicable alternative transportation plans and policies. This is a Class III, *less than significant* impact.

   a. **Mitigation** – No mitigation is required.

   b. **Findings** –
**Transit.** Improvements would result from both the SCS land use scenario emphasis on infill and TOD development, and implementation of additional transit services and facilities. These improvements would be consistent with the general performance standards of the various transit authorities. Impacts would be less than significant.

**Bicycle and Pedestrian Facilities.** The 2035 MTP/SCS and 2014 SC-RTP is generally consistent with applicable plans and policies. In addition, AMBAG consulted with member agencies during preparation of the 2035 MTP/SCS and 2014 SC-RTP to ensure consistency with local plans. Impacts would be less than significant.

**Rail Transportation.** Implementation of the 2035 MTP/SCS and 2014 SC-RTP would be consistent with TAMC and SCCRTC goals and policies to expand such rail services; and therefore, impacts would be less than significant.

**Aviation.** Implementation of the aviation-related improvement projects identified in the 2035 MTP/SCS and 2014 SC-RTP is intended to accommodate projected growth in regional air traffic. This projected growth in regional air traffic would not represent a change produced by the 2035 MTP/SCS and 2014 SC-RTP, but would occur as a result of population growth within the region even without such projects. These projects would generally not be expected to result in any significant changes in air traffic patterns which would result in substantial safety risks. Impacts would be less than significant.

**Ridesharing/Carpooling.** A key component of the 2035 MTP/SCS and 2014 SC-RTP is reducing the number of vehicle trips by providing ridesharing and carpooling opportunities; therefore, there would be no conflict with applicable plans and policies encouraging ridesharing and carpooling.

c. **Supporting Evidence** – Please refer to pages 4.12-20 through 4.12-22 of the Final EIR.
IV. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL (Class II)

The Santa Cruz County Regional Transportation Commission Board of Directors hereby finds that mitigation measures have been identified in the EIR that will avoid or substantially lessen the following environmental impacts to a less than significant level. These findings are based on the discussion of impacts in the detailed issue area analyses in Section 4.0 of the EIR, as well as relevant responses to comments in the Final EIR. The significant impacts and the mitigation measures that will reduce them to a less than significant level are as follows. Class II impacts are those which are significant but can be mitigated to less than significant by implementation of mitigation measures.

A. AESTHETICS (CLASS II)

1. Impact AES-1. Proposed transportation improvement projects under the 2035 MTP/SCS and 2014 SC-RTP, as well as the land use patterns envisioned by the 2035 MTP/SCS and the RTPs for Monterey, San Benito, and Santa Cruz Counties, may affect public views along designated scenic corridors, adjacent landscaping, and other highways or roadways considered to have high scenic qualities. This would be a Class II, significant but mitigable impact.

a. Mitigation – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC (collectively, RTPAs) shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in visual impact near scenic corridors. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

AES-1(a) Where a particular 2035 MTP/SCS or 2014 SC-RTP transportation improvement project affects adjacent landforms, the project sponsor shall ensure that re-contouring provides a smooth and gradual transition between modified landforms and existing grade. (Implementing agencies: RTPAs, transportation project sponsor agencies)

AES-1(b) The project sponsor shall ensure that landscaping is installed to restore natural features along corridors where possible after widening, interchange modifications, re-alignment, or construction of ancillary facilities. Associated landscape materials and design shall enhance landform variation, provide erosion control, and blend with the natural setting. Implementing agency shall provide a performance security equal to the value of the landscaping/irrigation installation to ensure compliance with landscaping plans. (Implementing agencies: RTPAs, transportation project sponsor agencies)

2 For purposes of these findings, “transportation project sponsor agencies” include but are not limited to the following: transit operators and local jurisdictions.
AES-1(c) The project sponsor shall ensure that a project in a scenic view corridor will have the minimum possible impact, consistent with project goals, upon foliage, existing landscape architecture, and natural scenic views. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

AES-1(d) Potential noise impacts arising from increased traffic volumes associated with adjacent land development shall be preferentially mitigated through the use of setbacks and the acoustical design of adjacent proposed structures. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents, and landscaping to prevent monotony. In addition, sound walls should be complementary in color and texture to surrounding natural features. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings – Mitigation Measures AES-1(a)-(d) would assure that impacts to public views along designated scenic corridors, adjacent landscaping, and other highways or roadways considered to have high scenic qualities would be less than significant following implementation of the mitigation measures. If a project is located in a scenic corridor, the project sponsor would ensure that the project is modified or measures are implemented such that the scenic quality from public view areas following project implementation would be similar to pre-project conditions. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures AES 1(a)-(d) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.1-5 through 4.1-7 of the Final EIR.

B. AIR QUALITY (CLASS II)

1. Impact AQ-1. Construction activities associated with transportation projects under the 2035 MTP/SCS and 2014 SC-RTP, as well as the land use patterns envisioned by the 2035 MTP/SCS and 2014 SC-RTP would create fugitive dust and ozone precursor emissions and have the potential to result in temporary adverse impacts on air quality in the NCCAB. Impacts would be Class II, significant but mitigable.

a. Mitigation – For transportation projects under their jurisdiction SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014
SC-RTP program where applicable for transportation projects that result in fugitive dust and ozone precursor emissions. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

**AQ-1(a)**

The project sponsor shall incorporate MBUAPCD feasible mitigation measures for inhalable particles based on analysis of individual sites and project circumstances. MBUAPCD feasible mitigation measures include:

- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 mph).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area.
- Haul trucks shall maintain at least 2'0” of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Install wheel washers at the entrance to construction sites for all exiting trucks.
- Pave all roads on construction sites.
- Sweep streets if visible soil material is carried out from the construction site.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).
- Limit the area under construction at any one time.
- (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**AQ-1(b)**

The project sponsor shall ensure to the maximum extent feasible, that diesel construction equipment meeting the California Air Resources Board Tier 3 emission standards for off-road heavy-duty diesel engines is used. If use of Tier 3 equipment it not feasible, diesel construction equipment meeting Tier 2 (or if infeasible, Tier 1) emission standards shall be used. These measures shall be noted on all construction plans.
and the project sponsor shall perform periodic site inspections.  
(Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

AQ-1(c)  The project sponsor shall ensure that to the extent possible, construction activity utilizes electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.  
(Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

AQ-1(d)  In addition to performing the measures listed above, if implementation of all feasible on-site mitigation fails to reduce construction-related air quality emissions to below guideline levels, the project sponsor shall ensure that the implementing agency contributes monies for off-site mitigation, as necessary to reduce construction emissions below threshold levels (to be determined by a project-specific basis). Monies shall be contributed to an existing fund established to implement vehicle and equipment replacement/conversion and other programs designed to reduce ROG and NOX emissions. This mitigation shall be accomplished through the application of this condition by the responsible jurisdiction during the individual project’s environmental review and shall only be applied following application of all feasible on-site mitigation.  
(Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

AQ-1(e)  The project sponsor shall ensure that the removal of underground storage tanks and other project excavation is a permitted activity in accordance with MBUAPCD rules and regulations. This shall be accomplished through the issuance of MBUAPCD permits to the project sponsor prior to issuance of a grading permit.  
(Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings –Mitigation Measures AQ-1(a) -e would assure that temporary adverse impacts on air quality from fugitive dust and ozone precursors would be minimized and therefore less than significant because after implementation of these mitigation measures fugitive dust and ozone precursor emissions from construction would not exceed MBUAPCD standards; and therefore, would not result in a cumulatively considerable increase in criteria pollutants. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures AQ-1(a) -e have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopted them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.
c. **Supportive Evidence** – Please refer to pages 4.2-13 through 4.2-15 of the Final EIR.

2. **Impact AQ-3.** The transportation improvement projects and the land use envisioned by the 2035 MTP/SCS and 2014 SC-RTP may facilitate increased exposure of sensitive receptors to hazardous air pollutants and odorous compounds. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would not result in a significant regional increase in toxic air emissions or odorous compounds when compared to the 2010 AMBAG baseline and 2010 APCD baseline, or when compared to the future ‘no project scenario.’ However, localized increases that would expose sensitive receptors to substantial pollutant concentrations may occur as a result of infill and transit oriented development facilitated by the 2035 MTP/SCS and 2014 SC-RTP land use scenario. Impacts would be Class II, *significant but mitigable*.

a. **Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects near sensitive land uses. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP. Consistent with the general guidance contained in the *California Air Resources Board Air Quality and Land Use Handbook* (June 2005) appropriate and feasible measures shall be incorporated into project building design for residential, school and other sensitive uses located within 500 feet, or other distance as determined by the lead agency, of freeways, heavily travelled arterials, railways and other sources of diesel particulate matter, including roadway experiencing significant vehicle delays, and other known carcinogens. The appropriate measures shall include one or more of the following methods as applicable:

   **AQ-3(a)** The project sponsor shall incorporate health risk reduction measures based on analysis of individual sites and project circumstances. These measures may include:
   
   - Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.
   - Design the project to minimize exposure to roadway-related pollutants to the maximum extent feasible through inclusion of design components including air filtration and physical barriers.
   - Do not locate sensitive receptors near the entry and exit points of a distribution center.
   - Locate structures and outdoor living areas for sensitive uses as far as possible from the source of emissions. As feasible, locate doors, outdoor living areas, and air intake vents primarily on the side of the building away from the freeway or other pollution source. As feasible, incorporate dense, tiered vegetation that regains foliage year round and has a long life span between the pollution source and the project.
   - Maintain a 50-foot buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).
• Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system should include the following features: Installation of a high efficiency filter and/or carbon filter-to-filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters should be used. Ongoing maintenance should occur.

• Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.

• Maintain positive pressure within the building.

• Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.

• Achieve a performance standard of at least 4 air exchanges per hour of recirculation. Achieve a performance standard of .25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized.

• Require project owners to provide a disclosure statement to occupants and buyers summarizing technical studies that reflect health concerns about exposure to highway exhaust emissions.

• Retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to stationary air quality polluters prior to issuance of a demolition, grading, or building permit. Project sponsors shall implement HRA recommendations to a level which would not result in exposure of sensitive receptors to substantial pollutant concentrations (pursuant to the State CEQA Guidelines).

• Project sponsors shall implement feasible attenuation measures needed to reduce potential air quality impacts to sensitive receptors such as air filtration systems.

• (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings – Mitigation measure AQ-3(a) would assure that sensitive receptors would not be exposed to substantial pollutant concentrations through a variety of measures that would feasibly avoid or minimize exposure to public health impacts as identified in the California Air Resources Board Air Quality and Land Use Handbook (June 2005). If a project is located in an area that could potentially expose receptors to substantial pollutant concentrations, the project sponsor would ensure that the project would either be placed outside an appropriate setback distance to avoid substantial adverse effects or implement attenuation measures that minimize effects below a level of significance. For this
significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measure AQ-3(a) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.2-17 through 4.2-21 of the Final EIR.

C. BIOLOGICAL RESOURCES (CLASS II)

1. Impact B-1. Implementation of transportation improvements proposed and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP may result in substantial adverse impacts to special status plant and animal species, either directly or through habitat modifications. Impacts would be Class II, significant but mitigable.

a. Mitigation – For transportation projects identified in Tables 4.3-4 to 4.3-6 under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in impacts to special status species. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

B-1(a) Biological Resources Screening and Assessment. On a project-by-project basis, a preliminary biological resource screening shall be performed as part of the environmental review process to determine whether the project has any potential to impact biological resources. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a biological resources assessment (BRA) or similar type of study to document the existing biological resources within the project footprint plus a buffer and to determine the potential impacts to those resources. The BRA shall evaluate the potential for impacts to all biological resources including, but not limited to special status species, nesting birds, wildlife movement, sensitive plant communities/critical habitat, Essential Fish Habitat, and other resources judged to be sensitive by local, state, and/or federal agencies. Pending the results of the BRA, design alterations, further technical studies (i.e. protocol surveys) and/or consultations with the USFWS, CDFW and/or other local, state, and federal agencies may be required. The following mitigation measures [B-1(b) through B-1(k)] shall be incorporated, only as applicable, into the BRA for projects where specific resources are present or may be present and impacted by
the project. Note that specific surveys described in the mitigation measures below may be completed as part of the BRA where suitable habitat is present. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-1(b) Special Status Plant Species Surveys.** If completion of the project-specific BRA determines that special status plant species may occur on-site, surveys for special status plants shall be completed prior to any vegetation removal, grubbing, or other construction activity of each segment (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally-timed to coincide with the target species identified in the project-specific BRA. All plant surveys shall be conducted by a qualified biologist approved by the implementing agency no more than two years before initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency, and the CDFW and/or USFWS, as appropriate, for review and approval. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-1(c) Special Status Plant Species Avoidance, Minimization, and Mitigation.** If State listed or California Rare Plant List 1B species are found during special status plant surveys [pursuant to mitigation measure B-1(b)], then the project shall be re-designed to avoid impacting these plant species, if feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-1(d) Restoration and Monitoring.** If special status plants species cannot be avoided and will be impacted by a project implemented under the 2035 MTP/SCS or 2014 SC-RTP, all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to the jurisdiction overseeing the project for approval. (Note: if a state listed plant species will be impacted, the restoration plan shall be submitted to the CDFW for approval). The restoration plan shall include, at a minimum, the following components:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
• Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
• Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
• Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan);
• Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule);
• Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
• Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type;
• An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
• Notification of completion of compensatory mitigation and agency confirmation; and
• Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

(Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

B-1(e)  Endangered/Threatened Species Habitat Assessment and Protocol Surveys. Specific habitat assessment and survey protocol surveys are established for several federally and State Endangered or Threatened species. If the results of the BRA determine that suitable habitat may be present any such species, protocol habitat assessments/surveys shall be completed in accordance with CDFW and/or USFWS protocols prior to issuance of any construction permits. If through consultation with the CDFW and/or USFWS it is determined that protocol habitat assessments/surveys are not required, said consultation shall be documented prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicants for each project shall be responsible for ensuring they understand the protocol requirements. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)
**Endangered/Threatened Species Avoidance and Minimization.** The habitat requirements of endangered and threatened species throughout Santa Cruz, Monterey, and San Benito Counties are highly variable. The potential impacts from any given project implemented under the 2035 MTP/SCS or 2014 SC-RTP are likewise highly variable. However, there are several avoidance and minimization measures which can be applied for a variety of species to reduce the potential for impact, with the final goal of no net loss of the species. The following measures may be applied to aquatic and/or terrestrial species. Project sponsors shall select from these measures as appropriate.

- **Ground disturbance shall be limited to the minimum necessary to complete the project.** The project limits of disturbance shall be flagged. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.

- **All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species.**

- **All projects occurring within or adjacent to sensitive habitats that may support federally and/or state Endangered/Threatened species shall have a CDFW and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities.** Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for Endangered/Threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are begin fully implemented.

- **No Endangered/Threatened species shall be captured and relocated without expressed permission from the CDFW and/or USFWS.**

- **If at any time during construction of the project an Endangered/Threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease.** A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.

- **For all projects occurring in areas where Endangered/Threatened species may be present and are at risk of entering the project site during construction, exclusion fencing shall be placed along the project boundaries prior to start of construction (including staging and mobilization).** The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of 3 feet above grade and
2 feet below grade and shall be attached to wooden stakes placed at intervals of not more than 5 feet. The fence shall be inspected weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.

- All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.

- No equipment shall be permitted to enter wetted portions of any affected drainage channel.

- All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.

- If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline.

- If water is to be diverted around work sites, a diversion plan shall be submitted (depending upon the species that may be present) to the CDFW, RWQCB, USFWS, and/or NMFS for their review and approval prior to the start of any construction activities (including staging and mobilization). If pumps are used, all intakes shall be completely screened with wire mesh not larger than five millimeters to prevent animals from entering the pump system.

- At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.

- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.

- The CDFW/USFWS-approved biologist shall remove invasive aquatic species such as bullfrogs and crayfish from suitable aquatic habitat whenever observed and shall dispatch them in a humane manner and dispose of properly.

- If any federally and/or state protected species are harmed, the CDFW/USFWS-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.
• (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-1(g) Non-Listed Special Status Animal Species Avoidance and Minimization.** Several State Species of Special Concern may be impacted by projects implemented under the 2035 MTP/SCS and 2014 SC-RTP. The ecological requirements and potential for impacts is highly variable among these species. Depending on the species identified in the BRA, several of the measures identified under B-1(f) shall be applicable to the project. In addition, measures shall be selected from among the following to reduce the potential for impacts to non-listed special status animal species:

- **For non-listed special-status terrestrial amphibians and reptiles,** coverboard surveys shall be completed within three months of the start of construction. The coverboards shall be at least four feet by four feet and constructed of untreated plywood placed flat on the ground. The coverboards shall be checked by a qualified biologist once per week for each week after placement up until the start of vegetation removal. All non-listed special status and common animals found under the coverboards shall be captured and placed in five-gallon buckets for transportation to relocation sites. All relocation sites shall be reviewed by the project sponsor and shall consist of suitable habitat. Relocation sites shall be as close to the capture site as possible but far enough away to ensure the animal(s) is not harmed by construction of the project. Relocation shall occur on the same day as capture. CNDDB Field Survey Forms shall be submitted to the CFDW for all special status animal species observed.

- **Pre-construction clearance surveys** shall be conducted within 14 days of the start of construction (including staging and mobilization). The surveys shall cover the entire disturbance footprint plus a minimum 200 foot buffer, if feasible, and shall identify all special status animal species that may occur on-site. All non-listed special status species shall be relocated from the site either through direct capture or through passive exclusion (e.g., American badger). A report of the pre-construction survey shall be submitted to AMBAG, RTPA, and or the local jurisdiction for their review and approval prior to the start of construction.

- **A qualified biologist shall be present during all initial ground disturbing activities,** including vegetation removal to recover special status animal species unearthed by construction activities.

- **Upon completion of the project,** a qualified biologist shall prepare a Final Compliance report documenting all compliance activities implemented for the project, including the pre-construction survey results. The report shall be submitted within 30 days of completion of the project.
• If special status bat species may be present and impacted by the project, a qualified biologist shall conduct within 30 days of the start of construction presence/absence surveys for special status bats in consultation with the CDFW where suitable roosting habitat is present. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. If active roosts are located, exclusion devices such as netting shall be installed to discourage bats from occupying the site. If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.

• (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

B-1(h) Preconstruction Surveys for Nesting Birds. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire segment disturbance area plus a 200 foot buffer around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. A report of these preconstruction nesting bird surveys shall be submitted to AMBAG, RTPA, and/or the local jurisdiction. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

B-1(j) Worker Environmental Awareness Program (WEAP). Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the
project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting that they have attended the WEAP and understand the information presented to them. The form shall be submitted to AMBAG, RTPA, and/or the local jurisdiction to document compliance. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**Tree Protection.** If it is determined that construction may impact trees protected by local agencies, the project sponsor shall procure all necessary tree removal permits. A tree protection and replacement plan shall be developed by a certified arborist as appropriate. The plan shall include, but would not be limited to, an inventory of trees to within the construction site, setbacks from trees and protective fencing, restrictions regarding grading and paving near trees, direction regarding pruning and digging within root zone of trees, and requirements for replacement and maintenance of trees. If protected trees will be removed, replacement tree plantings of like species in accordance with local agency standards, but at a minimum ratio of 2:1 (trees planted to trees impacted), shall be installed on-site or at an approved off-site location and a restoration and monitoring program shall be developed in accordance with B-1(d) and shall be implemented for a minimum of seven years or until stasis has been determined by certified arborist. If a protected tree shall be encroached upon but not removed, a certified arborist shall be present to oversee all trimming of roots and branches. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**b. Findings**—Mitigation measures B-1(a)-(k) would assure that substantial adverse impacts to special status species would not occur, either directly or through habitat modifications. The impact would feasibly be mitigated through avoidance, minimization, and/or resource restoration, replacement or compensation, consistent with the regulatory protocols and requirements of CDFW under the California Endangered Species Act and of USFWS and NMFS under the Federal Endangered Species Act, as well as through local requirements. Following implementation of the mitigation measures and compliance with regulatory requirements, the project would not have a substantial adverse effect on any special status species or conflict with local policies or ordinances protecting biological resources. For this significant impact, the Santa Cruz County Regional Transportation Commission finds that changes or alterations as set forth in mitigation measures B-1(a)-(k) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and
alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. **Supportive Evidence** – Please refer to pages 4.3-60 through 4.3-69 of the Final EIR.

2. **Impact B-2.** Implementation of transportation improvements proposed and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP may result in substantial adverse impacts to sensitive habitats, including federally protected wetlands. This impact would be Class II, *significant but mitigable*.

**a. Mitigation** - For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TARC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in impacts to sensitive habitats. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

**B-2(a) Wetland Delineation.** If projects implemented under the 2035 MTP/SCS or 2014 SC-RTP occur within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, RWQCB, and/or CCC, a qualified biologist shall complete a wetland delineation. The wetland delineation shall determine the extent of the jurisdiction for each of these agencies and shall be conducted in accordance with the requirement set forth by each agency. The result shall be a preliminary wetland delineation report that shall be submitted to the implementing agency, USACE, RWQCB, CDFW, and CCC, as appropriate, for review and approval. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDR) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the Clean Water Act would likely be required. The CCC would also require a coastal development permit for projects falling within its jurisdiction. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-2(b) Wetland and Riparian Habitat Restored.** Impacts to jurisdictional wetland and riparian habitat shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted), and shall occur on-site or as close to the impacted habitat as possible. A mitigation and
monitoring plan shall be developed by a qualified biologist in accordance with mitigation measure B-1(d) above and shall be implemented for no less than five years after construction of the segment, or until the AMBAG/RTPA/local jurisdiction and/or the permitting authority (e.g., CDFW or USACE) has determined that restoration has been successful. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-2(c) Landscaping Plan.** If landscaping is proposed for a specific project, a qualified biologist/landscape architect shall prepare a landscape plan for that project. This plan shall indicate the locations and species of plants to be installed. Drought tolerant, locally native plant species shall be used. Noxious, invasive, and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List, and/or California Invasive Plant Council Lists 1, 2, and 4 shall not be permitted. Species selected for planting shall be similar to those species found in adjacent native habitats. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**B-2(d) Invasive Weed Prevention and Management Program.** Prior to start of construction for each project, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist to prevent invasion of native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**b. Findings** – Mitigation measures B-2(a) -d) would assure that substantial adverse impacts to sensitive habitats, including federally protected wetlands would not occur. The impact can feasibly be mitigated through avoidance, minimization, and/or resource restoration, replacement or compensation, consistent with the regulatory protocols of USACE, RWQCB, CDFW, and CCC. Following implementation of the mitigation measures and compliance with regulatory requirements, the project would not have a substantial adverse effect on any riparian habitat, federally protected wetlands, or other sensitive natural community. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures B-2(a)-(d) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The AMBAG Board of Directors finds that some of the changes and alterations described in these mitigation
measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.3-69 through 4.3-72 of the Final EIR.

D. CULTURAL RESOURCES (CLASS II)

1. Impact CR-1—Archeological and Paleontological Resources. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP could cause a substantial adverse change in disturb known and unknown cultural resources that are “historical resouces” or “unique archeological resources” as defined in CEQA Guidelines Section 15064.5. Impacts to archeological resources would be Class II, significant but mitigable.

   a. Mitigation – For transportation projects under their jurisdiction, SCCRTC, SBTCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in impacts to archeological and paleontological resources. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

   CR-1(a) The project sponsor of a 2035 MTP/SCS or 2014 SC-RTP project involving earth disturbance, the installation of pole signage or lighting, or construction of permanent above ground structures or roadways shall ensure that the following elements are included in the project’s individual environmental review:

   1. Prior to individual project permit issuance, a map defining the Area of Potential Effects (APE) shall be prepared on a project by project basis for 2035 MTP/SCS and 2014 SC-RTP improvements which involve earth disturbance, the installation of pole signage or lighting, or construction of permanent above ground structures. This map will indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known archeological, paleontological or historical resources are located within the impact zone.

   2. A preliminary study of each project area, as defined in the APE, shall be completed to determine whether or not the project area has been studied under an earlier investigation, and to determine the impacts of the previous project.

   3. If the results of the preliminary studies indicate additional studies are necessary; development of field studies and/or other documentary research shall be developed and completed (Phase I
studies). Negative results would result in no additional studies for the project area.

4. Based on positive results of the Phase I studies, a Phase II evaluation of identified resources shall be completed to determine the potential eligibility/significance of the resources.

Phase III mitigation studies shall be coordinated with the Office of Historic Preservation (OHP), as the research design will require review and approval from the OHP. In the case of prehistoric or Native American related resources, the Native American Heritage Commission and/or local representatives of the Native American population shall be contacted for input and permitted to respond to the testing/mitigation programs. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**CR-1(b)**

If development of the proposed improvement requires the presence of an archaeological, Native American, or paleontological monitor, the project sponsor shall ensure that a Native American monitor, certified archaeologist, and/or certified paleontologist, as applicable, monitors the grading and/or other initial ground altering activities. The schedule and extent of the monitoring will depend on the grading schedule and/or extent of the ground alterations. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual project permitting. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**CR-1(c)**

The project sponsor shall ensure that materials recovered over the course of any given improvement are adequately cleaned, labeled, and curated at a recognized repository. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual project permitting.

**CR-1(d)**

The project sponsor shall ensure that mitigation for potential impacts to significant cultural resources includes one or more of the following:

- Realignment of the project right-of-way (avoidance, the most preferable method);
- Capping of the site and leaving it undisturbed;
- Addressing structural remains with respect to NRHP guidelines (Phase III studies);
- Relocating structures per NRHP guidelines;
- Creation of interpretative facilities; and/or
- Development of measures to prevent vandalism.

This can be accomplished through placement of conditions on the project by the local jurisdiction during individual project permitting. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)
b. **Findings** – Mitigation Measures CR-1(a)-(d) would assure that substantial adverse changes to archeological and paleontological resources would be less than significant because measures would be taken to either avoid the impacts, minimize the impacts, or recover the resources. If a project includes earth disturbance, the project sponsor would ensure that surveys are undertaken to identify resources, and that projects are either designed to avoid identified resources, minimize adverse impacts on the resources, or recover the resources. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures CR-1(a)-(d) have been required in, or incorporated into, the 2035 MTP/SCS to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c.  
d. **Supportive Evidence** – Please refer to pages 4.4-10 through 4.4-14 of the Final EIR.

**E. GEOLOGY AND SOILS (CLASS II)**

1. **Impact G-1.** Implementation of proposed transportation improvements and future projects facilitated by land use scenario envisioned in the 2035 MTP/SCS could be subject to seismic hazards, including fault rupture and groundshaking, that could expose people or structures to potential substantial adverse effects. This would be a Class II, *significant but mitigable* impact.

a. **Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that could expose people or structures to substantial adverse effects due to seismic hazards. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

   **G-1(a)** If a 2035 MTP/SCS or 2014 SC-RTP project is located in a zone of high potential groundshaking intensity, the project sponsor shall ensure that the structure is designed and constructed to the latest geotechnical standards. In most cases, this will necessitate site-specific geologic and soils engineering investigations conducted by a qualified geotechnical expert. Any investigations shall comply with the California Geological Survey’s *Guidelines for Evaluating and Mitigating Seismic Hazards in California*. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

   **G-1(b)** 2035 MTP/SCS projects shall be placed in areas outside of fault rupture zones whenever feasible, in accordance with State and local provisions. If avoidance is not possible, detailed geologic and seismic studies must
be conducted by a qualified geotechnical expert to locate active or potentially active fault traces. Structures shall then be placed outside of an appropriate setback distance. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings – Mitigation measures G-1(a)-(b) would assure that seismic hazards, including fault rupture and ground shaking, would not expose people or structures to potential substantial adverse effects. If a project is located in a zone of high potential ground shaking intensity, the project sponsor would ensure that the structure is designed and constructed to the latest geotechnical standards, based on recommendations by a qualified geotechnical expert. Projects would either avoid fault rupture zones or be placed outside an appropriate setback distance to avoid substantial adverse effects. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures G-1(a)-(b) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.7-13 through 4.7-15 of the Final EIR.

2. Impact G-2. Implementation of proposed transportation improvements and future projects facilitated by the land use scenario envisioned in the 2035 MTP/SCS and 2014 SC-RTP could be located on potentially unstable soils, or in areas of high liquefaction potential. This would be a Class II, significant but mitigable impact.

a. Mitigation – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that could be located on unstable soils or in areas of high liquefaction potential. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS.

G-2(a) If a 2035 MTP/SCS or 2014 SC-RTP project is located in an area of moderate to high liquefaction potential, the project sponsor shall ensure that these structures are designed based upon site specific geology, soils, and earthquake engineering studies. Possible design measures include deep foundations, removal of liquefiable materials, and dewatering. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

G-2(b) If a 2035 MTP/SCS or 2014 SC-RTP project requires cut slopes over 20 feet in height or is located in areas of bedded or jointed bedrock, the
project sponsor shall ensure that Hillside Stability Evaluations and/or specific slope stabilization studies are conducted. Possible stabilization methods include buttresses, retaining walls, and soldier piles. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

G-2(c) If a 2035 MTP/SCS or 2014 SC-RTP project is located in an area of highly expansive soils, the project sponsor shall ensure that a site-specific geotechnical investigation is conducted. The investigation will identify hazardous conditions and recommend appropriate design factors to minimize hazards. Such measures could include concrete slabs on grade with increased steel reinforcement, removal of highly expansive material and replacement with non-expansive import fill material, or chemical treatment with hydrated lime to reduce the expansion characteristics of the soils. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

G-2(d) If a 2035 MTP/SCS or 2014 SC-RTP project involving deep foundations or underground areas is located in an area of high groundwater potential, the project sponsor shall ensure that appropriate construction techniques (such as de-watering, special water proofing, and deeper foundations) are implemented to minimize the potential for liquefaction. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings – Mitigation Measures G-2(a)-(d) would assure that hazards caused by projects located on unstable soils or in areas of high liquefaction would be less than significant because a variety of design measures would minimize these hazards. If a project is located in an area of unstable soils or high liquefaction potential, the project sponsor would ensure that the facility is designed to avoid geologic hazards, or constructed to the latest geotechnical standards to avoid substantial adverse effects. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures G-2(a)-(d) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.7-15 through 4.7-17 of the Final EIR.

3. Impact G-3. Implementation of proposed transportation improvements and future projects facilitated by the land use scenario envisioned in the 2035 MTP/SCS and 2014 SC-RTP could be subject to flood hazards due to storm events and/or dam failure, resulting in exposing
people or structures to a significant risk of loss, injury, or death. Impacts are considered Class II, *significant but mitigable*.

**a. Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that could be exposed to significant flood risks. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

**G-3(a)** If a 2035 MTP/SCS or 2014 SC-RTP project is located in an area with high flooding potential due to a storm event or dam inundation or sea level rise due to climate change, the project sponsor shall ensure that the structure is elevated at least one foot above the 100-year flood zone elevation and that bank stabilization and erosion control measures are implemented along creek crossings. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**G-3(b)** In areas subject to tsunami effects, the project sponsor shall ensure that 2035 MTP/SCS and 2014 SC-RTP projects involving the construction of new roadways or other structures are elevated above the 10-foot elevation by an appropriate margin. In addition, the project sponsors shall ensure that early warning systems and evacuation plans for tsunami events are developed and implemented. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**b. Findings** – Mitigation Measures G-3(a)-(b) would assure that people or structures would not be exposed to significant risks of flooding because facilities and structures would be located outside or above 100-year flood zones, and because facilities and structures in areas subject to tsunamis would be elevated, with early warning systems and evacuation plans in place. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures G-3(a)-(b) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

**c. Supportive Evidence** – Please refer to pages 4.7-17 through 4.7-18 of the Final EIR.

**F. Greenhouse Gas Emissions (Class II)**
1. **Impact GHG-1.** Construction of the transportation improvement projects and future land use patterns envisioned by the 2035 MTP/SCS and 2014 SC-RTP would generate temporary short-term GHG emissions that may have a significant environmental effect. Impacts would be Class II, *significant but mitigable*.

   **a. Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects generating construction GHG emissions. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

   GHG-1 The project sponsor shall ensure that applicable GHG-reducing diesel particulate and NO$_X$ emissions measures for off-road construction vehicles are implemented during construction. The measures shall be noted on all construction plans and the project sponsor shall perform periodic site inspections. Applicable GHG-reducing measures include the following.

   - Use of diesel construction equipment meeting CARB’s Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
   - Use of on-road heavy-duty trucks that meet the CARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
   - All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
   - Use of electric powered equipment in place of diesel powered equipment when feasible;
   - Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
   - Use of alternatively fueled construction equipment, such as compressed natural gas (LNG) propane or biodiesel, in place of diesel powered equipment for 15 percent of the fleet; and
   - Use of material sources from local suppliers; and
   - Recycling of at least 50 percent of construction waste materials.

   (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

   **b. Findings** – Mitigation measure GHG-1 would minimize construction equipment GHG emissions. The project sponsor would ensure that applicable GHG-reducing diesel particulate and NO$_X$ emissions measures for off-road construction vehicles are implemented during construction. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measure GHG-1 have been required in, or
incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies–.

c. **Supportive Evidence** – Please refer to pages 4.8-14 through 4.8-15 of the Final EIR.

**G. HYDROLOGY AND WATER RESOURCES (CLASS II)**

1. **Impact W-1.** Implementation of proposed transportation improvements and future projects facilitated by the land use scenario envisioned in the 2035 MTP/SCS and 2014 SC-RTP would incrementally increase water demands above and beyond existing use in the Monterey Bay region, potentially requiring new or expanded water supplies, entitlements, or facilities. Such impacts would be Class II, *significant but mitigable*.

   a. **Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that have water supply impacts. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

   **W-1(a)** The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project shall ensure that, where economically feasible and available, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall be noted on construction plans and shall be spot checked by the local jurisdiction. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

   **W-1(b)** The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project shall ensure that low water use landscaping (i.e., drought tolerant plants and drip irrigation) is installed. When feasible, native plant species shall be used. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

   **W-1(c)** The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project shall ensure that, if feasible, landscaping associated with proposed improvements is maintained using reclaimed and/or desalinated water. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

   **W-1(d)** The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project shall ensure that porous pavement materials are utilized, where feasible, to allow for
groundwater percolation. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**W-1(e)**
The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project that requires potable water service shall coordinate with water supply system operators to ensure that the existing water supply systems have the capacity to handle the increase. If the current infrastructure servicing the project site is found to be inadequate, infrastructure improvements for the appropriate public service or utility should be provided by the project sponsor. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**W-1(f)**
The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project shall ensure that bioswales are installed, where feasible, to facilitate groundwater recharge using stormwater runoff from the project site while improving water quality. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

### b. Findings
Mitigation Measures W-1(a)-(f) would assure that transportation and land use projects would not require new or expanded water supplies, entitlements, or facilities that would cause significant environmental effects. These measures would minimize potable water demands, increase groundwater recharge, and require planning for new water supply facilities (which would also require implementation of feasible mitigation measures through CEQA compliance). For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures W-1(a)-(f) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CQEA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

### c. Supportive Evidence
Please refer to pages 4.9-6 through 4.9-8 of the Final EIR.

### 2. Impact W-2
Implementation of proposed transportation improvements and future projects facilitated by the land use scenario envisioned in the 2035 MTP/SCS and 2014 SC-RTP could result in substantial eroded sediments and contaminants in runoff, which could degrade surface and ground water quality. This impact is considered Class II, *significant but mitigable*.

#### a. Mitigation
For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in substantial eroded sediments and contaminants in runoff. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.
W-2(a) The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project shall ensure that fertilizer/pesticide application plans for any new right-of-way landscaping are prepared to minimize deep percolation of contaminants. The plans shall specify the use of products that are safe for use in and around aquatic environments. (Implementing agencies: RTPAs, transportation project sponsor agencies)

W-2(b) The sponsor of a 2035 MTP/SCS or 2014 SC-RTP project involving construction of a new roadway, or widening or extension of an existing roadway, shall ensure that the improvement directs runoff into subsurface percolation basins and traps which would allow for the removal of urban pollutants, fertilizers, pesticides, and other chemicals. (Implementing agencies: RTPAs, transportation project sponsor agencies)

W-2(c) For a 2035 MTP/SCS or 2014 SC-RTP project that would disturb at least one acre, a SWPPP shall be developed prior to the initiation of grading and implemented for all construction activity on the project site. Consistent with requirements in the Clean Water Act, the SWPPP shall include specific BMPs to control the discharge of material from the site and into the creeks and local storm drains. BMP methods may include, but would not be limited to, the use of temporary retention basins, straw bales, sand bagging, mulching, erosion control blankets and soil stabilizers. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings – Mitigation Measures W-2(a) -(c) would assure that water quality impacts from eroded sediments and contaminants in runoff would be less than significant because measures would be taken to minimize the potential for contaminated runoff to reach surface waters, consistent with regulations under the federal Clean Water Act. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures W-2(a)-(c) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies. .

c. Supportive Evidence – Please refer to pages 4.9-9 through 4.9-10 of the Final EIR.

H. LAND USE (CLASS II)

1. Impact LU-1 Implementation of proposed transportation improvements and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP could result in land use
conflicts with existing sensitive land uses. This is impact would be Class II, *significant but mitigable.*

**a. Mitigation** – Environmental impacts causing land use conflicts would be minimized through several mitigation measures. Mitigation measures listed under Impact AES-1 and AES-2 in Section 4.1 *Aesthetics* would reduce aesthetic, light, and glare impacts. Mitigation measures listed under Impact AQ-1 and AQ-3 in Section 4.2, *Air Quality,* would minimize localized air quality impacts. Mitigation measures listed under Impact N-1, N-2, N-3, and N-4 in Section 4.11, *Noise,* would reduce noise impacts.

**b. Findings** – The mitigation measures in paragraph (a) above would minimize the environmental impacts that could cause land use conflicts. If a project is located in an area near sensitive land uses, the project sponsor would implement measures to ensure that the scenic quality of the site following project implementation would be similar to pre-project conditions, that construction air contaminant emissions do not exceed MBUAPCD standards, that exposure to toxic air contaminants is avoided or minimized below levels of significance, and/or that noise exposure does not exceed standards. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in paragraph (a) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

**c. Supportive Evidence** – Please refer to pages 4.10-6 through 4.10-8 of the Final EIR.

2. **Impact LU-4** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP could temporarily and permanently displace or disrupt substantial numbers of existing residences and businesses. This would be a Class II, *significant but mitigable* impact.

**a. Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAML shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects could displace substantial numbers of resdiences and businesses. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

**LU-4(a)** The project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects with the potential to displace residences or businesses shall assure that project-specific environmental reviews consider alternative alignments and developments that avoid or minimize impacts to nearby residences and businesses. (Implementing agencies: RTPAs, transportation project
LU-4(b) Where project-specific reviews identify displacement or relocation impacts that are unavoidable, the project sponsor shall ensure that all applicable local, State, and federal relocation programs are used to assist eligible persons to relocate. In addition, the local jurisdiction shall review the proposed construction schedules to ensure that adequate time is provided to allow affected businesses to find and relocate to other sites. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

LU-4(c) For all 2035 MTP/SCS or 2014 SC-RTP projects that could result in temporary lane closures or access blockage during construction, a temporary access plan shall be implemented to ensure continued access to affected cyclists, businesses, and homes. Appropriate signs and safe access shall be guaranteed during project construction to ensure that businesses remain open. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings -Mitigation Measures LU-1(a) -(c) would assure that substantial numbers of residences and businesses would be displaced, and would mitigate impacts of unavoidable displacements through avoidance, relocation programs and other assistance. If a project would displace or disrupt an existing residence or business, the project sponsor would either design the project to avoid or minimize the impact, or provide relocation assistance for the affected residence or business. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures LU-1(a)-(c) have been required in, or incorporated into, the 2035 MTP/SCS to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.10-12 through 4.10-13 of the Final EIR.

I. NOISE (CLASS II)

1. Impact N-1. Construction activity associated with transportation improvement projects, and infill and transit oriented development envisioned by the 2035 MTP/SCS and 2014 SC-RTP would create substantial temporary noise and vibration level increases in discrete locations throughout the AMBAG region. Impacts would be Class II, significant but mitigable.

a. Mitigation –For transportation projects under their jurisdiction, SCCRTC, SBTCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014
SC-RTP program where applicable for transportation projects that result in construction noise impacts. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

N-1(a) Project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall ensure that, where residences or other noise sensitive uses are located within 800 feet of construction sites, appropriate measures shall be implemented to ensure consistency with local ordinance requirements relating to construction noise and vibration. Specific techniques may include, but are not limited to, restrictions on construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

N-1(b) If a particular project within 800 feet of sensitive receptors requires pilings, project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall require caisson drilling or sonic pile driving as opposed to impact pile driving, where feasible. This shall be accomplished through the placement of conditions on the project during its individual environmental review. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

N-1(c) Project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall ensure that equipment and trucks used for project construction utilize the best available noise and vibration control techniques (including mufflers, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds). (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

N-1(d) Project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall ensure that impact equipment (e.g., jack hammers, pavement breakers, and rock drills) used for project construction be hydraulically or electrically powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, use of an exhaust muffler on the compressed air exhaust can lower noise levels from the exhaust by up to about 10 dBA. When feasible, external jackets on the impact equipment can achieve a reduction of 5 dBA. Whenever feasible, use quieter procedures, such as drilling rather than impact equipment operation. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)
N-1(e)  Project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall locate stationary noise and vibration sources as far from sensitive receptors as feasible. Stationary noise sources that must be located near existing receptors will be adequately muffled. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

N-1(f)  As necessary, project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall retain a structural engineer or other appropriate professional to determine threshold levels of vibration and cracking that could damage any adjacent historic or other structure subject to damage, and design means and construction methods to not exceed the thresholds. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

b. Findings – Mitigation Measures N-1(a)-(f) would assure that construction noise impacts would not be substantial through a variety of measures to minimize exposure of existing receptors. If a project is located near a sensitive receptor, the project sponsor would ensure that noise reduction measures are implemented during construction that would reduce noise levels below local and/or Caltrans standards. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures N-1(a)-(f) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.11-10 through 4.11-14 of the Final EIR.

2. Impact N-2. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would potentially expose existing and future sensitive receptors to significant mobile source noise levels. This is considered a Class II, significant but mitigable impact.

a. Mitigation – For transportation projects under their jurisdiction, SCCRTC, SBTCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in significant mobile source noise levels.

N-2(a)  Sponsor agencies of 2035 MTP/SCS or 2014 SC-RTP projects shall complete detailed noise assessments using applicable guidelines (e.g., Federal Transit Administration Transit Noise and Vibration Impact Assessment for rail and bus projects and the California Department of Transportation Traffic Noise Analysis Protocol for roadway projects).
The project sponsor shall ensure that a noise survey is conducted to determine potential alternate alignments which allow greater distance from, or greater buffering of, noise-sensitive areas. The noise survey shall be sufficient to indicate existing and projected noise levels, to determine the amount of attenuation needed to reduce potential noise impacts to applicable State and local standards. (Implementing agencies: RTPAs, transportation project sponsor agencies)

N-2(b) Where new or expanded roadways, rail, or transit projects are found to expose receptors to noise exceeding normally acceptable levels, the project sponsor shall consider various sound attenuation techniques. The preferred methods for mitigating noise impacts will be the use of appropriate setbacks and sound attenuating building design, including retrofit of existing structures with sound attenuating building materials where feasible. In instances where use of these techniques is not feasible, the use of sound barriers (earthen berms, sound walls, or some combination of the two) will be considered. Long expanses of walls or fences should be interrupted with offsets and provided with accents to prevent monotony. Landscape pockets and pedestrian access through walls should be provided. Whenever possible, a combination of elements should be used, including solid fences, walls, and landscaped berms. (Implementing agencies: RTPAs, transportation project sponsor agencies)

b. Findings – Mitigation Measures N-2(a) and (b) would require attenuation meeting state and local standards to assure that exposure of sensitive receptors to mobile source noise levels would not be significant. If a project is located near a sensitive receptor, the project sponsor would ensure that the facility is designed and constructed to avoid or minimize exposure to unacceptable noise levels. Projects would either be placed outside an appropriate setback distance, implement sound attenuating building design, and/or implement sound barriers to avoid substantial adverse effects. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures N-2(a)-and (b) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. Supportive Evidence – Please refer to pages 4.11-14 through 4.11-19 of the Final EIR.

3. Impact N-3. The proposed 2035 MTP/SCS land use scenario would encourage infill development and TOD, which may place sensitive receptors in areas with unacceptable noise levels. This is a Class II, significant but mitigable, impact.
a. **Mitigation.** Cities and counties in the AMBAG region can and should implement the following measures, where relevant to land use projects implementing the 2035 MTP/SCS.

**N-3**

If a 2035 MTP/SCS or 2014 SC-RTP project is located in an area with exterior ambient noise levels above local noise standards, the project sponsor shall ensure that a noise study is conducted to determine the project's contribution to projected noise levels. If deemed significant in the project-specific analysis, feasible attenuation measures shall be used to reduce noise levels below local standards. Such measures may include, but are not limited to: dual-paned windows, solid core exterior doors with perimeter weather stripping, air conditioning system so that windows and doors may remain closed, and situating exterior doors away from roads. This shall be accomplished during the project’s individual environmental review. (Implementing agencies: cities and counties for land use projects)

b. **Findings** – Mitigation measure N-3 would assure that sensitive receptors would not be exposed to unacceptable noise levels by requiring feasible attenuation measures that reduce noise levels below local standards. If a development project is located in an area with exterior ambient noise levels above local noise standards, the project sponsor would ensure that the project is designed and constructed to avoid or minimize exposure to unacceptable noise levels. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measure N-3 are within the responsibility and jurisdiction of other public agencies and that those changes and alterations can and should be adopted by those other agencies.

c. **Supportive Evidence** – Please refer to page 4.11-19 of the Final EIR.

4. **Impact N-4.** The proposed 2035 MTP/SCS and 2014 SC-RTP could expose sensitive receptors to excessive vibration levels. This impact is Class II, significant but mitigable.

a. **Mitigation** – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that could generate excessive vibration levels.

**N-4**

Project sponsors of 2035 MTP/SCS or 2014 SC-RTP projects shall comply with all applicable local vibration and groundborne noise standards, or in the absence of such local standards, comply with FTA vibration and groundborne noise standards. Methods than can be implemented to reduce vibration and groundborne noise impacts include but are not limited to:

- maximizing the distance between tracks and sensitive uses;
- conducting rail grinding on a regular basis to keep tracks smooth;
• conducting wheel truing to re-contour wheels to provide a smooth running surface and removing wheel flats;
• providing special track support systems such as floating slabs, resiliently supported ties, high-resilience fasteners, and ballast mats; and
• implementing operational changes such as limiting train speed and reducing nighttime operations.
• (Implementing agencies: RTPAs, transportation project sponsor agencies)

b. **Findings** – Mitigation measure N-4 would assure that vibration levels cause by transportation project construction would not exceed local or federal standards. If a project is located near a sensitive receptor, the project sponsor would ensure that the facility is designed and constructed to avoid or minimize exposure to unacceptable vibration levels. Projects would either be placed outside an appropriate setback distance, implement sound attenuating measures, and/or implement operational changes to avoid substantial adverse effects. For this significant impact, the Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measure N-4 have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to avoid or substantially lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies.

c. **Supportive Evidence** – Please refer to pages 4.11-20 through 4.11-21 of the Final EIR.
V. FINDINGS FOR IMPACTS THAT ARE SIGNIFICANT AND UNAVOIDABLE (Class I)

The Santa Cruz County Regional Transportation Commission Board of Directors hereby finds that mitigation measures that have been identified in the EIR that will lessen the following significant environmental impacts but not to a less than significant level. These findings are based on the discussion of impacts in the detailed issue area analyses in Section 4.0 of the EIR as well as relevant responses to comments in the Final EIR. The findings below are for Class I impacts, where implementation of the project may result in the following significant, unavoidable environmental impacts:

A. AESTHETICS (CLASS I)

1. Impact AES-2. Development of proposed transportation improvement projects under the 2035 MTP/SCS and 2014 SC-RTP, as well as the land use patterns envisioned by the 2035 MTP/SCS would contribute to the alteration of the Monterey Bay area’s aesthetic character. This impact would be significant because the region’s existing visual character or quality would be degraded. This would be a Class I, significant and unavoidable impact.

   a. Mitigation – For transportation projects under their jurisdiction, SCCRTC, SBTCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program for applicable transportation projects that result in visual character impacts. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS and 2014 SC-RTP.

      AES-2(a) New roadways, and extensions and widenings of existing roadways, shall avoid the removal of existing mature trees to the extent possible. The project sponsor of a particular 2035 MTP/SCS or 2014 SC-RTP project shall replace any trees lost at a minimum 2:1 basis and incorporate them into the landscaping design for the roadway when feasible. The project sponsor also shall ensure the continued vitality of replaced trees through periodic maintenance (see Mitigation Measure B-1(k) in Section 4.3 Biological Resources). (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

      AES-2(b) Roadway lighting shall be minimized to the extent possible, and shall not exceed the minimum height requirements of the local jurisdiction in which the project is proposed. This may be accomplished through the use of hoods, low intensity lighting, and using a few lights as necessary to achieve the goals of the project. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

      AES-2(c) Bus shelters and other ancillary facilities constructed under the 2035 MTP/SCS or 2014 SC-RTP shall be designed in accordance with the
architectural review requirements of the local jurisdiction in which the project is proposed and with local transit requirements and standards. Bus shelters shall incorporate colors and wood materials complementary of the natural surroundings. (Implementing agencies: RTPAs, transportation project sponsor agencies)

b. Findings – The Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures AES-2(a)-(c) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies. Although mitigation measures AES-2(a)-(c) reduce the impact, the impact will remain significant and unavoidable because it would be infeasible to prevent all substantial changes to visual character while allowing implementation of the transportation projects and development in the region. Therefore, the Santa Cruz County Regional Transportation Commission Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.1-7 through 4.1-9 of the Final EIR.

B. BIOLOGICAL RESOURCES (CLASS I)

1. Impact B-3. Implementation of transportation improvements proposed and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP may interfere substantially with wildlife movement, including fish migration, and/or impede the use of a native wildlife nursery. This impact would be Class I, significant and unavoidable.

a. Mitigation – For transportation projects identified in Tables 4.3-4 to 4.3-6 under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where wildlife movement could be substantially affected, and/or use of native wildlife nurseries impeded. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS or 2014 SC-RTP.

B-3(a) Fence and Lighting Design. All projects including long segments of fencing and lighting shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement through riparian or other natural habitat. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:
- A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals;
- A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
- If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.
- If fencing must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures shall be incorporated into the project design as appropriate.
- Similarly, lighting installed as part of any project shall be designed to be minimally disruptive to wildlife. This may be accomplished through the use of hoods to direct light away from natural habitat, using low intensity lighting, and using a few lights as necessary to achieve the goals of the project.
- If fencing must be designed in such a manner that wildlife passage would not be permitted, wildlife crossing structures shall be incorporated into the project design as appropriate.

**B-3 (b) Construction Best Management Practices.** The following construction Best Management Practices (BMPs) shall be incorporated into all grading and construction plans:

- Designation of a 20 mile per hour speed limit in all construction areas.
- All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible.
- The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the project.
- Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from waters, wetlands, or other sensitive resources as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site.
- Daily construction work schedules shall be limited to daylight hours only [consistent with mitigation measure N-1(a) (Construction Hours) in Section 4.11, Noise].
- Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.
- Drip pans shall be placed under all stationary vehicles and mechanical equipment.
- All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week.
b. Findings – The Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures B-3(a) and (b) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies. Although mitigation measures B-3(a) and (b) would reduce the impact, the impact will remain significant and unavoidable because it would be infeasible to avoid all substantial effects on wildlife movement or native wildlife nurseries while allowing implementation of the transportation projects and development in the region. Therefore, the Santa Cruz County Regional Transportation Commission Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. Supportive Evidence – Please refer to pages 4.3-72 through 4.3-74 of the Final EIR.

C. CULTURAL RESOURCES (CLASS I)

1. Impact CR-1—Historic Structures. Implementation of proposed transportation improvements and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC_RTP could cause a substantial adverse change in disturb known and unknown cultural resources that are “historical resources” or “unique archeological resources” as defined in CEQA Guidelines Section 15064.5. Impacts to historic structures would be Class I, significant and unavoidable.

a. Mitigation – For transportation projects under their jurisdiction, SCCRTC, SBtCOG, and TAMC shall implement and transporation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS and 2014 SC-RTP program where applicable for transportation projects that result in impacts to historic structures. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS or 2014 SC-RTP.

CR-1(a) The project sponsor of a 2035 MTP/SCS or 2014 SC-RTP project involving earth disturbance, the installation of pole signage or lighting, or construction of permanent above ground structures or roadways shall ensure that the following elements are included in the project’s individual environmental review:
1. Prior to individual project permit issuance, a map defining the Area of Potential Effects (APE) shall be prepared on a project by project basis for 2035 MTP/SCS improvements which involve earth disturbance, the installation of pole signage or lighting, or construction of permanent above ground structures. This map will indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known archeological, paleontological or historical resources are located within the impact zone.

2. A preliminary study of each project area, as defined in the APE, shall be completed to determine whether or not the project area has been studied under an earlier investigation, and to determine the impacts of the previous project.

3. If the results of the preliminary studies indicate additional studies are necessary; development of field studies and/or other documentary research shall be developed and completed (Phase I studies). Negative results would result in no additional studies for the project area.

4. Based on positive results of the Phase I studies, a Phase II evaluation of identified resources shall be completed to determine the potential eligibility/ significance of the resources.

Phase III mitigation studies shall be coordinated with the Office of Historic Preservation (OHP), as the research design will require review and approval from the OHP. In the case of prehistoric or Native American related resources, the Native American Heritage Commission and/or local representatives of the Native American population shall be contacted for input and permitted to respond to the testing/mitigation programs. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

CR-1(b) If development of the proposed improvement requires the presence of an archaeological, Native American, or paleontological monitor, the project sponsor shall ensure that a Native American monitor, certified archaeologist, and/or certified paleontologist, as applicable, monitors the grading and/or other initial ground altering activities. The schedule and extent of the monitoring will depend on the grading schedule and/or extent of the ground alterations. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual project permitting. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

CR-1(c) The project sponsor shall ensure that materials recovered over the course of any given improvement are adequately cleaned, labeled, and curated at a recognized repository. This requirement can be accomplished through placement of conditions on the project by the
local jurisdiction during individual project permitting. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**CR-1(d)** The project sponsor shall ensure that mitigation for potential impacts to significant cultural resources includes one or more of the following:
- Realignment of the project right-of-way (avoidance, the most preferable method);
- Capping of the site and leaving it undisturbed;
- Addressing structural remains with respect to NRHP guidelines (Phase III studies);
- Relocating structures per NRHP guidelines;
- Creation of interpretative facilities; and/or
- Development of measures to prevent vandalism.

This can be accomplished through placement of conditions on the project by the local jurisdiction during individual project permitting. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

**b. Findings** – The Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures CR-1(a)-(d) have been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to lessen this significant impact to historical resources. The Santa Cruz County Regional Transportation Commission Board of Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies. Although mitigation measures CR-1(a)-(d) reduce the impact, the impact will remain significant and unavoidable because it would be infeasible to prevent all substantial adverse changes to historic structures while allowing implementation of the transportation projects and development in the region. Redevelopment or demolition may be required to implement transportation or land use projects, and may result in permanent loss of historic structures. Therefore, the Santa Cruz County Regional Transportation Commission Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.4-10 through 4.4-14 of the Final EIR.

**D. LAND USE (CLASS I)**

1. **Impact LU-3.** Implementation of proposed transportation improvements and the land use scenario envisioned by the 2035 MTP/SCS and 2014 SC-RTP could result in the conversion...
of prime or non-prime agricultural lands into non-agricultural use. The overall impact to agriculture could be Class I, \textit{significant and unavoidable}.

\textbf{a. Mitigation} – For transportation projects under their jurisdiction, SCCRTC, SB\textsc{t}COG, and TAMC shall implement and transportation project sponsor agencies can and should implement the following mitigation measures developed for the 2035 MTP/SCS program where applicable for transportation projects that result in agricultural land conversion. Cities and counties in the AMBAG region can and should implement these measures, where relevant to land use projects implementing the 2035 MTP/SCS or 2014 SC-RTP.

- **LU-3(a)** When new roadway extensions or widening projects are planned, the project sponsor shall assure that project-specific environmental reviews (that require feasible mitigation to be implemented) consider alternative alignments that reduce or avoid impacts to agricultural lands. (Implementing agencies: RTPAs, transportation project sponsor agencies)

- **LU-3(b)** Rural roadway alignments shall follow property lines to the extent feasible, to minimize impacts to the agricultural production value of any specific property. Farmers shall be compensated for the loss of agricultural production at the margins of lost property, based on the amount of land deeded as road right-of-way, as a function of the total amount of production on the property. (Implementing agencies: RTPAs, transportation project sponsor agencies)

- **LU-3(c)** Project sponsors should implement corridor realignment, buffer zones, setbacks, and fencing when feasible to reduce conflict between agricultural lands and neighboring uses. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

- **LU-3(d)** Farmland Conservation Easements. Prior to approval of 2035 MTP/SCS projects that may adversely impact prime farmland, the project sponsor shall, when the following mitigation measures are feasible, require that a farmland conservation easement, a farmland deed restriction, or other farmland conservation mechanism be granted in perpetuity to the municipality in which the project is proposed, or an authorized agent thereof. The easement shall provide conservation acreage at a minimum ratio of 1:1 for direct impacts. The conservation area shall be located within the county where the project is proposed in reasonable proximity to the project area. (Implementing agencies: RTPAs, transportation project sponsor agencies, cities and counties for land use projects)

\textbf{b. Findings} The Santa Cruz County Regional Transportation Commission Board of Directors finds that changes or alterations as set forth in mitigation measures LU-3(a)-(d) been required in, or incorporated into, the 2035 MTP/SCS and 2014 SC-RTP to lessen this significant impact. The Santa Cruz County Regional Transportation Commission Board of
Directors finds that some of the changes and alterations described in these mitigation measures are within the responsibility of RTPAs which as CEQA responsible agencies will adopt them, while others are within the responsibility and jurisdiction of other public agencies, and that those changes and alterations can and should be adopted by those other agencies. Although mitigation measures LU-3(a)-(d) reduce the impact, the impact will remain significant and unavoidable because no feasible measures can prevent loss of any agricultural land while allowing implementation of the transportation projects and development in the region. Therefore, the Santa Cruz County Regional Transportation Commission Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Since no feasible mitigation measures or project alternatives have been found to reduce the impact to a less than significant level, this impact remains significant and unavoidable.

c. **Supportive Evidence** – Please refer to pages 4.10-10 through 4.10-12 of the Final EIR.
VI. FINDINGS REGARDING ALTERNATIVES

A. LEGAL REQUIREMENTS FOR ALTERNATIVES

Public Resources Code § 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives…which would substantially lessen the significant environmental effects of such projects.” “Feasible” means “capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines § 15364). The concept of feasibility also encompasses whether a particular alternative promotes the Project’s underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410; California Native Plant Society v. City of Santa Cruz (2009) 177 Cal.App.4th 957.)

The issue of alternatives feasibility arises twice in the CEQA process, once when the EIR is prepared, and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is “potentially” feasible. Potentially feasible alternatives are suggestions by the EIR preparers which may or may not be adopted by lead agency decisionmakers. When CEQA findings are made after EIR certification, the lead agency decisionmaking body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint. (See California Native Plant Society v. City of Santa Cruz (2009) 177 Cal.App.4th 957.)

If a significant impact can be substantially lessened (i.e., mitigated to a less than significant level) by adoption of mitigation measures, lead agency findings need not consider the feasibility of alternatives to reduce that impact. (See Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515.) Nevertheless, Chapter 6 of the Project EIR and these Findings of Fact do consider the ability of potentially feasible alternatives to substantially reduce all of the Project’s significant impacts, even those impacts reduced to less-than-significant levels through adoption of mitigation measures.

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines § 15126.6(a)). In all cases, the consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the proposed Project; and (1) through the imposition of mitigation measures the environmental effects of a project can be reduced to an acceptable level, or (2) there are social, economic, technological, or other considerations that make the alternative infeasible. (Pub. Res. Code §§21002, 21002.1; CEQA Guidelines §15092.)

The proposed 2035 MTP/SCS alternatives were selected for review in the EIR because of their potential to avoid or substantially lessen project impacts, or because they were required under CEQA Guidelines (e.g., the No Project alternative). The project and alternatives are described in more detail in the 2035 MTP/SCS Final EIR and Appendices thereto.

The three alternatives considered for the proposed 2035 MTP/SCS are: Alternative 1, the “No Project” alternative, which is comprised of a land use pattern that reflects existing land use trends and
a transportation network comprised of transportation projects that are currently in construction or are funded in the short range Metropolitan Transportation Improvement Program (MTIP); Alternative 2: Intensified Land Use and Transit Alternative, which includes a land use pattern that further concentrates forecasted population and employment growth in urban areas with a focus on infill, mixed use, and transit oriented development in and around commercial corridors; and Alternative 3: Business As Usual, which includes a land use pattern comprised of existing land use plans and a transportation network that includes more traditional congestion relief and roadway projects focused on mobility and safety. Alternatives 1 and 2 were determined to be environmentally superior to the proposed 2035 MTP/SCS. However, all of the alternatives are rejected for the following reasons:

Findings on Alternatives

- **No Project Alternative.** The No Project Alternative is comprised of a land use pattern that reflects existing land use trends and a transportation network comprised of transportation projects that are currently in construction or are funded in the short range Metropolitan Transportation Improvement Program (MTIP). The No Project Alternative could be considered environmentally superior overall, as it would entail the fewest projects; and therefore, result in the fewest construction-related impacts and related impacts associated with ground disturbance. However, many of the transportation improvements and infill/TOD projects envisioned in the 2035 MTP/SCS would not be developed. The No Project Alternative is rejected because it would not meet the basic project objectives of the proposed 2035 MTP/SCS. Project objectives are listed on pages 2-5 to 2-6 of the Final EIR.

- **Intensified Land Use and Transit Alternative.** The Intensified Land Use and Transit Alternative includes a land use pattern that further concentrates forecasted population and employment growth in urban areas with a focus on infill, mixed use, and transit oriented development in and around commercial corridors. The transportation network under this alternative includes transit investments in addition to other alternative modes of transportation to serve a more concentrated growth pattern. Specifically, active transportation investments such as bicycle facilities, sidewalks, traffic calming measures and intersection safety improvements would be prioritized in this alternative. A greater level of investment would be focused on closing transit gaps by expanding local transit rather than interregional or long distance services. Alternative 2 could be considered environmentally superior to the Project, primarily because impacts to aesthetics, biological resources, cultural resources, geology, and land use would be less than or similar to the proposed 2035 MTP/SCS. However, Alternative 2 would result in more severe air quality, GHG, energy, and transportation impacts. Further, it would have a greater impact to low income and minority populations as fewer people within these communities would be served by transportation improvements than anticipated for the 2035 MTP/SCS; see Final EIR Sections 4.2, 4.2, 4.5, and 4.6. Therefore rejected for policy reasons because it is inconsistent with MTP/SCS Goal 4, Social Equity.

- **Business As Usual Alternative.** The Business As Usual Alternative includes a land use pattern comprised of existing land use plans and a transportation network that includes more traditional congestion relief and roadway projects focused on mobility and safety. A greater level of investment is focused on capacity increasing projects are combined with investment in long distance transit service options to reduce congestion and increase
mobility within the region. Operations and maintenance projects are included to improve safety on the region’s local streets and roads also are given a higher priority. This alternative is rejected because it would result in greater GHG, land use, and environmental justice impacts which are major environmental issue areas intended to be addressed by the 2035 MTP/SCS see Final EIR Sections 4.6, 4.8, and 4.10. Further, it would not meet basic project objectives because it would result in greater GHG and land use impacts, and have a greater impact to low income and minority populations as fewer people within these communities would be served by transportation improvements than anticipated for the 2035 MTP/SCS.
VII. FINDINGS ON CUMULATIVE IMPACTS

A. Introduction

Chapter 4 of the EIR includes an analysis of both project-specific and cumulative impacts of the proposed project, as required by CEQA. This EIR is a Program EIR that analyzes the effects of cumulative buildout of the 2035 MTP/SCS and the RTPs prepared by the Monterey, San Benito, and Santa Cruz RTPAs. The proposed 2035 MTP/SCS considers probable future projects included in the range of specific land use and transportation projects designed to meet the plan goals and current and projected future needs, and the Final EIR analyzes the cumulative impacts of these projects. The cumulative effects of all probable future circulation system improvements and land use projects in the region are included in the analysis of the proposed project’s impacts.

In Chapter 4.0, thresholds of significance for cumulative impacts are the same as those for direct, project-specific impacts, as authorized by CEQA case law. (See Save Cuyama Valley v. County of Santa Barbara (2013) 213 Cal.App.4th 1059.) When project-specific impacts are judged to be significant, they also by definition are considered “cumulatively considerable” incremental contributions to significant cumulative impacts. (See CEQA Guidelines Section 15130(a).) Mitigation measures adopted for project-specific impacts in Sections IV and V of these findings also are feasible options for mitigating the proposed project’s incremental contribution to significant cumulative effects. (See CEQA Guidelines Section 15130(b)(5).)

B. Findings for Significant Cumulative Impacts for Which Project’s Incremental Contribution has Been Mitigated to Less than Significant Levels (Class II Impacts)

For the following impacts, the Santa Cruz County Regional Transportation Commission Board of Directors hereby finds that in Section IV of these findings, mitigation measures have been identified in the EIR that will avoid or substantially lessen the proposed project’s incremental contribution to the following significant cumulative impacts to a less than significant (i.e., less than cumulatively considerable) level. The significant impacts and the mitigation measures that will reduce them to a less than significant level are as follows:

- Impact AES-1; Mitigation Measures AES-1(a)-(d)
- Impact AQ-1; Mitigation Measures AQ-1(a)-(e)
- Impact AQ-3; Mitigation Measure AQ-3(a)
- Impact B-1; Mitigation Measures B-1(a)-(k)
- Impact B-2; Mitigation Measures B-2(a)-(d)
- Impact G-1; Mitigation Measures G-1(a)-(b)
- Impact G-2; Mitigation Measures G-2(a)-(d)
- Impact G-3; Mitigation Measures G-3(a)-(b)
- Impact GHG-1; Mitigation Measure GHG-1
- Impact W-1; Mitigation Measures W-1(a)-(f)
- Impact W-2; Mitigation Measures W-2(a)-(c)
- Impact LU-1; Mitigation Measures for Impacts AES-1, AES-2, AQ-1, AQ-3, and N-1 to N-4
- Impact LU-4; Mitigation Measures LU-4(a)-(c)
- Impact N-1; Mitigation Measures N-1(a)-(f)
- Impact N-2; Mitigation Measures N-2(a)-(b)
- Impact N-3; Mitigation Measure N-3
- Impact N-4; Mitigation Measure N-4
C. Findings for Significant Cumulative Impacts for Which Project’s Incremental Contribution has Not Been Mitigated to Less than Significant Levels (Class I Impacts)

For the following impacts, the Santa Cruz County Regional Transportation Commission Board of Directors hereby finds that in Section V of these findings, mitigation measures have been identified in the EIR that will reduce the proposed project’s incremental contribution to the following significant cumulative impacts, but not to a less than significant (i.e., less than cumulatively considerable) level. The significant impacts and the mitigation measures that will reduce them to a less than significant level are as follows:

- Impact AES-2; Mitigation Measures AES-2(a)-(c)
- Impact B-3; Mitigation Measures B-3(a)-b)
- Impact CR-1; Mitigation Measures CR-1(a)-d)
- Impact LU-3; Mitigation Measures LU-3(a)-(c)
VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Santa Cruz County Regional Transportation Commission Board adopts and makes this statement of overriding considerations concerning the Project’s unavoidable significant impacts to explain why the project’s benefits override and outweigh its unavoidable impacts.

The Environmental Impact Report (EIR) has identified and discussed significant effects that may occur as a result of the Project. As set forth in these CEQA Findings, Santa Cruz County Regional Transportation Commission has made a reasonable and good faith effort to eliminate or substantially mitigate the impacts resulting from the Project and has made specific findings on each of the project’s significant impacts and on mitigation measures and alternatives. With implementation of the mitigation measures discussed in the EIR, most of the project’s effects can be mitigated to a level of less than significant. However, even with implementation of all feasible mitigation, the project will result in significant and unavoidable impacts as follows:

1. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would contribute to the alteration of the Monterey Bay area’s aesthetic character. (Impact AES-2)
2. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would impede wildlife movement, including fish migration, and/or impede the use of a native wildlife nursery. (Impact B-3)
3. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would disturb known and unknown cultural resources. (Impact CR-1)
4. Implementation of the 2035 MTP/SCS and 2014 SC-RTP would convert agricultural lands to transportation infrastructure or development project. (Impact LU-3)

In accordance with Section 15093 of the CEQA Guidelines, and having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the project, and having weighed the benefits of the Project against its unavoidable adverse impacts after mitigation, the Board hereby finds that the following legal, economic, social, and environmental benefits of the project outweigh its unavoidable adverse impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact:

a. The implementation of 2035 MTP/SCS and 2014 SC-RTP transportation projects will provide for a comprehensive transportation system of facilities and services that meets the public's need for the movement of people and goods, and that is consistent with the social, economic, and environmental goals and policies of the region. (See Final EIR Chapter 2.)
b. The project will improve transportation mobility and accessibility in the county compared to no project conditions. (See Final EIR Chapter 2 and Impact T-1.)
c. The project will improve air quality by reducing emissions of ozone precursors compared to existing and future No Project conditions. (See Impact AQ-2.)
d. The SCS will contribute to a reduction in per capita greenhouse gas (GHG) emissions from passenger vehicles and light trucks, helping the Monterey Bay area to achieve the regional GHG reduction targets set by the California Air Resources Board (CARB). (See Impact GHG-2.)
e. The project will promote consistency between the California Transportation Plan 2025, the regional transportation plan and other plans developed by cities, counties, districts, Native
American Tribal Governments, and State and Federal agencies in responding to Statewide and interregional transportation issues and needs. (See Final EIR Chapter 5.)
f. The construction of transportation projects will result in both short-term and long-term economic benefits to the Monterey Bay area and its residents. Transportation projects will indirectly provide for a number of jobs relating to construction and maintenance. The 2035 MTP/SCS program includes $7.675 billion of transportation investments in the region including $2.7 million attributable to the 2014 SC-RTP (2035 MTP/SCS Table 3-1 and 2014 SC-RTP Appendix D). Other California MPO studies have shown that investments in regional transportation projects and programs provide numerous jobs locally (see, for example, SANDAG 2050 RTP/SCS, Technical Appendix 3, Table TA 3.1, average annual increase of 18,500 jobs).
IX. MITIGATION MONITORING AND REPORTING PROGRAM

The Santa Cruz County Regional Transportation Commission Board of Directors finds that a Mitigation Monitoring and Reporting Program (MMRP) for the 2035 MTP/SCS has been prepared for the project and has been adopted concurrently with these Findings (Public Resources Code, § 21081.6(a)(1)). The MMRP is described in the following sections.

A. PURPOSE AND INTENDED USE OF THE MMRP

The California Environmental Quality Act (CEQA) requires that an agency adopt a Mitigation Monitoring or Reporting Program (MMRP) prior to approving a project that includes mitigation measures. This MMRP has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines.

The purpose of this MMRP is to ensure the adopted mitigation measures adopted in the findings of fact for 2035 MTP/SCS are implemented, in accordance with CEQA requirements. The findings adopt feasible mitigation measures to reduce the significant environmental impacts of the 2035 RTPO/SCS. This MMRP clarifies the process for AMBAG, Santa Cruz County Regional Transportation Commission and sponsor agencies to ensure these mitigation measures are implemented, and designates responsibility for implementing, monitoring, and reporting mitigation.

The adopted mitigation measures are programmatic first-tier mitigation that shall be implemented by AMBAG and RTPAs, and can and should be implemented by other sponsor agencies during future project-specific design and second-tier environmental review. When the RTPAs are the direct source of funding for transportation network improvement projects, RTPAs will require as a grant condition the implementation of 2035 MTP/SCS mitigation measures that are applicable to, and feasible for, the project type being funded.

In addition, SB 375 provides specific CEQA streamlining for residential/mixed-use projects and transportation priority projects (TPPs) if they incorporate mitigation measures from an SB 375-compliant RTP EIR. To take advantage of these CEQA streamlining opportunities, sponsor agencies may use this MMRP as a tool for incorporating mitigation measures in their future residential/mixed use projects and TPPs.

B. MITIGATION MEASURES ADOPTED WITH THE 2035 MTP/SCS AND RTPS FOR MONTEREY, SANTA BENITO AND SANTA CRUZ COUNTIES EIR

The mitigation measures adopted in the 2035 MTP/SCS EIR findings are listed in Sections III, IV, and V of these findings. Each mitigation measure identifies the parties responsible for implementation.

C. ENFORCEMENT

CEQA requires mitigation measures to be “fully enforceable” through the use of permit conditions, agreements, or other measures within each Lead Agency’s authority (Public Resources Code 21081.6(b)). Most of the adopted mitigation measures are programmatic first-tier mitigation that shall be implemented by AMBAG and the RTPAs, and can and should be implemented by other sponsor agencies during future project-specific design and second-tier environmental review.
agencies during future project-specific design and environmental review. The Lead Agency for each future project is responsible for assuring the project-specific mitigation measures it adopts are enforceable. In addition, as mentioned above, when the RTPAs are the direct source of funding for transportation network improvement projects, RTPAs will require as a grant condition the implementation of those 2035 MTP/SCS mitigation measures that are applicable to, and feasible for, the project type being funded.

D. IMPLEMENTATION AND REPORTING

Santa Cruz County Regional Transportation Commission shall provide input to and rely upon AMBAG’s overall implementation and administration of this MMRP for the 2035 MTP/SCS. AMBAG shall designate a staff person to serve as Coordinator for overall implementation and administration of this MMRP, and its application to future projects. The Coordinator will prepare an annual progress report on mitigation measure implementation. Mitigation measures will be programmed to occur at, or prior to, the following milestones:

- **During individual environmental review.** These are measures that need to be undertaken during individual project-level environmental review of MTP transportation projects or SCS land use projects. These measures include items such as assessment of identification of specific project level noise reduction measures, and measures to reduce impacts on biological resources.

- **Prior to issuance of a grading permit.** These are measures that need to be undertaken before earth moving activities begin. These measures include items such as staking the limits of environmentally sensitive areas or vegetation to remain, confirming biological mitigation plans with resource agencies, and including pertinent design details in the project plans.

- **During project construction.** These measures are those that need to occur as the project is being constructed. They include monitoring the construction site for the proper implementation of dust and emission controls, erosion controls, biological protection, and examining grading areas for the presence of cultural materials.

- **Following construction.** These measures apply to project components that would go into effect at completion of the project construction phase, including items such as management or monitoring plans (e.g., revegetation, etc.).

The Santa Cruz County Regional Transportation Commission shall implement and administer the MMRP for the 2014 SC-RTP. SCCRTC shall designate a staff person to serve as Coordinator for overall implementation and administration of this MMRP, and its application to future projects. Mitigation measures will be programmed to occur at, or prior to, the following milestones:

- **During individual environmental review.** These are measures that need to be undertaken during individual project-level environmental review of MC-RTP transportation projects. These measures include items such as assessment of identification of specific project level noise reduction measures, and measures to reduce impacts on biological resources.

- **Prior to issuance of a grading permit.** These are measures that need to be undertaken before earth moving activities begin. These measures include items such as staking the limits of

2035 MTP/SCS and RTP for Santa Cruz County– CEQA Findings of Fact, SOC, and MMRP  Exhibit A-60
environmentally sensitive areas or vegetation to remain, confirming biological mitigation plans with resource agencies, and including pertinent design details in the project plans.

- **During project construction.** These measures are those that need to occur as the project is being constructed. They include monitoring the construction site for the proper implementation of dust and emission controls, erosion controls, biological protection, and examining grading areas for the presence of cultural materials.

- **Following construction.** These measures apply to project components that would go into effect at completion of the project construction phase, including items such as management or monitoring plans (e.g., revegetation, etc.).
-----Original Message-----
From: Robert Hull [mailto:rhull@rhull.com]
Sent: Sunday, June 15, 2014 7:57 AM
To: info@sccrtc.org
Subject: Comments on Regional Transportation Plan

I reviewed the online copy of the 2014 RTP.

I agree with many of the planned projects. One project that would improve sustainability should be added. Building a commuter rail line between Santa Cruz County and Santa Clara County paralleling CA-17 and using much of the abandoned rail line between Felton and Los Gatos.

My other concern is the priority for projects. CA-1 is a tremendous frustration to commuters. We need to raise the priority of CA-1 projects. This includes the proposed HOV lane.

Thank you,

Robert Hull
Scotts Valley
AGENDA: June 26, 2014

TO: Regional Transportation Commission
FROM: Ginger Dykaar, Transportation Planner
RE: Travel Time and Travel Time Reliability for Highway 1

RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission receive information on travel time and travel time reliability for Highway 1.

BACKGROUND

As part of the 2014 Regional Transportation Plan (RTP), RTC has incorporated performance based planning by defining targets to assess how well the plan, if implemented, achieves goals. By developing targets, progress over time can also be assessed. In the 2014 RTP, target 1Di is to “Improve travel time reliability for vehicle trips.” Travel time reliability is an important measure of transportation service quality as it is an indicator of the variation in travel times from one day to the next. Travelers want to know that if a trip will take a half-hour today, it will also take a half-hour tomorrow, and the next day and so on. Travel time reliability (TTR) matters since being late to work, an appointment, or for a delivery can have substantial repercussions for both travelers and businesses. Literature from the Federal Highway Administration (FHWA) and many academic journals cite travel time reliability between destinations as a more important measure than average travel time because it is challenging for people to try to plan around the unpredictable nature of travel. A common goal of transportation agencies is to reduce travel time variability by striving to keep the time it takes to take a trip as close as possible to the average trip time.

DISCUSSION

The baseline travel time data for Highway 1 travel between Watsonville (at Hwy 129) and Santa Cruz (at Ocean St) was measured from Caltrans detectors along the highway and made available through the Performance Monitoring System (PeMS) database. Highway 1 travel time data in the northbound direction for this segment was analyzed over a one year period (9/1/2012 to 8/31/2013). Figure 1 shows the variability in travel time along Highway 1 from Watsonville to Santa Cruz at 8:00 am on non-holiday weekdays during this year. The travel times are plotted versus the weekday of the year along with the 60 mph travel time, average travel
time and 95% travel time. The 95% travel time is defined as the time where 95% of the trips will be shorter than this time.

In Figure 2, the 60 mph travel time, mean travel time and 95% travel time are plotted versus time of day at 5 minute intervals for Highway 1 northbound from Watsonville to City of Santa Cruz for the same one year period. The travel time reliability measure is based on the 95% travel time. Note that the greater the difference between the average travel time and 95% travel time curves at the peak hour indicates a lesser degree of travel time reliability. This plot shows that at a free flow speed of 60 mph, the travel time along Highway 1 between Hwy 129 and Ocean St is approximately 16 minutes. At the AM peak (averaged over a 5 minute interval), average travel time is about 24 minutes and the 95% travel time is about 31 minutes.
Highway 1 travel times in the southbound direction along this same segment (Highway 1 from Ocean St to Hwy 129) was only more recently available in 5 minute intervals for an approximately 6 month timeframe (Figure 3). Data from September 13, 2013 to March 6, 2014 was used to determine average travel time and 95% travel time in the southbound direction. This plot shows that at a free flow speed of 60 mph, the travel time along Highway 1 between Ocean St and Hwy 129 is approximately 16 minutes. At the p.m. peak time (averaged over a 5 minute interval), average travel time is about 24 minutes and the 95% travel time is approximately 30 minutes.
Figure 3 – Travel Time and Travel Time Reliability for Highway 1 Southbound from City of Santa Cruz (Ocean St to Hwy 129)

2014 RTP Travel Time/Travel Time Reliability Projections

Travel time and travel time reliability projections for 2035 based on implementing the projects in the 2014 Regional Transportation Plan were determined using the AMBAG regional travel demand model. The 2035 average travel times and 95% travel times are projected to increase for Hwy 1, 17 and the urban arterials relative to 2010. Figure 4 compares the travel time and 95% travel time for Hwy 1 AM northbound travel for the baseline, 2035 Project and 2035 No Project. The average travel time for 2035 project is only slightly greater than the 2012 baseline average travel time although the increase in the 95% travel time is greater. Similarly, Figure 5 compares the baseline, 2035 Project and 2035 No Project for travel time and 95% travel time for Hwy 1 southbound PM peak (15 minute average) travel times. The average travel time for 2035 Project increases only slightly with a greater increase in the 95% travel time. Although average and 95% travel times for 2035 project are slightly greater than the current baseline, they are less than a no project alternative.
When comparing vehicle miles traveled (VMT) in 2035 to 2010, even though the per capita VMT is projected to decrease from 2010 to 2035 by approximately 7%, the growth in population will increase the total VMT by approximately 9% in 2035 compared to a low in total VMT in 2010 (Figure 6). But total VMT in 2035
compared to 2005 - the same base year as used for the GHG emission target - is approximately 2% lower (Figure 6). Even with an increase in population of about 19% over 2005 and with very little capacity increasing projects in our county, by locating jobs and housing closer together and shifting some trips to alternative modes such as transit, carpool, bike, and walk, the congestion relative to 2005 is not projected to get worse. In addition, by putting transportation system efficiencies into place to make traffic flow improvements such as aux lane projects on Hwy 1, intersection improvements (e.g. by adding left turn lanes, improved signal synchronization, roundabouts), congestion may be reduced even further.

Figure 6– Daily Vehicle Miles Traveled – Per Capita and Total versus Time

Summary

Baseline travel time and travel time reliability data for Highway 1 is available from Caltrans detectors along the highway through the Performance Measurement System (PeMs). Data is aggregated to determine travel times for highway segments between Watsonville and Santa Cruz in both northbound and southbound directions. The 2035 projections for mean travel time and 95% travel times will increase for Hwy 1, 17 and the urban arterials and thus decrease travel time reliability. Despite decreases in per capita VMT, the increase in population will cause the total VMT to increase by 9% in 2035 compared to a low in total VMT in 2010. Although travel times for 2035 project are slightly greater than the current baseline, they are less than a no project alternative.
TO: Regional Transportation Commission – Transportation Policy Workshop
FROM: Rachel Moriconi and Karena Pushnik, Senior Transportation Planners
      Steve Crosley, Fehr and Peers
RE: Passenger Rail Study: Goals, Evaluation Framework, and Service Scenarios

RECOMMENDATION

Staff recommends that the Santa Cruz County Regional Transportation Commission (RTC):

1. Provide input on preliminary goals (Attachment 1) and performance measures (Attachment 2) that could be used to assess the feasibility of passenger rail service on the Santa Cruz Branch Rail Line; and

2. Provide input on possible stations and service scenarios for the consultants and public to consider as part of the initial analysis (Attachments 3 and 4).

BACKGROUND

The RTC received a transit planning grant from Caltrans to evaluate the feasibility of passenger rail service on the Santa Cruz Branch Rail Line. In May 2014, the RTC awarded a contract to Fehr and Peers to conduct the study. The study will include technical analysis of service scenarios, including ridership projections, capital and operating cost estimates, evaluation of benefits, connectivity to other bus and rail service in region and, if found feasible in the short and/or long term, recommendations for service implementation and funding.

As noted in the Regional Transportation Plan (RTP) (see separate agenda item), there are a broad range of transportation challenges in Santa Cruz County. These include traffic congestion, access to jobs and services, safety, system preservation, greenhouse gas emissions and energy consumption, among others. Roadways between Santa Cruz and Watsonville are often at capacity, with buses also stuck in traffic during peak travel periods. The rail corridor has the potential to improve access to jobs and housing, reduce travel times, reduce fuel consumption and greenhouse gas emissions, expand travel options within Santa Cruz County and to other areas of the region and state, and advance multiple other local, regional, state, and federal goals. If passenger rail service is found to be feasible, recommendations on station locations and train passing sidings will assist local entities in ensuring coordination of land use, transit, trail, and freight plans along the corridor.
DISCUSSION

Goals and Evaluation Framework

As an initial step in development of the study, the RTC will refine goals, objectives, and performance measures used to evaluate varying passenger rail service scenarios. A community meeting with the consultants is scheduled for the evening of July 17 at the Live Oak Senior Center, 1777 Capitola Road (at 17th Avenue) to solicit input from the public on what goals, objectives, and measures should be used to evaluate the feasibility of rail service. Commissioners are encouraged to attend the meeting. Members of the community will also have an opportunity to provide feedback electronically (via an online survey).

The preliminary lists of goals and evaluation measures have been developed based on input received from the technical stakeholder group, community leaders, and Commissioners, as well as common transit industry standards. Staff recommends that the Commission review and provide feedback on the list of draft goals (Attachment 1), indicating whether they capture the purpose and need for rail transit in the county. Further, staff recommends that Commissioners indicate which goals they see as most critical.

The intent of the preliminary list of performance measures (Attachment 2) is to evaluate the effectiveness, identify fatal flaws, and differentiate service scenarios in order to select a preferred scenario, which may include phased service implementation. This list was developed based on review of typical and context-sensitive performance metrics, the unique character (land use, transportation, existing and long range needs) of the county, available data, model capability, the project type (rail corridor), the overall scope of the project, and the consultant’s experience with similar feasibility studies. Staff recommends the Commission review and provide feedback on the evaluation framework (Attachment 2). Notably, use of some performance measures could be restricted based on available data, model capabilities, and the project budget.

Following public outreach in July, the consultants will refine the draft list of goals into a proposed set of key goals and link the refined evaluation framework to those goals in order to guide the scenario analysis and identify a preferred service scenario. Staff and the consultants will return to the RTC in August or September with recommendations.

Stations and Service Scenarios

The Consultant team, with input from technical stakeholders and staff, has prepared maps and an extensive list of some of the possible station locations (Attachment 3). The list of possible station locations was drawn from the following sources: feedback from the Technical Stakeholders, Community Leaders, and previous studies, including Around the Bay Study (1998), Major Transportation Investment Study (1998), Intra-County Recreational Rail Options (2003), and the Aptos/Capitola Recreational Rail Study (2005). While the actual number and location of station stops could change over time, a few primary stations have been identified based on areas that currently have high transit ridership potential.
Additionally, the consultants have prepared a matrix of sample service scenario options that represents the “universe of options” (Attachment 4). There are many combinations that could be considered for the scenario analysis, related to where trains would start and stop (routes/termini), number of station stops, service days and times (e.g. weekend only, peak Monday-Friday), and vehicle types, among other factors. The amount of funds that would be required to upgrade the line, in order to increase train speeds and provide passing sidings, and the presence of freight trains are among some of the other factors that would influence potential ridership and overall feasibility. In July, members of the public will be asked to weigh in on these options. In late August/early September, the consultants will present results of the initial analysis of extensive services options and ask the RTC for concurrence on a refined list to up to five service options for detailed evaluation.

Public Outreach Plan

RTC staff is the lead for the public outreach component of the Passenger Rail Study with the assistance of the consultant team. Staff already began hosting meetings with local jurisdiction planning/economic development staff and many community leaders to receive input on the scope of the study and hear input about desired outcomes from the analysis. In addition, staff and consultants held a productive first meeting with the Technical Stakeholder group in early June. Their feedback helped shape the draft goals, performance measures and sample service scenarios. As the study is developed, staff will be seeking additional input from the community, technical stakeholders, rail peers, and the Commission. A summary of the outreach plan (Attachment 5) and schedule (Attachment 6) for this project is attached. Staff requests that Commissioners help encourage participation in the study, in order to ensure a broad community discussion.

SUMMARY

The RTC is developing a Santa Cruz County Passenger Rail Study to assess if passenger rail transit service could be feasible on the Santa Cruz Branch Rail Line. Staff is seeking input at this meeting on the preliminary list of goals, evaluation metrics, station location, and service scenarios. A public meeting on these items will be held on July 17 at the Live Oak Senior Center.

Attachments
1. Preliminary Draft Goals
2. Preliminary Evaluation Measures
3. Preliminary Station Locations Map and List
4. Sample Service Scenarios
5. Outreach Plan for the Passenger Rail Study
6. Project Schedule
## Santa Cruz County Passenger Rail Study
### Preliminary DRAFT Project Goals

<table>
<thead>
<tr>
<th>Category</th>
<th>Primary Goals</th>
<th>Objectives</th>
<th>Secondary Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transportation</strong></td>
<td><strong>Provide a convenient, competitive and accessible travel option</strong></td>
<td>Reduce travel times, increase transit ridership, and improve transit travel time reliability</td>
<td>Improve transit (bus-rail) and non-motorized (ped/bike-rail) connectivity to activity centers (existing/planned) and neighborhoods</td>
</tr>
<tr>
<td><strong>Alternatives/Choices</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sustainability</strong></td>
<td><strong>Enhance communities and the environment</strong></td>
<td>Preserve open space and reduce sprawl, by increasing transit uses and walkable communities around the rail corridor</td>
<td>Minimize neighborhood, right-of-way, construction and environmental impacts</td>
</tr>
<tr>
<td><strong>Economy</strong></td>
<td><strong>Support economic vitality</strong></td>
<td>Support economic opportunities and access to jobs</td>
<td>Act as a catalyst for sustainable* development and revitalization of areas near stations</td>
</tr>
<tr>
<td><strong>Performance/Cost Effectiveness</strong></td>
<td><strong>Develop a rail system that is financially feasible</strong></td>
<td>Maximize operational efficiencies by building on partnerships with other agencies, groups and interests</td>
<td>Generate sufficient ridership to minimize cost per boarding and subsidy per boarding</td>
</tr>
</tbody>
</table>

* Sustainable = supports the “triple bottom line” of environment, equity and economy
**Attachment 2**

**Passenger Rail Study: Santa Cruz Branch Rail Line**

**Evaluation Framework - Possible Performance Metrics**

*Preliminary DRAFT - For Discussion Purposes Only*

*Measures to evaluate effectiveness, identify fatal flaws, and differentiate between service scenarios in order to assess feasibility and preferred scenario(s).*

<table>
<thead>
<tr>
<th>Evaluation Measure</th>
<th>Evaluation Criteria</th>
<th>Methodology/Definition</th>
<th>Type of Analysis*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transit Operations and Performance</strong></td>
<td>Travel time</td>
<td>Travel time and speed</td>
<td>Quantitative</td>
</tr>
<tr>
<td></td>
<td>Ridership/Performance</td>
<td>Ridership (number of passengers)</td>
<td>Quantitative</td>
</tr>
<tr>
<td></td>
<td>Equity analysis</td>
<td>Serves low income/disadvantaged populations</td>
<td>Quantitative</td>
</tr>
<tr>
<td><strong>Livability and Commercial Vitality</strong></td>
<td>Support/promote economic vitality</td>
<td>Economic benefits (ex. access to jobs and services, redevelopment and infill, attract visitors)</td>
<td>Qualitative</td>
</tr>
<tr>
<td></td>
<td>Maximize efficiency of existing infrastructure</td>
<td>Ability to increase transportation network throughput</td>
<td>Quantitative</td>
</tr>
<tr>
<td><strong>Connectivity/Quality of access</strong></td>
<td>Local Connectivity</td>
<td>Locations (origins and destinations) accessible within a 15-minute walk, bike ride, or bus transfer from a station</td>
<td>Quantitative</td>
</tr>
<tr>
<td></td>
<td>Transit Connectivity</td>
<td>Connectivity to local, regional, and state (intercity rail) transit services (e.g. METRO, Capitol Corridor, state rail, Hwy 17 Express bus)</td>
<td>Qualitative</td>
</tr>
<tr>
<td><strong>Capital and operating costs</strong></td>
<td>Capital cost</td>
<td>Total construction cost (includes design, construction, construction management, right-of-way, vehicles, etc.)</td>
<td>Quantitative</td>
</tr>
<tr>
<td></td>
<td>Operating and maintenance (O&amp;M) costs</td>
<td>O&amp;M cost per service hour</td>
<td>Quantitative</td>
</tr>
<tr>
<td></td>
<td>Service efficiency and Cost effectiveness</td>
<td>Farebox recovery ratio (percent of operating costs paid for by rider fares)</td>
<td>Quantitative</td>
</tr>
<tr>
<td><strong>Neighborhood &amp; Environmental Impacts</strong></td>
<td>Traffic Impacts</td>
<td>Potential for traffic impacts at grade crossings, stations, etc.</td>
<td>Qualitative</td>
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<tr>
<td></td>
<td>Environmental Benefits</td>
<td>Reduced VMT and congestion, including associated energy consumption, air pollution, greenhouse gas emissions</td>
<td>TBD</td>
</tr>
<tr>
<td><strong>Funding Competitiveness</strong></td>
<td>Funding potential of scenario</td>
<td>Ability to compete for local, state, federal funding sources</td>
<td>Qualitative</td>
</tr>
<tr>
<td><strong>Sustainable Communities</strong></td>
<td>Regional, state, and federal goals</td>
<td>Ability to advance Regional Transportation Plan, local, state, and federal goals</td>
<td>Qualitative</td>
</tr>
</tbody>
</table>

*Quantitative or qualitative analysis would result in a high, medium, or low ranking for each criterion for alternatives analysis*
<table>
<thead>
<tr>
<th>ID</th>
<th>Station</th>
<th>Core Express</th>
<th>Limited Express</th>
<th>Expanded/Local</th>
<th>Future/Conditional</th>
<th>Approximate Location</th>
<th>Notes/Alternative Location(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Davenport</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td>Highway 1/ROW</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Westside Santa Cruz (UC West)</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>Natural Bridges/ROW</td>
<td>Shaffer Rd.; Swift St.; Almar Ave.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Bay St./California (UC East)</td>
<td>x</td>
<td>ST</td>
<td>x</td>
<td>Bay St./California St.</td>
<td>Potentially UCSC School term only</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Downtown Santa Cruz</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>Pacific Ave/Center St (Depot Park)</td>
<td>Possible add connection to Hwy 17 Express Bus</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Santa Cruz Boardwalk</td>
<td>x</td>
<td>x</td>
<td></td>
<td>Leibrandt Ave./ROW</td>
<td>Potentially weekend-only</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Seabright</td>
<td>x</td>
<td></td>
<td></td>
<td>Seabright Ave./ROW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Harbor/7th Avenue</td>
<td>x</td>
<td></td>
<td></td>
<td>7th Ave./ROW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>17th Avenue</td>
<td>x</td>
<td></td>
<td></td>
<td>17th Ave./ROW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>41st Avenue (Pleasure Pt &amp; Capitola Mall Connector)</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>41st Ave./ROW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Jewell Box (Jade St Park/Cliff Dr)</td>
<td>x</td>
<td></td>
<td></td>
<td>Nova Dr. / 47th Avenue</td>
<td>Cliff Dr. / 49th Avenue</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Capitola Village/Depot Hill</td>
<td>x</td>
<td>x</td>
<td></td>
<td>Monterey Ave./Park Ave.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>New Brighton/Cabrillo</td>
<td>ST</td>
<td>x</td>
<td></td>
<td>New Brighton Rd./Cabrillo College Dr.</td>
<td>Park Ave. / Coronado St. (if no bike/ped bridge built)</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Seaciff Village/Beach</td>
<td>x</td>
<td>x</td>
<td></td>
<td>State Park Dr.</td>
<td>Potential park-and-ride</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Aptos Village</td>
<td>x</td>
<td></td>
<td></td>
<td>Soquel Dr. / Aptos Creek Rd.</td>
<td>Trout Gulch Rd. /ROW</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Seascape</td>
<td>x</td>
<td>x</td>
<td></td>
<td>Seascape Blvd./Rio del Mar Blvd.</td>
<td>Clubhouse Dr. / Sumner Ave.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>La Selva/Manresa St. Beach</td>
<td>x</td>
<td></td>
<td></td>
<td>San Andreas Rd./ROW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Ohlone</td>
<td>x</td>
<td></td>
<td></td>
<td>Ohlone Parkway</td>
<td>Potential park-and-ride</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Downtown Watsonville</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>W. Beach St./Walker St.</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Pajaro</td>
<td>x</td>
<td></td>
<td></td>
<td>Salinas Rd./Railroad Ave.</td>
<td>Connection to other regional rail systems</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
Primary Stations **(in bold)** reflect areas with highest transit ridership potential, based on preliminary analysis of population density, job density, land use diversity, street intersection density, and concentration of zero-car households.
Future/Conditional Stations would be added to system in-step with growth in ridership potential (jobs, housing, infrastructure development or transit connections).
ST: School term; P&R: Park-and-ride.
Transit Likelihood is a variable that captures population per acre, jobs per acre, land use diversity, street intersection density, and number of zero car households per census block group.

Footnote to accompany Primary Stations: Primary Stations reflect areas with highest transit ridership potential, based on preliminary transit likelihood index evaluation.

Santa Cruz Rail Feasibility Study-Santa Cruz
RTC Board Meeting
June 26, 2014

Some features may not be visible in black and white. Color maps online at: http://www.sccrtc.org/meetings/commission/agendas/
Transit likelihood is a variable that captures population per acre, jobs per acre, land use diversity, street intersection density, and number of zero car households per census block group.

Footnote to accompany Primary Stations: Primary Stations reflect areas with highest transit ridership potential, based on preliminary transit likelihood index evaluation.

Some features may not be visible in black and white. Color maps online at: http://www.sccrtc.org/meetings/commission/agendas/
## Santa Cruz Rail Feasibility Study: Sample Service Scenarios

<table>
<thead>
<tr>
<th>Sample Route/Corridor</th>
<th>Service Type</th>
<th>Service Span</th>
<th>Station Quantity</th>
<th>Investment Levels</th>
<th>Connections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Santa Cruz to Watsonville</td>
<td>Core Express</td>
<td>▪Weekday ▪Weekend</td>
<td>3-5</td>
<td>Medium</td>
<td>▪ San Jose Diridon via Highway 17 Express bus ▪ Local Bus</td>
</tr>
<tr>
<td>Santa Cruz to Aptos</td>
<td>Limited Express</td>
<td>▪Weekday Peak ▪Seasonal Weekends</td>
<td>6-10</td>
<td>Medium</td>
<td>▪ San Jose Diridon via Highway 17 Express bus ▪ Local Bus</td>
</tr>
<tr>
<td>Santa Cruz to Capitola</td>
<td>Limited Express</td>
<td>▪Weekend only</td>
<td>6-10</td>
<td>Low</td>
<td>▪ San Jose Diridon via Highway 17 Express bus ▪ Local Bus</td>
</tr>
<tr>
<td>Santa Cruz to Sea Cliff</td>
<td>Expanded Local</td>
<td>▪Weekday ▪Seasonal Weekends</td>
<td>6-10</td>
<td>Low</td>
<td>▪ San Jose Diridon via Highway 17 Express bus ▪ Local Bus</td>
</tr>
<tr>
<td>Santa Cruz to Pajaro</td>
<td>Expanded Local</td>
<td>▪Weekday Peak</td>
<td>11+</td>
<td>High</td>
<td>▪ San Jose Diridon via Highway 17 Express bus ▪ Local Bus ▪ Future regional and state rail (HSR at Gilroy; Capital Corridor &amp; Amtrak Coast Daylight at Pajaro)</td>
</tr>
<tr>
<td>Davenport to Pajaro (full length of ROW)</td>
<td>Future Conditional</td>
<td>▪Weekday Peak</td>
<td>11+</td>
<td>High</td>
<td>▪ Future regional and state rail (e.g. HSR at Gilroy; Capital Corridor &amp; Amtrak Coast Daylight at Pajaro)</td>
</tr>
<tr>
<td>Santa Cruz to San Jose (via Pajaro)</td>
<td>Future Conditional</td>
<td>▪Weekday Peak ▪Weekend</td>
<td>11+</td>
<td>High</td>
<td>▪ Future regional and state rail ▪ Other regional systems connecting at San Jose Diridon</td>
</tr>
</tbody>
</table>

**Notes**
These are samples for discussion purposes only. Service hours, the presence of freight, and vehicle types are among other factors to be analyzed. Vehicle types will depend on the type and location of freight operations (could include freight in limited areas, comingled with passenger trains, or time separated use [temporal separation]). Vehicle types may include: DMU - Diesel Multiple Unit (many types, may or may not comingle with freight rail), light rail (time restricted). Investment levels represent a very conceptual appraisal of costs based on a blending of capital and O&M (operation and maintenance) costs. The capital costs influenced by length of the route and number of stations associated with each scenario and will be further refined in later phases of the Passenger Rail Feasibility Study.
Public Outreach Plan for Passenger Rail Study

Goal: To encourage broad community participation and discussion about the viability of local and connecting passenger rail as a mobility option.

1. Meetings/Workshops
   a. RTC Board and Advisory Committees
   b. Metro Board
   c. General Public – approximately 3 special meetings on key components
   d. Community Leaders/Stakeholders: Neighborhood, environmental, transit, business groups, etc.
   e. Technical Stakeholders: Local jurisdictions, colleges, tourist and business groups
   f. Rail Peers: technical experts from agencies planning or operating rail transit systems
   g. Project Team: RTC, Metro, SC&MB Railway, Caltrans, consultants
   h. Other: as needed/requested by groups

2. eNews Outreach – provide news, project updates, direct to webpages for details
   a. Individuals: about 1,000 on list
   b. Groups/Agencies/Partners
   c. Media

3. RTC Website
   a. Separate webpage created for Passenger Rail Study
   b. Update frequently the “What’s New” sidebar
   c. Post updates, links to reports, eNews sign up, video clips, etc
   d. Use Social Media (Facebook, Twitter) and eNews to direct public to project webpage
   e. Surveys to solicit input on project components

4. Outreach Materials (for website, meetings, etc)
   a. Fact Sheet
   b. Maps
   c. Graphics (e.g. meeting displays)
   d. PowerPoint presentations
   e. Draft/Final Report and Executive summary
   f. Summary of goals/objectives
   g. Performance Metrics
   h. Scenarios

5. General Publicity
   a. Media outreach: news releases, public service announcements, guest articles/editorials, contacts
   b. Community Calendars
   c. Bilingual public outreach: RTC’s Espanol webpage, translate surveys into Spanish, attend events
   d. Events: Displays and eNews sign up at festivals/fairs, farmers market, Metro stations, etc.
### DELIVERABLE SCHEDULE

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Year 2014</th>
<th>Year 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Task 1</td>
<td>Study &amp; Rail Corridor Context</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task 2</td>
<td>Study Goals &amp; Metrics</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task 3</td>
<td>Define Service Scenarios</td>
<td></td>
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</tr>
<tr>
<td>Task 4</td>
<td>Collect &amp; Compile Data</td>
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<td></td>
</tr>
<tr>
<td>Task 5</td>
<td>Ridership, Revenue, &amp; Cost Estimates</td>
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</tr>
<tr>
<td>Task 6</td>
<td>Evaluate Service Scenarios</td>
<td></td>
<td></td>
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<tr>
<td>Task 7</td>
<td>Develop Service Recommendations</td>
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<td></td>
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<tr>
<td>Task 8</td>
<td>Administrative Draft Report</td>
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<tr>
<td>Task 9</td>
<td>Draft Report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task 10</td>
<td>Final report</td>
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</tr>
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</table>

### MEETING SCHEDULE - CONSULTANTS ATTENDING

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice to Proceed-Kick-off Meeting</td>
<td>May</td>
</tr>
<tr>
<td>Public/Community Stakeholder Meetings</td>
<td>Jun</td>
</tr>
<tr>
<td>RTC and Metro Board Presentations</td>
<td>Jul</td>
</tr>
<tr>
<td>Technical Stakeholder Meetings</td>
<td>Aug</td>
</tr>
<tr>
<td>Technical Memorandum Deliverable</td>
<td>Sep</td>
</tr>
<tr>
<td>Draft Report Deliverable</td>
<td>Oct</td>
</tr>
<tr>
<td>Final Report Deliverable</td>
<td>Nov</td>
</tr>
<tr>
<td>PUBLIC BOARD MTG</td>
<td>Dec</td>
</tr>
<tr>
<td>PUBLIC BOARD MTG</td>
<td>Jan</td>
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<tr>
<td>PUBLIC BOARD MTG</td>
<td>Feb</td>
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<tr>
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<td>Mar</td>
</tr>
<tr>
<td>PUBLIC BOARD MTG</td>
<td>Apr</td>
</tr>
<tr>
<td>PUBLIC BOARD MTG</td>
<td>May</td>
</tr>
</tbody>
</table>
TO: Regional Transportation Commission (RTC) – Policy Workshop
FROM: Rachel Moriconi, Senior Transportation Planner
REGARDING: State Budget Update

RECOMMENDATIONS

This item is for information only.

BACKGROUND

The Regional Transportation Commission (RTC) monitors and provides input on federal and state actions that could impact transportation planning, programming and project implementation in Santa Cruz County.

DISCUSSION

On June 15 the Legislature passed the FY 2014-15 State Budget, including trailer bills related to how to spend cap-and-trade fees from businesses that emit greenhouse gases.

If Brown signs the budget as is, in the 2014-15 fiscal year, approximately $870 million in anticipated cap and trade revenue will be distributed as shown in Attachment 1. This includes:

- $250 million for High Speed Rail (HSR)
- $130 million for the "Affordable Housing and Sustainable Communities" program (see discussion below)
- $200 million for low carbon transportation capital (includes, but not limited to, “cleaning up” cars, trucks, buses, and freight to meet federally mandated clean air requirements and long-term greenhouse gas emissions reduction goals; funding for heavy-duty freight; electric vehicle programs and rebates; and off-road vehicles)
- $25 million for Transit and Intercity Rail (grant program to fund capital improvements and operational investments to modernize California’s intercity, commuter, and urban rail systems to achieve certain policy objectives, including the expansion and integration of rail services)
- $25 million for Transit Low Carbon Operations (via STA formula. To fund operation investments to increase transit ridership and reduce emissions of greenhouse gases by reducing vehicle miles traveled throughout California)

In future fiscal years (starting with 2015-16) continuous appropriations of cap and trade proceeds would be distributed as follows:

- 25% High Speed Rail
- 20% to Affordable Housing and Sustainable Communities program
- 10% for Transit and Intercity Rail Capital program
- 5% for Low Carbon Transit Operations, through the State Transit Assistance formula
- 40% annually appropriated in the budget or legislation for investments in Low Carbon Transportation, Natural Resources programs, Energy programs, and other programs.

At full implementation, the cap and trade auctions could generate up to $5 billion annually.

The cap and trade “Affordable Housing and Sustainable Communities” program includes funds for affordable housing projects (50%) and other programs that help reduce greenhouse gases. Based on SB 862, which outlines distribution criteria, projects to be funded from the sustainable communities portion would need to be consistent with state environmental priorities and "support implementation of an adopted or draft sustainable communities strategy or, if a sustainable communities strategy is not required for a region by law, a regional plan that includes policies and programs to reduce greenhouse gas emissions". Additionally, projects would need to fit on a list of project categories beginning with "Intermodal, affordable housing projects that support infill and compact development" and "Transit capital projects and programs supporting transit ridership." Active transportation projects including bicycle and pedestrian facilities and capital projects that implement complete streets are also eligible uses.

The Strategic Growth Council (SGC) will administer the non-housing portion of the Affordable Housing and Sustainable Communities funds. The final governance structure of the "sustainable communities" (non-housing) portion will be left to the discretion of the SGC, with some direction to work with regional entities—thus, although there is no direct language for the regional partnership structure like CALCOG and other transportation agencies had advocated for, it is our understanding that the bill does not rule it out.

In addition to cap and trade revenues for transportation projects and programs, the budget approved by the legislature includes early repayment of the Highway User Tax Account (HUTA) loans and State Highway Account funds to cities and counties for local streets and roads ($242 million in addition to next year’s gas tax revenues; approx. $1 million to the County of Santa Cruz), as well as additional funds for the State Highway Operation and Protection Program (SHOPP) and highway maintenance.

**SUMMARY**

This report provides an overview of state budget activities that could impact transportation planning, programming, and projects in Santa Cruz County.

Attachment 1: Cap and Trade Budget Summary (6/15/14)
CAP AND TRADE

- Allocates Cap and Trade revenue in 2014-15 and contains statutory language to continuously appropriate 60 percent of ongoing Cap and Trade funding, beginning in 2015-16.

- Appropriates, for 2014-15, Cap and Trade funds for the following purposes:

<table>
<thead>
<tr>
<th>Program</th>
<th>$ millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Speed Rail</td>
<td>$ 250</td>
</tr>
<tr>
<td>Transit and Intercity Rail Capital Program</td>
<td>$ 25</td>
</tr>
<tr>
<td>Low Carbon Transit Operations</td>
<td>$ 25</td>
</tr>
<tr>
<td>Affordable Housing and Sustainable Communities</td>
<td>$ 129</td>
</tr>
<tr>
<td>Low Carbon Transportation</td>
<td>$ 208</td>
</tr>
<tr>
<td>Weatherization</td>
<td>$ 70</td>
</tr>
<tr>
<td>Agricultural Energy and Operational Efficiency</td>
<td>$ 15</td>
</tr>
<tr>
<td>ECAA for public buildings</td>
<td>$ 20</td>
</tr>
<tr>
<td>Water Action Plan - Water-Energy Efficiency (SB 103- has been appropriated)</td>
<td>$ 40</td>
</tr>
<tr>
<td>Water Action Plan - Wetlands and Watershed Restoration</td>
<td>$ 25</td>
</tr>
<tr>
<td>Sustainable Forests</td>
<td>$ 24</td>
</tr>
<tr>
<td>Sustainable Forests/Urban Forestry</td>
<td>$ 17</td>
</tr>
<tr>
<td>Waste Diversion</td>
<td>$ 25</td>
</tr>
<tr>
<td>Total</td>
<td>$ 872</td>
</tr>
</tbody>
</table>

- Appropriates continuously, beginning in 2015-16, Cap and Trade funds for the following purposes:

  o 35 percent of Cap and Trade Revenue, continuously appropriated for the new Transit, Affordable Housing, and Sustainable Communities program to be allocated as follows:

    - 20 percent of all ongoing Cap and Trade funds are continuously appropriated for the Affordable Housing and Sustainable Communities program, a grant program administered by the Strategic Growth Council. Of this amount, half of the funds must be used for affordable housing.
• 10 percent of all ongoing Cap and Trade funds are continuously appropriated for the Transit and Intercity Rail Capital Program, a grant program for transport and rail related capital projects that is administered by the State Transportation Agency and awarded by the California Transportation Commission.

• 5 percent all ongoing Cap and Trade funds are continuously appropriated for the Low Carbon Transit Operations Program, which provides funding through the existing State Transit Assistance program to reduce greenhouse gas emissions by supporting new or expanded bus or rail services or expanded intermodal transit facilities.
  
  ▪ 25 percent of Cap and Trade Revenues continuously appropriated for High Speed Rail Authority. Providing a continuous and stable funding source to continue construction.
  
  ▪ 40 Percent of the funding would be annually appropriated in the budget or legislation for important investments in Low Carbon Transportation, Natural Resources programs, Energy programs, and other programs.

• Creates structures to allow Cap and Trade funds to flow to investment areas identified by the State Investment Plan, as created by AB 1532 (Chapter 807, Statutes of 2012). This plan was created to implement the intent of AB 32 (Chapter 488, Statutes of 2006), which established the Cap and Trade mechanism to reduce the emission of greenhouse gases that contribute to climate change. In addition, this bill ensures the goal of SB 535 (Chapter 830, 2012) that 25 percent of all Cap and Trade funds benefit disadvantaged communities is met through the expenditure of these funds. This bill also ensures the local planning efforts required by SB 375 (Chapter 728, Statutes of 2008) are reflected in the investment of funds for sustainable community efforts. Finally, this bill has accountability mechanism to ensure that state investments demonstrate and verify reductions of greenhouse gas emissions, to ensure a tight fee nexus required by Article XIII of the California Constitution.