ICF. 2018. CEQA Initial Study/Mitigated Negative Declaration. Santa Cruz Rail Trail Segment 7 Project (Phase II). July. (ICF 00381.15.) San Jose, CA. Prepared for City of Santa Cruz, Santa Cruz CA.
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Acronyms and Abbreviations

AMBAG  Association of Monterey Bay Area Government
APE    Area of Potential Effect
AQMP   Air Quality Management Plan
B.O.   biological opinion
BMPs   Best Management Practices
BRWL   blue-rich white light
Caltrans California Department of Transportation
CCAA   California Clean Air Act
CDF    California Department of Forestry
CDFW   California Department of Fish and Wildlife
CE     Categorical Exclusion
CEQA   California Environmental Quality Act
CH₄    methane
CHRIS  California Historical Resources Information System
City   The City of Santa Cruz
CO     carbon monoxide
CO₂    carbon dioxide
CRLF   California red-legged frog
dB     decibel
dBA    A-weighted sound level
DTSC   Department of Toxic Substance Control
EIR    Environmental Impact Report
ESAs   environmentally sensitive areas
Farmland Farmland of Statewide Importance
FMMP   Farmland Mapping and Monitoring Program
GHGs   greenhouse gases
IS/MND  Initial Study/Mitigated Negative Declaration
LED    Light-emitting diode
Master Plan Monterey Bay Sanctuary Scenic Trail Network Master Plan
MBSST Network Monterey Bay Sanctuary Scenic Trail Network
MBTA   Migratory Bird Treaty Act
MBUAPCD Monterey Bay Unified Air Pollution Control District
MLD    Most Likely Descendant
Mmax   Maximum Moment Magnitude
N₂O    nitrous oxide
NAHC   Native American Heritage Commission
NCCAB  North Central Coast Air Basin
NEPA   National Environmental Policy Act
NO₂    nitrogen dioxide
NWIC   Northwest Information Center
O₃     ozone
Pb     lead
PCE    Tetrachloroethylene
PG&E   Pacific Gas & Electric
PM₁₀, ., PM₂.₅ particulate matter
ROW    right-of-way
SC&MB Railway Santa Cruz & Monterey Bay
<table>
<thead>
<tr>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>SCCRTC</td>
<td>Santa Cruz County Regional Transportation Commission</td>
</tr>
<tr>
<td>SCPD</td>
<td>Santa Cruz Police Department</td>
</tr>
<tr>
<td>SCSD</td>
<td>Santa Cruz City Schools District</td>
</tr>
<tr>
<td>Service</td>
<td>United States Fish and Wildlife Service</td>
</tr>
<tr>
<td>SO₂</td>
<td>sulfur dioxide</td>
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<tr>
<td>State</td>
<td>State of California</td>
</tr>
<tr>
<td>STB</td>
<td>Surface Transportation Board</td>
</tr>
<tr>
<td>SWPPP</td>
<td>Storm Water Pollution Prevention Plan</td>
</tr>
<tr>
<td>Tph, TC</td>
<td>Total Petroleum Hydrocarbons, transportation control plan</td>
</tr>
<tr>
<td>UCSC</td>
<td>University of California at Santa Cruz</td>
</tr>
<tr>
<td>USACE</td>
<td>United States Army Corps of Engineers</td>
</tr>
</tbody>
</table>
Section 1
Background & Project Description

1. **Project Title:**
   Santa Cruz Rail Trail Segment 7 Project (Phase II)

2. **Lead Agency/Sponsor’s Name and Address:**
   City of Santa Cruz
   Public Works Department
   809 Center Street, Room 201
   Santa Cruz, California 95060

3. **Contact Person and Phone Number:**
   Nathan Nguyen, P.E. 831.420.5188

4. **Project Location:**
   The Project site is located along an existing rail line within the City of Santa Cruz limits, from the intersection of California Street and Bay Street on the west to Pacific Avenue on the east.

5. **General Plan Designation:**
   City of Santa Cruz General Plan (2030)
   Parks, Community Facilities, and Regional Visitor Commercial

6. **Zoning:**
   City of Santa Cruz Municipal Code
   PK (Parks)
   PF (Public Facilities)
   R-T (B) (Motel Residential)
   C-B (Beach Commercial)

7. **Description of Project:**
   Refer to Sections 7.1-7.6.

7.1 **Introduction and Background**

The City of Santa Cruz (City), in coordination with Santa Cruz County Regional Transportation Commission (SCCRTC), is proposing to construct a 0.79-mile paved bicycle/pedestrian trail along an existing rail line within the City limits, from the intersection of California Street and Bay Street on the west to Pacific Avenue on the east (Project). The Project is the central portion of Segment 7, one of 20 segments within the proposed 32-mile Coastal Rail Trail alignment and the broader Monterey Bay Sanctuary Scenic Trail Network (MBSST Network). This is the second phase of development of Segment 7, and is described as Phase II.

The 32-mile Coastal Rail Trail extends from Davenport to Watsonville in Santa Cruz County, and is considered the spine or primary alignment of the 50-mile MBSST Network extending along the entire Santa Cruz County coast, from the Santa Cruz/San Mateo County line on the north to the Santa Cruz/Monterey County line on the south. The MBSST Network has various gaps and includes several spur trails connecting a number of origin, destination, and recreation areas to the Coastal Rail Trail.
The Coastal Rail Trail is located within the Santa Cruz Branch Rail Line (rail) right-of-way (ROW), owned by the SCCRTC. In 2012 when SCCRTC purchased the Santa Cruz Branch Rail Line, it selected railroad operator Iowa Pacific Holdings (known locally as Santa Cruz and Monterey Bay Railway) to use the Santa Cruz Branch Rail Line. In June 2018, because the Santa Cruz and Monterey Bay Railway did not meet contractual obligations, SCCRTC entered into an agreement with Progressive Rail to provide rail operations on the Santa Cruz Branch Rail Line and to serve as the common carrier on this line as designated by the Surface Transportation Board (STB). Regular freight service is currently provided in the south county area and may be extended to other portions of the county in the future. Recreational passenger rail does occur within the limits of the project. This includes recreational passenger service during the tourist season, from approximately 1,000 feet west of the wye to the Boardwalk, by Roaring Camp Railroads in Felton California. Recreational passenger service up-coast from the City may be considered in the future.

The SCCRTC prepared the Monterey Bay Sanctuary Scenic Trail Network Master Plan (Master Plan) to establish a continuous alignment, design standards, and guidelines for the Coastal Rail Trail and its associated Trail Network. The Master Plan divides the trail network into 20 segments: Segments 1-5 (Northern Reach), Segments 6-14 (Central Reach), and Segments 15-20 (Watsonville Reach). The Project represents a portion of Segment 7 of the Coastal Rail Trail in the Master Plan.  

In compliance with the California Environmental Quality Act (CEQA), the SCCRTC certified the Final Environmental Impact Report (EIR) for the Master Plan on November 7th, 2013, and an addendum to the Final EIR on February 6, 2014. Because funding sources for the Project include local and both state, and federal sources, the environmental documentation for the Project must comply with both CEQA and the National Environmental Policy Act (NEPA). As the CEQA lead agency, the City is preparing this Initial Study/Mitigated Negative Declaration (IS/MND). As the NEPA lead agency assigned by the Federal Highway Administration, the California Department of Transportation (Caltrans) is preparing a Categorical Exclusion (CE).

7.2 Purpose and Need

The Project is needed for the following reasons:

- There are existing gaps to the MBSST Network segments, resulting in a non-continuous Trail Network.
- The existing connectivity for bicyclists and pedestrians to access the coastal edge, beaches, and activity centers is limited.
- The primary purposes of the Project are to:
  - Maximize safe and convenient opportunities for a multi-use bicycle/pedestrian trail separate from roadway vehicle traffic;

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1 Segment 7 of the Coastal Rail Trail is 3.1 miles and extends from the Moore Creek Trestle Bridge to the intersection of Beach Street and Pacific Avenue, as described in the Master Plan. The 0.79-mile Project is the second phase of development of this segment (the eastern portion from the intersection of California Street and Bay Street to Pacific Avenue) and is referred to as Phase II. The Project does not include the approximately 1.0-mile section from the Moore Creek Trestle Bridge to Natural Bridges Drive, nor does it include the 1.31-mile section from Natural Bridges Drive to the intersection of California Street and Bay Street. The 1.31-mile section west of the Project alignment is referred to as Phase I.
Provide connectivity to other existing local and regional bicycle and pedestrian facilities from residential neighborhoods and commercial and industrial areas;

- Provide ideal start/end points from residential neighborhoods;
- Develop public trail access along the Monterey Bay National Marine Sanctuary to enhance appreciation, understanding, and protection of the Sanctuary;
- Promote awareness of the trail, trail opportunities, and trail user responsibilities; and
- Reduce transportation related energy use and greenhouse gas generation.

### 7.3 Project Description

The Project is a 0.79-mile paved bicycle/pedestrian trail along an existing rail line within the City from the intersection of California Street and Bay Street, within La Barranca Park, near the Neary Lagoon Wastewater Treatment Plant to Pacific Avenue (Figures 1 and 2). The Project alignment would create a paved pedestrian and bicycle path that would run parallel to the existing rail.

Trails within the Project alignment would be approximately 12 feet wide. The edge of the alignment would range from 8.5 feet (in constrained areas) to a maximum of 65 feet from the rail centerline.

The Project alignment would be within the existing rail ROW, except where the trail would cross public streets, and where the trail would require limited private land adjacent to the rail ROW to maintain minimum clearance from the rail tracks. These locations include two parcels located along West Cliff Drive. Therefore, permanent easements would be required from each of these locations. No property acquisition or structure removal would be required.

The Project area is primarily flat and open and extends alongside the City’s Regional Wastewater Treatment Facility, Neary Lagoon and La Barranca Park. For purposes of this analysis, the Project alignment has been divided into three sections, labeled F through H. Section F begins at the intersection of California Street and Bay Street and goes through La Barranca Park and Section H, is the most eastern section that ends at Pacific Avenue (Figures 3 through 5).

The Project includes:

- Construction of approximately 0.79 mile of new multi-use paved trail adjacent to the coastal, or south side of the rail;
- 1 roadway crossing (Beach Street) with cross-bike facilities;
- New storm drain infrastructure in Sections F, G, and H;
- New retaining walls in Sections F, G, and H; and

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2 Unless otherwise noted, the terms “trails” and “paths” in this document are used synonymously to refer to paved bike/pedestrian multi-use facilities. A multi-use paved path permits a variety of users, in addition to bicyclists, including walkers, joggers, wheelchair users, and non-motorized scooter users. Santa Cruz County Regional Transportation Commission. 2014. Monterey Bay Sanctuary Scenic Trail (MBSST) Network Final Master Plan. Adopted November 7, 2013. Revised February 6, 2014. (http://sccrtc.org/projects/multimodal/monterey-bay-sanctuary-scenic-trail/mbsst-master-plan/).

3 A design within a crosswalk that allows bicyclists to stay mounted on their bikes.
Figure 1
Project Regional Location
Figure 2

Proposed Project Alignment Location
7.3.1 Section F

La Barranca Park is a linear park that runs in-between the existing rail ROW (to the north) and Bay Street between California Street and Laguna Street (to the south) (Figure 3). The park consists of flat, landscaped topography and covers approximately 2.8 acres of City-owned land that includes trees and vegetation, benches, and historical information signage. From the west, the proposed Project alignment would use the existing crosswalk on Bay Street and connect to La Barranca Park at the corner of Bay and California Streets. The trail would curve east, traversing through a portion of the west end of the park. There are no designated play areas or park features that would be affected by this new connection. This paved section of the trail would be approximately 12 feet wide and would replace a portion of the park’s existing decomposed granite pathway in-kind. Section F of the proposed Project alignment would extend along the south side of the Regional Wastewater Treatment Facility, which is surrounded by dense vegetation and bordered by Neary Lagoon Park and open space. The surrounding land uses along this section are recreational and industrial to the north, recreational to the south, and single-family residential on the south side of Bay Street. Retaining walls with varying heights between Sections F, G, and H would be required to provide clearance between the track and the proposed Project alignment. Up to 35 trees of varying species could be removed to accommodate the trail. Depending on the diameter of these trees, up to 12 of these trees could qualify as heritage trees. If it is determined that trees can be root pruned and saved at the time of construction, the contractor will work with the city arborist to make these adjustments.
clearance between the track and the proposed Project alignment. Up to 5 trees of varying species could be removed to accommodate the trail. Depending on the diameter of these trees, up to 3 of these trees could qualify as heritage trees. If it is determined that trees can be root pruned and saved at the time of construction, the contractor will work with the city arborist to make these adjustments.

7.3.3 Section H

Section H begins east of Neary Lagoon and extends under the West Cliff Drive Bridge to Pacific Avenue (Figure 5). This section of the trail would be approximately 0.18-mile long and 12 feet wide. The surrounding land uses are the Wharf Storage Yard, the Neary Lagoon Flood Control Pump Station, residential uses, hotels, and the Monterey Bay National Marine Sanctuary Exploration Center. These residences and hotels are located on an upwardly sloped hill. As described under Section F, retaining walls with varying heights between Sections F, G, and H would provide clearance between the track and the proposed Project alignment. In addition, permanent easements at the rear of two parcels along West Cliff Drive would be required where the proposed Project alignment would be outside of the rail ROW. Up to 7 trees could be removed to accommodate the trail. Depending on the diameter of these trees, up to 6 could qualify as heritage trees. If it is determined that trees can be root pruned and saved at the time of construction, the contractor will work with the city arborist to make these adjustments.

7.4 Project Features

The following features would be included in the Project:

- **Access:** Bicycle and pedestrian access points to the trail would be available at all street crossings.

- **Safety Fencing:** Smooth wire fencing with concrete, wood, or metal posts separating the inner edge of the trail from the rail would be approximately 54-inches high. Bottom strand will be 16 inches above the trail surface to provide for wildlife access.

- **Lighting:** Safety lighting (compliant with International Dark-Sky Association standards) at each street crossing exists and would be installed along the trail.

- **Security cameras** would be installed along the trail.

- **Way-Finding Elements:** Way-finding, directional, and safety signage as well as pavement markings at all street crossings would be installed.

- **Landscaping:** The existing vegetation surrounding the rail would be trimmed to keep the alignment clear.

- **Stormwater Drainage Improvements:** Drainage improvements necessary for the Project would be made in conjunction with trail construction.

- **Retaining Walls:** A retaining wall would be required along Sections F, G, and H at the toe, or bottom, of the sloped areas to create additional space for the Project. This timber lagging retaining wall would be approximately 3,140 feet in length and would vary in height from 3.5-19.5 feet tall.
Figure 3
Project Section F
Figure 4
Project Section G

Legend

Phase II Project Sections

Figure 5
Project Section H
7.5 Maintenance

The City would be responsible for maintenance of the Project. The trail is anticipated to be open from dawn to dusk. In accordance with the Master Plan EIR, general maintenance activities anticipated for the trail include:

- Tree, shrub, and grass trimming
- Fallen tree removal
- Weed control
- Graffiti removal
- Trash and recycling disposal
- Drainage system cleaning
- Pavement sealing, repaving, and pothole repair
- Bollard replacement
- Signs, striping, fence, security camera, and lighting repair and replacement

7.6 Project Construction

7.6.1 Excavation and Grading

It is estimated that excavation necessary for construction of the Project trail, signage, and as-needed utility trench work would be up to four feet deep. In addition, construction of the Project trail would require drilling holes up to 12 feet deep for the installation of the piles for the retaining walls. During excavation, soils would be tested for contamination as needed. Clean soils would be used or available for reuse. Contaminated soils would be disposed of at an appropriate facility. The amount of cut material is approximately 3,500 cubic yards.

7.6.2 Construction Hours and Duration

Section 9.36.010 of the City’s noise ordinance prohibits offensive noise between the hours of 10:00 p.m. and 8:00 a.m. within 100 feet of a building used for sleeping purposes, or which would disturb people within hearing distance of the noise. Section 9.36.010(c) exempts construction noise from the ordinance between 7:00 a.m. and 8:00 a.m. if permitted by the City to alleviate traffic impacts, or is required due to project completion time constraints.

Construction is anticipated to occur between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Construction could occur at other days and times with written approval from the City’s Public Works Director, due to the potential to disrupt traffic and due to concerns for public health and safety. Public notification is required for construction outside of the hours of 8:00 a.m. and 5:00 p.m. In the event of an emergency, the City Manager can authorize work at other times. There would be no construction on Sundays or national holidays.

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Project construction is anticipated to start between winter 2018 and spring 2019, and would be approximately 9-12 months in duration.

7.6.3 Vehicle Access

Construction truck activity and haul routes would be limited to arterial and collector roads; however, the construction routes are unknown at this time. Temporary lane closures throughout the Project alignment are anticipated, and construction signage and a flagger would be present at these locations, as needed. Construction activities are not anticipated to result in any long-term road or lane closures.

7.6.4 Construction Staging and Equipment

Potential construction staging areas include vacant land in the following areas: land adjacent to Chestnut Street and Pacific Avenue, the railroad wye, and within the inland side of the rail ROW, excluding areas immediately adjacent to Neary Lagoon.

Construction equipment and vehicles could include: backhoes, loaders, tractors, cranes, lifts, concrete trucks and pump, paving machine, compactors/rollers, and trucks for demolition, grading, and materials delivery. Power tools could include: jackhammers, air compressors, generators, concrete saws, power drills, welding equipment, sandblasting equipment, painting equipment, power and impact wrenches, and the like.

8. Surrounding Land Uses and Setting:

The surrounding land use and setting are described per Segment in Section 7, Description of Project, above.

9. Other Public Agencies Whose Approval may be Required (e.g., permits, financing approval, or participation agreement):

The Project’s anticipated permits and approvals are listed in Table 1-1.
### Table 1-1. Anticipated Permits and Approvals

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<tr>
<th>Agency</th>
<th>Anticipated Permit/Approval</th>
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<tr>
<td>City of Santa Cruz, Planning Commission</td>
<td>Coastal, Design and Heritage Tree removal Permits</td>
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<td>Santa Cruz City Code Chapter 9.56 Heritage Tree</td>
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<td>and Street Tree Permits</td>
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<td>Certification of Mitigated Negative Declaration</td>
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<td>California Department of Transportation (Caltrans)</td>
<td>NEPA Certification</td>
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<td>Executive Order 13112: Prevention and Control of Invasive Species</td>
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<td>NPDES Statewide Stormwater Permit (Order No. 2012-0011-DWQ, Encroachment)</td>
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<td>GO 88-B Permit</td>
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<td>Endangered Species Act: Section 7(a)2: Section 7 Consultationb</td>
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<td>U.S. Army Corps of Engineers</td>
<td>Clean Water Act Section 404 Nationwide Permit</td>
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<td>California Fish and Game Code Sections 3511, 4700, 5050, and 5515: Fully Protected Species</td>
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a The entire Project is appealable to the Coastal Commission as a “major public works project.” See City Code Section 24.04.186.

b Caltrans has a programmatic biological opinion (B.O.) for California red-legged frog which prevents the need for Section 7 consultation with USFWS if it is utilized for the Project. However, USFWS notification of the Project and the use of the B.O. is still required.

10. **Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

The California Native American Heritage Commission (NAHC) was contacted on July 7, 2015, to identify any areas of concern within the Project area that may be listed in the NAHC’s Sacred Land File. The NAHC responded on July 31, 2015, stating that a search of their files failed to indicate the presence of Native American cultural resources in the immediate Project area.

The NAHC also provided a list of ten Native American contacts that might have information pertinent to this Project, or have concerns regarding the proposed actions. A letter explaining...
the Project, along with a map depicting the Project area, was sent to all ten contacts listed by the NAHC on August 4, 2015. The letter also solicited responses from each of the contacts, should they have any questions, comments, or concerns regarding the Project.

Letters were sent to the following contacts.

- Jakki Kehl
- Linda G. Yamane
- Patrick Orozco, Costanoan Ohlone Rumsen-Mutsen Tribe
- Valentin Lopez, Chairperson, Amah Mutsun Tribal Band
- Edward Ketchum, Amah Mutsun Tribal Band
- Irene Zwierlein, Chairperson, Amah Mutsun Tribal Band
- Michelle Zimmer, Amah Mutsun Tribal Band
- Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan
- Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area
- Ramona Garibay, Representative, Trina Marine Ruano Family

Follow-up phone calls to the Native American contacts listed above were conducted on September 9, 2015. Two contacts provided commentary; phone messages were left, when possible, with the other contacts. Mr. Lopez requested to be present when any ground disturbance was occurring within 300 feet of a natural water source. Ms. Garibay suggested a Native American Monitor be present during any ground disturbing activities.
Section 2

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, but would be mitigated to a less-than-significant level with implementation of recommended mitigation measures, as indicated by items marked “Potentially Significant Unless Mitigation Incorporated” within the checklist on the following pages.

☒ Aesthetics ☐ Agricultural and Forestry Resources ☒ Air Quality
☒ Biological Resources ☒ Cultural Resources ☒ Geology/Soils
☐ Greenhouse Gas Emissions ☒ Hazards & Hazardous Materials ☒ Hydrology/Water Quality
☐ Land Use/Planning ☐ Mineral Resources ☒ Noise
☐ Population/Housing ☐ Public Services ☒ Recreation
☒ Transportation/Traffic ☒ Utilities/Service Systems ☒ Mandatory Findings of Significance

Determination. (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
Christophe Schneiter, Asst. Public Works Director
Public Works Department
City of Santa Cruz

Date
7/10/18
Section 3

Evaluation of Environmental Impacts

This section identifies the environmental impacts of this project by answering questions from Appendix G of the CEQA Guidelines, the Environmental Checklist Form. The environmental issues evaluated in this chapter include:

- Aesthetics
- Air Quality
- Cultural Resources
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Mineral Resources
- Population and Housing
- Recreation
- Utilities and Services Systems
- Agricultural Resources
- Biology
- Geology
- Hazards and Hazardous Materials
- and Use Planning
- Noise
- Public Services
- Transportation/Traffic
- Mandatory Findings of Significance

All analyses take account the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Impacts are categorized as follows:

**Potentially Significant Impact** is appropriate if there is substantial evidence that an effect is significant, or where the established threshold has been exceeded. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) may be required.

**Less Than Significant with Mitigation Incorporated** applies where the incorporation of mitigation measures would reduce an effect from Potentially Significant Impact to a Less Than Significant Impact. Mitigation measures are prescribed to reduce the effect to a less than significant level.

**Less Than Significant** applies when the project will affect or is affected by the environment, but based on sources cited in the report, the impact will not have an adverse effect. For the purpose of this report, beneficial impacts are also identified as less than significant. The benefit is identified in the discussion of impacts, which follows each checklist category.

A **No Impact** answer is adequately supported if referenced information sources show that the impact simply does not apply to projects like the one involved. A No Impact Answer is explained where it is based on project-specific factors as well as general standards.
I. AESTHETICS.

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<td>b. Substantially damage scenic resources, including, but not limited to, trees,</td>
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<td>rock outcroppings, and historic buildings within a state scenic highway?</td>
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<td>c. Substantially degrade the existing visual character or quality of the site</td>
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<td>and its surroundings?</td>
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<td>d. Create a new source of substantial light or glare which will adversely affect</td>
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<td>day or nighttime views in the area?</td>
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Affected Environment

The Project is located in the Monterey Bay area of the California Central Coast, in the City of Santa Cruz in Santa Cruz County, California. The landscape is characterized by the coastal development associated with the City. Land use within the Project corridor is primarily a mix of public facilities, residential (motel), and recreational areas, including Depot, Neary Lagoon, and La Barranca Park.

The Project corridor is defined as the area of land that is visible from, adjacent to, and outside the rail ROW, and is determined by topography, vegetation, the built environment, and viewing distance. The existing rail ROW is predominantly flat with some steep embankments, and with recreational passenger rail service. Because the area is highly developed, the majority of views toward the Project corridor are only available from adjacent residences and businesses that face the corridor and that have few obstructions to limit views. Some views are also available to residences and businesses that have views of the Project corridor where the alignment crosses local roadways. In some locations, views towards the Project corridor are limited by privacy fencing, residential landscaping, and local parks (Sections F and G). The area surrounding the Project corridor is well-lit at night due to the presence of lighting associated with residential, industrial, and commercial interior and exterior lighting, street lighting, and vehicle headlights.

Discussion

a) Have a substantial adverse effect on a scenic vista?

No Impact. Highway 1 is eligible for designation as a State scenic highway, but is not officially designated (Caltrans 2017). There are no other roadways within or near the Project area that are designated in federal, state, or local plans as a scenic highway or route worthy of protection for maintaining and enhancing scenic viewsheds. Due to the developed nature of the existing rail, there are no scenic vistas associated with the Project alignment Therefore, there would be no impact on a scenic vista.
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?

**Less Than Significant with Mitigation Incorporated.** As discussed in impact I(a), there are no scenic vistas or officially designated scenic roadways within or near the Project alignment. In addition, the Project is not located near any rock outcroppings or historic building, The Project would not affect these type of scenic resources.

Construction of the Project would, however, result in the loss of 47 trees. Up to 21 of those trees could qualify as heritage trees. The removal of up to 21 heritage trees could potentially result in a significant impact to scenic resources. The actual number of trees that would be removed may potentially be lower. If it is determined that trees can be root pruned and saved at the time of construction, the contractor will work with the city arborist to make these adjustments. Nonetheless, heritage trees are regulated by the Santa Cruz City Code Chapter 9.56 and the City would be required to compensate for the loss of these trees by planting additional trees. The Santa Cruz City Code requires tree removal mitigation at a ratio of 1:1 (one 24-inch box tree) and the City’s Local Coastal Program requires a mitigation ratio of 2:1 (two 24-inch box trees). Furthermore, as described in impact I(c) below, impacts from tree removal would be mitigated with **Mitigation Measures AES-1 and AES-2**, which requires the use of native grass and wildflower species in erosion control grassland seed mix and the replacement of landscaping. Potential impacts related to damage of scenic resources would be less than significant after implementation of **Mitigation Measures AES-1 and AES-2**.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

**Less Than Significant with Mitigation Incorporated. Construction-Related Visual Impacts.** Construction of the Project would create temporary changes in views of the existing Project corridor. Construction activities would introduce heavy equipment and associated vehicles, including dozers, graders, scrapers, and trucks, into the viewshed of public roadways, residential and commercial properties, and public parks. Safety and wayfinding signage, and striping would also be a visible element. Construction is expected to require no longer than 9-12 months and would primarily occur during daylight hours (limited to 8:00 a.m. to 5:00 p.m. Monday through Friday) so that high-intensity lighting to illuminate construction activities would not be needed. Construction would not occur in any one place for an extended period of time. Staging would occur in areas identified under Construction Staging and Equipment. These staging areas would not permanently introduce a new visual feature into the landscape. Therefore, the impact on visual quality due to construction staging is considered less than significant.

Commercial, residential, and roadway user groups would be minimally affected by construction because it would be temporary and construction would take place during daylight hours, when many viewer groups would be at work. Therefore, construction-related visual impacts are considered moderate-low because the most sensitive neighbors, residential viewers, would experience only a temporary change in the visual character and the impact would be less than significant.

The Project alignment would be 12 feet wide, 8.5-65 feet from the railroad centerline, and have safety fencing separating the trail from edge of rail tracks. The trail parallels the existing tracks within the rail ROW and, in many locations, the trail would not be visible or only minimally visible because the area is predominantly flat and the proposed trail would also be flat so that it would not
stand out from the tracks and the gravel rail bed. Where it is visible, the trail would not greatly alter existing views because it would be flat and be of a width that is similar to the existing tracks and the gravel rail bed and would blend with the existing linear corridor. Construction-related visual impacts would be less than significant.

**Tree Removal and Grading.** The Project alignment would require the removal of up to 47 trees. The removal of trees in the ROW is likely to be perceived negatively by adjacent property owners and public. In addition, grading could result in impacts to grasses and shrubs. These temporary impacts could result in a potentially significant impact to the visual quality of the Project site. As described in checklist item b), the City would plant trees in order to compensate for the removal of heritage trees, per the Santa Cruz City Code. Furthermore, **Mitigation Measures AES-1 and AES-2** would be implemented to minimize the impact. **Mitigation Measure AES-1** requires the use of native grass and wildflower species in erosion control grassland seed mix. **Mitigation Measure AES-2**, requires replacement or relocation of landscaping and related appurtenances, fencing, privacy walls, and other similar features removed from private properties as a result of construction. The visual impacts from tree removal and grading would be less than significant after implementation of **Mitigation Measures AES-1 and AES-2**.

**Presence of Trail Users.** The proposed Project would not be visible from neighbors along most of Segments F and G, and portions of H because existing vegetation along the Project corridor prevents views and the trail is below the roadway. The presence of trail users would not affect existing recreational viewers in Segments F and H because they are likely to view the trail and new users favorably, as they are engaged in the same activities. Trail users may be viewed favorably by the presence of recreational activities occurring in the area. Experience and studies have shown that public use trails reduce illegal activities and increase property values. The impact on visual quality would, therefore, be less than significant.

**Retaining Walls.** Retaining walls in Sections F, G, and H which vary in height from approximately 3.5-19.5 feet tall, would be constructed as part of the Project. The retaining wall section in Section F would be located along, or a short distance away, from the fence line that separates La Barranca Park from the right-of-way. Vegetation within La Barranca Park that is located along the fence line is fairly dense, greatly limits views toward the park from the right-of-way, and would not be affected by the project. Therefore, the retaining walls would not interrupt or degrade views associated with the park. Similarly, the retaining wall sections in Sections G and H would not affect views to surrounding areas because a dense vegetative buffer would remain between the wall and residences, even with the vegetation removal that would occur to construct the retaining wall. Taller sections of retaining walls may create a sense of enclosure if not properly designed. However, the proposed Project would use timber lagging retaining walls along Sections F, G, and H, which would ensure that aesthetic wall treatments are implemented to improve Project aesthetics, reduce the visual intrusion of retaining walls in the landscape, and be consistent with the railroad theme. The impact on visual quality would, therefore, be less than significant.

**Safety Fencing and Signs.** In addition to the trail, there would be safety fencing, safety signage at street and railroad crossings, and directional and wayfinding signage in proximity to the trail. The safety fencing would be a wildlife friendly design, 4.5 feet tall, and made of concrete, wood or steel post and wire, as identified in the Master Plan, which would maintain the open feel and views of the coastal environment and neighborhood connectivity. Therefore, fencing would not greatly alter or detract from the quality of existing views. Existing signage associated with roadway and pedestrian safety, parks, and businesses is very common to the area surrounding the Project corridor.
Therefore, signage associated with the Project would not stand out within this setting and the impact would be less than significant.

**Easements.** In Section H, at the east end of the proposed Project site along West Cliff Drive, the railroad track is close to the trail ROW and easements are required from the adjacent property owners to accommodate the proposed trail width. It is anticipated that this would not substantially affect the properties with implementation of Mitigation Measure AES-2, which requires that any site features and landscaping affected during construction be replaced. The impact would be less than significant after mitigation.

**Mitigation Measure AES-1: Use Native Grass and Wildflower Species in Erosion Control Grassland Seed Mix.** The Project proponent will require construction contractors to incorporate native grass and wildflower seed to standard seed mixes (i.e., Santa Cruz mix), for erosion control measures that will be applied to all exposed slopes. Wildflowers will provide seasonal interest to areas where trees and shrubs are removed and grasslands are disturbed. Only wildflower and grass species that are native will be incorporated into the seed mix, and under no circumstances will any invasive grass or wildflower plant species be used as any component in any erosion control measures. Species will be chosen that are indigenous to the area and for their appropriateness to the surrounding habitat. For example, upland grass and wildflower species will be chosen for drier, upland areas, and wetter species will be chosen for areas that will receive more moisture. If not appropriate to the surrounding habitat, wildflowers should not be included in the seed mix.

**Mitigation Measure AES-2: Replace or Relocate Site Features and Landscaping Affected by Project.** Where appropriate and to the degree possible, landscaping and related appurtenances, fencing, privacy walls, and other similar features removed from private properties as a result of construction will be replaced or restored in place and in kind to mitigate for visual impacts resulting from the loss of such features. The Project proponent would not be required to mitigate for the instances where private landowners have incorporated portions of the SCCRTC ROW into their private yards and landscaping.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less Than Significant with Mitigation Incorporated.** The area surrounding the Project corridor is well-lit due to the presence of lighting associated with residential, commercial interior and exterior lighting, street lighting, and lighting from vehicle headlights at night. Safety lighting would be installed at the road crossing and along the trail from California Street to Pacific Avenue. Light-emitting diode (LED) lighting could adversely affect sensitive receptors by increasing nuisance light and glare and increasing ambient light glow, if proper shielding is not provided and blue-rich white light (BRWL) lamps are used (International Dark-Sky Association 2010a, 2010b, 2015). This would result in a substantial source of nighttime light and glare that could adversely affect nighttime views in the area, resulting in a significant impact. Mitigation Measure AES-3 would reduce light and glare impacts caused by Project lighting by requiring application of lighting standards. The impact from safety lighting would be less than significant after mitigation.

The majority of tree removals would occur within Sections F. Tree removal would occur where trees are growing within the ROW, along the fence lines or properties, to accommodate the trail. Removal of these trees would likely increase light and glare for adjacent residences because the amount of shading provided by trees would be reduced. Although glare would be minimal due to the trail being...
at an elevation lower than residence, the impact would still be potentially significant.
Implementation of **Mitigation Measures AES-2** would minimize lighting and glare impacts by requiring landscaping replacement, where appropriate. The impact from tree removal would be less than significant after mitigation.

**Mitigation Measure AES-3: Apply Minimum Lighting Standards.** All artificial outdoor lighting will be limited to safety and security requirements, designed using Illuminating Engineering Society’s design guidelines, and in compliance with International Dark-Sky Association approved fixtures. All lighting is designed to have minimum impact on the surrounding environment and will use downcast, cut-off type fixtures that are shielded and direct the light only towards objects requiring illumination. The lowest allowable wattage will be used for all lighted areas and the amount of nighttime lights needed to light an area will be minimized to the degree possible. Light fixtures will have non-glare finishes that will not cause reflective daytime glare. Lighting will be designed for energy efficiency and have daylight sensors or be timed with an on/off program. Lights will provide good color rendering with natural light qualities with the minimum intensity feasible for security, safety, and personnel access. Lighting, including light color rendering and fixture types, will be designed to be aesthetically pleasing. LED lighting will avoid the use of BRWL lighting and use a correlated color temperature, consistent with the International Dark-Sky Associations Fixture Seal of Approval program (International Dark-Sky Association 2010a, 2010b, 2015).

### II. AGRICULTURAL AND FOREST RESOURCES.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>☐</td>
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</tr>
<tr>
<td>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</td>
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<tr>
<td>d. Result in a loss of forest land or conversion of forest land to non-forest use?</td>
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<tr>
<td>e. Involve other changes in the existing environment which, due to their location or...</td>
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</tr>
</tbody>
</table>
II. AGRICULTURAL AND FOREST RESOURCES.

Would the Project:

nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
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</tr>
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</table>

### AFFECTED ENVIRONMENT

The Project site is mapped as “Urban and Built-Up Land” by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP). The “Urban and Built-Up Land” classification is defined as areas occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel (California Department of Conservation 2014). The California Department of Conservation, Conservation Program Support also prepares maps of the parcels under Williamson Act contract. The Project site is not under a Williamson Act contract (California Department of Conservation 2016). The Project is not located in the agriculture land use designation of the General Plan (City of Santa Cruz 2012b). In addition, the Project site is not zoned for agriculture use (City of Santa Cruz 2004). No forest land or timberland are identified in the Santa Cruz General Plan and the City does not include any forest zoning classifications.

### DISCUSSION

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?**

No Impact. The maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency classify the proposed Project site as “Urban Built-Up Land.” No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are located at the proposed Project site; therefore, no impact to these farmland resources would occur.

b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. The Project site is not zoned for agricultural use and is not under a Williamson Act contract; therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract and no impact would occur.

c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

No Impact. The proposed Project is located in an urban environment and does not contain forest or timberland and is not zoned for forest land, timberland, or timberland production. The Project would, therefore, not conflict with any forest or timberland zoning. No impact would occur.
d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** As described in Response II(c) above, no forest or timberland are located in the Project site; therefore, no impact from the loss of forest land or conversion of forest land to non-forest use would occur.

e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to nonforest use?**

**No Impact.** As described in Response II(a-d) the Project would not result in direct losses of agricultural or forest lands. Furthermore, the Project would not result in any indirect impacts to agricultural or forest lands because the Project would not induce population growth. The Project involves a trail, which would not remove a barrier to population growth. Because the Project would not induce population growth, the Project would not result in an indirect impact from the conversion of agricultural lands to non-agricultural use or conversion of forest land to nonforest use.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

<table>
<thead>
<tr>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>☐</td>
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<tr>
<td>b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
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<tr>
<td>c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?</td>
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<tr>
<td>d. Expose sensitive receptors to substantial pollutant concentrations?</td>
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<tr>
<td>e. Create objectionable odors affecting a substantial number of people?</td>
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</table>

### Affected Environment

The Project site is located within the North Central Coast Air Basin (NCCAB) and is within the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). Within the NCCAB, ambient air quality standards for ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂),
sulfur dioxide (SO$_2$), particulate matter (PM$_{10}$, PM$_{2.5}$), and lead (Pb) have been set by both the State of California (State) and the federal government. As of January 2013, the NCCAB is under non-attainment status for ozone and PM$_{10}$ and under attainment for PM$_{2.5}$, NO$_2$, SO$_2$, and Pb for State standards. Santa Cruz County is under unclassified status for CO for State standards. The NCCAB is under attainment for PM$_{10}$ and SO$_2$ and under attainment/unclassified for O$_3$, PM$_{2.5}$, CO, NO$_2$, and Pb for federal standards (MBUAPCD 2013:9).

**Discussion**

*a) Conflict with or obstruct implementation of the applicable air quality plan?*

**No Impact.** An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of an air quality plan is to bring the area into compliance with the requirements of Federal and State air quality standards. To bring the NCCAB region into attainment, the MUAPCD's Air Quality Management Plan (AQMP) is updated, in compliance with the California Clean Air Act (CCAA). The Air Quality Management Plan has been updated a total of six times since the initial preparation of the Plan in 1991. The region’s Air Quality Management Plan prescribes methods for attaining ozone and particulate matter standards and for maintaining air quality in the region.

The air quality plans use the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. The Air Quality Management Plan identifies that the emission inventory and 2035 emission projections were calculated to be consistent with the Association of Monterey Bay Area Government's (AMBAG's) 2010 Metropolitan Transportation Plan (MBUAPCD 2013:18). The 2010 Metropolitan Transportation Plan identifies the Monterey Bay Sanctuary Scenic Trail (MBSST) Network Project as a project to be constructed in the future (AMBAG 2010:24). The Project is a segment of the MBSST; therefore, the Project is accounted for in the emission projections described in the Air Quality Management Plan.

The Air Quality Management Plan identifies a strategy to reduce emissions, including reduction of mobile source emissions through the District’s incentive programs (AMBAG 2010:27). One of these incentives is support for bike to work events. The Project would not increase mobile sources of emissions and could potentially reduce some mobile sources of emissions. Therefore, the Project is consistent with the AQMP and would not conflict with or obstruct with implementation of the AQMP.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**Less Than Significant with Mitigation Incorporated.** The long-term and short-term impacts of the Project to air quality are discussed below. Greenhouse gas emissions are discussed in Section VII of this document.

**Long-Term (Operational) Emissions.** Long-term air emissions impacts are associated with any change in permanent use of the Project site by on-site stationary and off-site mobile sources that substantially increase vehicle trip emissions. No stationary sources are associated with the Project. The Project consists of a trail which once completed, would not generate vehicle or other mobile emissions. Therefore, long-term operation of the Project would not contribute to an existing or projected air quality violation.
Short-Term (Construction) Emissions. Construction activities, such as grading and vehicle/equipment use would result in air pollutant emissions. Construction activities could generate exhaust emissions from utility engines, on-site heavy duty construction vehicles, equipment hauling materials to and from the Project site, and motor vehicles transporting construction crews. The use of construction equipment would result in localized exhaust emissions which would vary daily as construction activities levels change. However, projected short-term emissions of criteria pollutants as a result of Project construction would be temporary in nature.

Fugitive dust emissions are associated with excavation, land clearing, land exposure, and cut-and-fill operations. Dust generated daily during construction would vary substantially, depending on the level of activity, the specific operations, and weather conditions. On a limited basis, sensitive receptors in the vicinity and on-site workers may be exposed to blowing dust, depending on the prevailing wind. The air quality impact from construction, therefore, could be potentially significant. Implementation of Mitigation Measure AIR-1 described below, would reduce short-term construction period air quality impact to a less-than-significant level and prevent nuisances to nearby residents.

Mitigation Measure AIR-1: Control Construction Related Dust. Consistent with guidance from the MUAPCD and City construction standards, the following “Best Management” construction practices shall be implemented at the construction site to control emissions:

- Water all active construction sites at least twice daily.
- Prohibit all grading activities during periods of high wind (over 15 mph).
- 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 feet of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Sweep streets if visible soil material is carried out from the construction site.
- Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with Rule 402 (Nuisance).

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less Than Significant with Mitigation Incorporated. As described above in Section III(b), the Project would result in temporary increases in air pollutants (e.g., fugitive dust). However, implementation of Mitigation Measure AIR-1, described above, would reduce impacts to a less than-significant level. Therefore, temporary increases in air pollutants would not be cumulatively considerable.
d) **Expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant with Mitigation Incorporated.** Portions of the proposed trail are located near residences, which are considered sensitive receptors. Construction of the Project may expose surrounding land uses to airborne particulates and fugitive dust, as well as a small quantity of pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment). Implementation of Mitigation Measure AIR-1, described above, would reduce construction-related emissions to a less-than-significant level. As discussed in Section III(b), the Project would not result in any long-term air quality impacts. Therefore, nearby sensitive receptors would not be exposed to substantial pollutant concentrations and the impact would be less than significant after mitigation.

**e) Create objectionable odors affecting a substantial number of people?**

**No Impact.** Some objectionable odors may be generated from the operation of diesel-powered construction equipment and/or asphalt paving during the Project construction period. However, these odors would be short term in nature, limited to the area under construction, and would not result in permanent impacts to surrounding land uses, including sensitive receptors in the vicinity of the Project site. No impact would occur.

**IV. BIOLOGICAL RESOURCES.**

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</td>
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</tr>
<tr>
<td>b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</td>
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<tr>
<td>c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
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</tbody>
</table>
Affected Environment

Biological resources and potential impacts on these resources from the Project were identified through a literature and database review and a field survey. Biologists reviewed existing resource information related to the Project to evaluate whether special-status species or other sensitive biological resources (e.g., wetlands, waters of the United States) could occur in the BSA. The sources listed below were reviewed.

- California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants of California for the U.S. Geological Survey (USGS) Santa Cruz, Soquel, Laurel, and Felton 7.5-minute quadrangles (California Native Plant Society 2018).
- List of special-status species from the California Natural Diversity Database (CNDDB) records search for the USGS Santa Cruz, Soquel, Laurel, and Felton 7.5- minute quadrangles (California Department of Fish and Wildlife 2017).
- USFWS's list of endangered and threatened species that may occur in or be affected by the proposed project (U.S. Fish and Wildlife Service 2017).

ICF botanist Torrey Edell and wildlife biologist Kailash Mozumder conducted a field survey of the entire biological survey area on June 29, 2015. The survey consisted of a habitat evaluation, floristic survey, general wildlife survey, and wetland assessment. The biologists walked meandering transects through the biological survey area to identify all plant species and vegetation communities encountered and to evaluate any features present that could be considered waters of the United States. The floristic survey was conducted during the appropriate blooming period for all special-status plant species with potential to be present in the biological survey area. Suitable habitats for potentially occurring special-status wildlife species were noted, as well as wildlife species observed.
**Biological Survey Area.** The biological survey area is defined as an area between 15 and 80 feet from the rail centerline on both sides of the railway tracks. The rail ROW is not a uniform width, rather it is wider in some areas and narrower in others dependent on the surrounding built constraints; the biological survey area was developed to match this variable width and thus includes a range of values rather than one consistent distance. The biological survey area was chosen to capture the entire rail ROW and all of the temporary and permanent impact areas, as well as adjacent features that could provide suitable habitat for special-status species (i.e. Neary Lagoon outlet).

The biological survey area is located within an urban, developed setting and consists of paved roadways and the disturbed rail ROW. The biological survey area is generally comprised of ballast, bare, and compacted soils, and weedy vegetation. The topography is open and flat, but narrows where the alignment extends between the Wastewater Treatment Facility and Neary Lagoon on the north and La Barranca Park and steep slopes on the south (Sections F and G).

**Land Cover.** Six land cover types were identified in the biological survey area: ruderal, landscaped, Central Coast riparian scrub, perennial drainage (Neary Lagoon outlet), lagoon (Neary Lagoon), and developed.

**Ruderal.** The majority of the biological survey area that is not developed is classified as ruderal. Non-native ruderal vegetation dominates the rail ROW. Vegetation in Section F includes cotoneaster (Cotoneaster sp.), pittosporum (Pittosporum sp.), french broom (Genista monspessulana), oat grass (Avena sp.), ribwort plantain (Plantago lanceolata), pampas grass (Cortaderia selloana), radish (Raphanus sativus), bindweed (Convolvulus arvensis), bristly ox-tongue (Helminthotheca echoides), filaree (Erodium sp.), fennel (Foeniculum vulgare), Italian thistle (Cirduus pycnocephalus), and ripgut brome (Bromus diandrus).

Because ruderal areas typically are disturbed on a regular basis by human activity, they provide low-quality habitat for wildlife. Wildlife species commonly found in ruderal and disturbed areas include Brewer’s blackbird (Euphagus cyanocephalus), house finch (Carpodacus mexicanus), house sparrow (Passer domesticus), mourning dove (Zenaida macroura), Virginia opossum (Didelphus virginiana), and striped skunk (Mephitis mephitis).

**Landscaped.** Landscaped areas in the biological survey area include those areas with ornamental vegetation that has been intentionally planted as street trees, windbreak or for other aesthetic purposes. This includes La Barranca Park in Section F and the Eucalyptus (Eucalyptus sp.) grove in Section H.

**Central Coast riparian scrub.** There are approximately 2.7 acres of Central Coast riparian scrub in the biological survey area. Central Coast riparian scrub is present on both sides of the rail at Neary Lagoon in Sections F and G of the proposed Project. This habitat is low-quality because, as described above, the disturbance caused by the presence of the existing rail ROW has led to a dominance of invasive vegetation which includes English ivy (Hedera helix), cape ivy (Delairea odorata), and Himalayan blackberry (Rubus armeniacus). Arroyo willow (Salix lasiolepis) is present in small patches on the coastal side and more densely on the inland side of the rail, as well as horsetail (Equisetum arvense), stinging nettle (Urtica dioica), coast live oak, California blackberry (Rubus ursinus), and black cottonwood (Populus balsamifera).

Common wildlife species that occur in Central Coast riparian scrub include Sierran tree frog (Pseudacris sierra), California newt (Taricha torosa), arboreal salamander (Aneides lugubris),
California slender salamander (*Batrachoseps attenuatus*), California toad (*Anaxyrus boreas halophilus*), common red-sided garter snake (*Thamnophis sirtalis infernalis*), California legless lizard (*Elgaria multicarinata multicarinata*), dusky-footed woodrat (*Neotoma fuscipes*), California quail (*Callipepla californica*), California towhee (*Melozone crissalis*), black phoebe (*Sayornis nigricans*), tree swallow (*Tachycineta bicolor*), flycatchers, warbling vireo (*Vireo gilvus*), and song sparrow (*Melospiza melodia*).

**Perennial Drainage.** There is an approximately 0.1 acre perennial drainage (the Neary Lagoon outlet) within the biological survey area. The outlet is located at the east end of the lagoon. The drainage contains water year-round, has moderately steep banks which are sparsely vegetated with Himalayan blackberry and non-native grasses, and connects to the ocean outside of the biological survey area.

**Lagoon.** Neary Lagoon is an approximately 44-acre wetland that is dominated by willows and thickets of rushes (*Juncus sp.*), cattails (*Typha sp.*), and tules (*Schoenoplectus sp.*). Only an approximately 0.4-acre portion of the lagoon is located within the biological survey area. The lagoon is located on the north side of the rail with a steep hillside between the top of the rail and the lagoon. Fencing separate parts of Neary Lagoon from the rail ROW.

**Developed.** Developed areas comprise all types of development for residential, commercial, industrial, and recreation uses. They include areas with structures, paved surfaces, parking lots, and other areas devoid of vegetation due to frequent human use. In the biological survey area, developed areas include the existing rail and associated ballast, all of the roads that cross the rail alignment, and parking lots and other volunteer parking areas (i.e., gravel or dirt areas that are devoid of vegetation due to frequent use as parking lots). The developed land cover type also includes street trees and other trees scattered throughout the biological survey area. Trees such as black locust (*Robinia pseudoacacia*), coast live oak (*Quercus agrifolia*), black walnut (*Juglans nigra*), glossy privet (*Ligustrum lucidum*), Monterey pine (*Pinus radiata*), coast redwood (*Sequoia sempervirens*), Monterey cypress (*Hesperocyparis macrocarpa*), pear trees (*Pyrus sp.*) and cherry trees (*Prunus sp.*) are located in developed areas.

**Habitats and Natural Communities of Concern.** There are three types of natural communities of special concern in the biological survey area: Central Coast riparian scrub, perennial drainage (Neary Lagoon outlet), and lagoon (Neary Lagoon). Natural communities of special concern are considered sensitive habitats because of their high species diversity, high productivity, unusual nature, limited distribution, or declining status.

Neary Lagoon, including the perennial outlet is a jurisdictional water of the United States. Neary Lagoon is a relatively permanent water that connects to traditional navigable waters (Monterey Bay). Therefore, Neary Lagoon is considered jurisdictional under the CWA.

Central Coast riparian scrub is present on both sides of the railroad at Neary Lagoon. The Central Coast riparian scrub on the south side of the rail may not be part of the riparian corridor associated with Neary Lagoon. This area contains isolated riparian vegetation that is physically separated from Neary Lagoon by the railroad. The Central Coast riparian scrub on the south side of the railroad contains a larger number of invasive plant species; is narrow and more sparsely vegetated; and may provide limited cover and accessibility for wildlife species. Therefore, the Central Coast riparian scrub on the south side of the rail may not be considered part of the Neary Lagoon riparian corridor and it is assumed, may not be subject to CDFW 1602 jurisdiction.
Special-Status Plants. Based on the CNNDDB search results and the CNPS list for the Project region, the following six special-status plant species have the potential to occur in the biological survey area: Loma Prieta hoita (*Hoita strobilina*), San Francisco popcornflower (*Plagiobothrys diffusus*), Congdon's tarplant (*Centromadia parryi ssp. congdonii*), Monterey pine, Monterey cypress, and Choris’ popcornflower (*Plagiobothrys chorisianus var. chorisianus*).

Monterey pine and Monterey cypress have a California Rare Plant Rank of 1B.1 and 1B.2, respectively (California Native Plant Society 2018). Both species are present in the biological survey area. Native Monterey pine forest and native Monterey Cypress forest are considered sensitive natural communities by CDFW. The Monterey pine and Monterey cypress trees in the biological survey area are not naturally occurring, but were planted as ornamental landscaping. Naturally occurring Monterey pine in Santa Cruz County is limited to trees in the vicinity of Ano Nuevo (Huffman and Associates 1994), which is approximately 20 miles north of the biological survey area. The only two known native occurrences of Monterey cypress are in the Monterey area and CNPS recognizes that it has been widely planted and naturalized elsewhere (California Native Plant Society 2018). CNPS's policy on Monterey Pine Forest states that native Monterey pine forest habitat should be preserved (California Native Plant Society 1995); Monterey cypress is treated in a similar way (California Native Plant Society 2018). The Monterey pine and Monterey cypress trees in the biological survey area are not remnants of past native stands and, in this context, are considered non-native vegetation; therefore Monterey pine trees in the biological survey area are not considered to be special-status plant species. No Monterey pine trees are anticipated to be removed, however Monterey cypress trees would be removed as part of the Project.

Marginally suitable habitat is present in the biological survey area for four additional special-status plant species: Loma Prieta hoita (*Hoita strobilina*); San Francisco popcornflower (*Plagiobothrys diffusus*); Congdon's tarplant (*Centromadia parryi ssp. congdonii*); and Choris’ popcornflower (*Plagiobothrys chorisianus var. chorisianus*). Loma Prieta hoita occurs as an understory species in riparian corridors (usually on serpentine soils) and thus could occur in the Central Coast riparian scrub habitat present along Neary Lagoon within the biological survey area. The latter three species are associated with mesic, temporarily ponded areas, such as along the margins of Neary Lagoon. However, since the biological survey area is located within such a heavily urbanized area the likelihood of species’ presence is extremely low. No natural/undisturbed habitat exist in the biological survey area; all habitat has been altered in some way either by development, non-native species invasion, human use (i.e. trampling), and alterations to hydrologic patterns (e.g., channelizing flows into culverts). Thus if any special-status plant species had historically been present in the biological survey area, they would likely now be extirpated. In addition, these species require sparsely vegetated areas (Elkhorn Slough 2015), as they do not compete well with native and non-native vegetation alike, which do not occur in areas containing suitable habitat in the biological survey area. San Francisco popcorn flower occurs approximately 0.86 miles north of the biological survey area in an expansive grassland and oak woodland matrix just outside of the boundary of City residential development. Other special-status plant species have not been documented in the City and the nearest occurrences are over 5 miles away from the biological survey area. Special-status plant species surveys were conducted throughout the entire biological survey area during the reconnaissance-level site visit in the summer of 2015 and again during a wetland assessment in the fall of 2017. Both surveys occurred during the blooming periods for all of the special-status plant species with potentially suitable habitat in the biological survey area (except Loma Prieta hoita which is perennial and observable year-round) and thus would have been apparent during both surveys. Thus, based on the
lack of quality habitat and two negative surveys, these species have been determined not to be present in the biological survey area.

**Special-Status Wildlife Species.** Based on the CNDDB search results and the USFWS list for the biological survey area and based on the existing land cover near the project, the following 11 special-status wildlife species were found to have the potential to occur in the biological survey area: Santa Cruz black salamander (*Aneides niger*), California red-legged frog (CRLF) (*Rana draytonii*); western pond turtle (*Emys marmorata*); great blue heron (*Ardea herodias*), osprey (*Pandion haliaetus*), Cooper’s hawk (*Accipiter cooperii*); white-tailed kite (*Elanus leucurus*); southwestern willow flycatcher (*Empidonax traillii extimus*), hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*).

**Migratory Birds and Raptors.** Migratory birds and raptors have the potential to nest in trees, shrubs, and existing infrastructure in and adjacent to the biological survey area. During the June 29, 2015 site visit, mourning doves (*Zenaida macroura*) were observed nesting under the West Cliff Drive wooden trestle overpass. Although this species is not considered a special-status wildlife species, their occupied nests and eggs are protected by CFGC Sections 3503, 3503.5, and 3800; and the Migratory Bird Treaty Act (MBTA).

**Discussion**

**a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**Less than Significant with Mitigation Incorporated. Special-Status Plants.** No special-status plant species were documented during the biological survey and none are expected to occur on or adjacent to the site due to the lack of habitat. Therefore, there would be no impact to special-status plant species.

**California Red-Legged Frog.** Neary Lagoon and the associated perennial drainage outlet near the lagoon appear to provide suitable breeding habitat for California red-legged frog. Kittleson Environmental Consulting (2010) prepared a “Biological Assessment” for the Neary Lagoon Vegetation Management and Sediment Removal Project at the Neary Lagoon Wildlife Preserve (this is a biological resources assessment report, not a Biological Assessment (BA) prepared for USFWS). In that report, the author reports that California red-legged frog has not been observed or recorded in Neary Lagoon and that based on previous field surveys and information from the CNDDB, they are not known to occur in the Neary Lagoon Wildlife Preserve. The report does not specify if surveys have been conducted in accordance with USFWS guidelines. The report contains a list of fish and wildlife that are known to occur in the lagoon, including several species of fish, bullfrogs, and crayfish, which could prey on California red-legged frog. However, California slender salamander and Sierra Nevada treefrog are also reported to occur in the lagoon, suggesting co-occurrence with predatory species. Because the lagoon appears to provide suitable breeding habitat for California red-legged frog, and this report does not provide enough information to conclude that the species is absent, it is assumed that California red-legged frog could occur in the lagoon. However, due to the amount of development surrounding the lagoon, the presence of predatory species, and potential disturbance from sediment removal, it appears less likely that California red-legged frogs would occur in the lagoon and the eastern portion of the biological survey area.
There would be no permanent or temporary loss of suitable California red-legged frog aquatic habitat from the Project. The Project would be located on the south side of the railway opposite Neary Lagoon to avoid impacts on Neary Lagoon and associated riparian corridor north of the railroad. The Project would, however, result in temporary and permanent impacts to potential suitable upland habitat.

California red-legged frog has a low likelihood to occur at Neary Lagoon, the associated perennial drainage outlet, and upland habitat in this area because of the high amount of development surrounding lagoon, the presence of predatory species, and potential disturbance from sediment removal in the lagoon, as described above. As such, the potential for injury or mortality of California red-legged frogs in this area is expected to be low. Nonetheless, if California red-legged frog are present during construction, construction activities could result in the injury or mortality of California red-legged frog from being struck or crushed by construction equipment. This would be a significant impact. Furthermore, fuel or oil leaks, or spills into suitable aquatic habitat, also have the potential to result in sickness or mortality of California red-legged frog and degradation of habitat, resulting in a potentially significant impact. The Project, as proposed meets the criteria in the Programmatic Biological Opinion for Projects Funded or Approved under the Federal Highway Administration's Federal Aid Program (8-10-F-58) (Programmatic BO) (U.S. Fish and Wildlife Service 2011). Mitigation Measure BIO-1 requires implementation of the measures in the Biological Opinion. Implementation of the measures in the Biological Opinion, including pre-construction surveys of the Project site; training for construction personnel; and implementation of best management practices (BMPs) would prevent direct and indirect impacts to California red-legged frog. Therefore, the impact to California red-legged frog would be less than significant after mitigation.

**Mitigation Measure BIO-1: Implement Measures from the Programmatic Biological Opinion for California Red-Legged Frog.** The City will implement the following minimization measures from the Programmatic BO to minimize and avoid adverse effects on California red-legged frog.

1. Only Service-approved biologists will participate in activities associated with the capture, handling, and monitoring of California red-legged frogs. Biologists authorized under this biological opinion do not need to re-submit their qualifications for subsequent projects conducted pursuant to this biological opinion, unless we have revoked their approval at any time during the life of this biological opinion.

2. Ground disturbance will not begin until written approval is received from the Service that the biologist is qualified to conduct the work, unless the individual(s) has/have been approved previously and the Service has not revoked that approval.

3. A Service-approved biologist will survey the project site no more than 48 hours before the onset of work activities. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the proposed project. The relocation site should be in the same drainage to the extent practicable. The City will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.
4. Before any activities begin on a project, a Service-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.

5. A Service-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm’s way, workers have been instructed, and disturbance of habitat has been completed. After this time, the State or local sponsoring agency will designate a person to monitor on-site compliance with all minimization measures. The Service-approved biologist will ensure that this monitor receives the training outlined in measure 4 above and in the identification of California red-legged frogs. If the monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by the City and the Service during review of the proposed action, they will notify the resident engineer (the engineer that is directly overseeing and in command of construction activities) immediately. The resident engineer will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. If work is stopped, the Service will be notified as soon as possible.

6. During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.

7. All refueling, maintenance, and staging of equipment and vehicles will occur at least 60 feet from riparian habitat or water bodies and in a location from where a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water). The monitor will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the City will ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

8. Habitat contours will be returned to their original configuration at the end of project activities. This measure will be implemented in all areas disturbed by activities associated with the project, unless the Service and the City determine that it is not feasible or modification of original contours would benefit the California red-legged frog.

9. The number of access routes, size of staging areas, and the total area of the activity will be limited to the minimum necessary to achieve the project goals. Environmentally Sensitive Areas will be delineated to confine access routes and construction areas to the minimum area necessary to complete construction, and minimize the impact to California red-legged frog habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.

10. The City will attempt to schedule work activities for times of the year when impacts to the California red-legged frog would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be
avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and coordination between the City and the Service during project planning will be used to assist in scheduling work activities to avoid sensitive habitats during key times of the year.

11. To control sedimentation during and after project implementation, the City, and the sponsoring agency will implement best management practices outlined in any authorizations or permits issued under the authorities of the Clean Water Act that it receives for the specific project. If best management practices are ineffective, the City will attempt to remedy the situation immediately, in coordination with the Service.

12. If a work site is to be temporarily dewatered by pumping, intakes will be completely screened with wire mesh not larger than 0.2 inch to prevent California red-legged frogs from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any diversions or barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the stream bed will be minimized to the maximum extent possible; any imported material will be removed from the stream bed upon completion of the project.

13. Unless approved by the Service, water will not be impounded in a manner that may attract California red-legged frogs.

14. A Service-approved biologist will permanently remove any individuals of nonnative species, such as bullfrogs (*Rana catesbeiana*), signal and red swamp crayfish (*Pacifastacus leniusculus*; *Procambarus clarkii*), and centrarchid fishes from the project area, to the maximum extent possible. The Service approved biologist will be responsible for ensuring his or her activities are in compliance with the California Fish and Game Code.

15. If the City demonstrates that disturbed areas have been restored to conditions that allow them to function as habitat for the California red-legged frog, these areas will not be included in the amount of total habitat permanently disturbed.

16. To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times. A copy of the code of practice is enclosed in the Biological Opinion document.

17. Project sites will be re-vegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials will be used to the extent practicable. Invasive, exotic plants will be controlled to the maximum extent practicable. This measure will be implemented in all areas disturbed by activities associated with the project, unless the Service and the City determine that it is not feasible or practical.

18. The City will not use herbicides as the primary method used to control invasive, exotic plants. However, if the City determines the use of herbicides is the only feasible method for controlling invasive plants at a specific project site, it will implement the following additional protective measures for the California red-legged frog:
   a. The City will not use herbicides during the breeding season for the California red-legged frog;
b. The City will conduct surveys for the California red-legged frog immediately prior to the start of any herbicide use. If found, California red-legged frogs will be relocated to suitable habitat far enough from the project area that no direct contact with herbicides would occur;

c. Giant reed and other invasive plants will be cut and hauled out by hand and the painted with glyphosate or glyphosate-based products, such as Aquamaster® or Rodeo®·

d. Licensed and experienced City staff or a licensed and experienced contractor will use a hand-held sprayer for foliar application of Aquamaster® or Rodeo® where large monoculture stands occur at an individual project site;

e. All precautions will be taken to ensure that no herbicide is applied to native vegetation.

f. Herbicides will not be applied on or near open water surfaces (no closer than 60 feet from open water).

g. Foliar applications of herbicide will not occur when wind speeds are in excess of 3 miles per hour.

h. No herbicides will be applied within 24 hours of forecasted rain.

i. Application of all herbicides will be done by a qualified City staff or contractors to ensure that overspray is minimized, that all application is made in accordance with label recommendations, and with implementation of all required and reasonable safety measures. A safe dye will be added to the mixture to visually denote treated sites. Application of herbicides will be consistent with the U.S. Environmental Protection Agency's Office of Pesticide Programs, Endangered Species Protection Program county bulletins.

j. All herbicides, fuels, lubricants, and equipment will be stored, poured, or refilled at least 60 feet from riparian habitat or water bodies in a location where a spill would not drain directly toward aquatic habitat. The City will ensure that contamination of habitat does not occur during such operations. Prior to the onset of work, the City will ensure that a plan is in place for a prompt and effective response to accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

19. Upon completion of any project for which this programmatic consultation is used, the City will ensure that a Project Completion Report is completed and provided to the Ventura Fish and Wildlife Office. A copy of the form is enclosed in the Biological Opinion document. The City should include recommended modifications of the protective measures if alternative measures would facilitate compliance with the provisions of this consultation.

**Santa Cruz Black Salamander.** The riparian scrub along Neary Lagoon in and adjacent to the biological survey area provides suitable habitat for Santa Cruz black salamander. The Project would result in the permanent loss of approximately 0.9 acre of riparian scrub in the biological survey area. The riparian scrub on the south side of the railroad tracks provides lower quality habitat for Santa Cruz black salamander because it is narrow and more sparsely vegetated than habitat on the north side of the BSA that is along Neary Lagoon. The higher quality habitat along Neary Lagoon would not be impacted by the Project. Nonetheless, a potentially significant impact could occur if a substantial number of Santa Cruz black salamander individuals were injured or killed. Implementation of **Mitigation Measure BIO-1**, which would implement measures to protect California red-legged frog
would also protect Santa Cruz black salamander from injury or mortality. Furthermore, implementation of Mitigation Measure BIO-7 would further minimize the impact by requiring the preparation of an environmental awareness program for construction personnel, construction monitoring by a biologist, and through the avoidance and minimization of impacts to native vegetation [see Impact IV (b)]. The impact to Santa Cruz black salamander would be less than significant after implementation of mitigation.

**Western Pond Turtle.** Neary Lagoon provides suitable habitat for western pond turtle. Western pond turtle could use the riparian scrub adjacent to Neary Lagoon for upland nesting and overwintering habitat.

There would be no permanent or temporary impacts on western pond turtle aquatic habitat from the construction of the Project. Although low quality upland habitat would be removed and temporarily disturbed along the south side of the railroad tracks near Neary Lagoon, there would be no impacts on upland habitat on the north side of the rail road tracks along Neary Lagoon. Western pond turtles are very sensitive to disturbances and quickly retreat into the water when threatened. It is unlikely that western pond turtle would cross the rail tracks; but if pond turtles are present within the construction work area, they could be injured or killed during construction. Fuel or oil leaks, or spills into suitable aquatic habitat, also have the potential to result in sickness or mortality of western pond turtle and degradation of habitat. A potentially significant impact could occur if a substantial number of western pond turtle were injured or killed. Mitigation Measure BIO-2 would minimize the potential for injury or mortality to western pond turtle by requiring pre-construction surveys. Furthermore, implementation of Mitigation Measure BIO-7 would further minimize the impact by requiring the preparation of an environmental awareness program for construction personnel, construction monitoring by a biologist, and through the avoidance and minimization of impacts to native vegetation [see Impact IV (b)]. The impact to western pond turtle would be less than significant after implementation of mitigation.

**Mitigation Measure BIO-2: Conduct Pre-Construction Surveys for Western Pond Turtles.** A qualified biologist will examine the biological survey area for western pond turtles and their nests no more than 24 hours before Project activities begin and during any initial vegetation, woody debris, tree removal, or other initial ground-disturbing activities. If a western pond turtle is observed at any time before or during Project activities, the qualified biologist shall be notified and all activities will cease in the immediate area until the turtle moves out of the work area on its own or the qualified biologist relocates the turtle. If a turtle becomes trapped in the work area, the City will contact CDFW for direction on how to proceed.

Great blue heron, osprey, Cooper’s hawk, white-tailed kite, southwestern willow flycatcher, and migratory birds. Great blue heron could nest at Neary Lagoon and were observed at both locations in 2018 (eBird 2018). Osprey, Cooper’s hawk, and white-tailed kite could nest in suitable trees within or adjacent to the biological survey area, particularly around Neary Lagoon. Osprey, Cooper’s hawk, and white-tailed kite were recently (2017 or 2018) observed at Neary Lagoon (eBird 2018). Southwestern willow flycatcher is not known or expected to breed in the biological survey area but could occur as a migrant and forage in the biological survey area. None of these species were observed during the June 29, 2015 field survey.

Construction during August or September could disturb foraging southwestern willow flycatchers, if they are present in or near the biological survey area. Disturbance could cause them to fly away from the construction activity and forage in other areas. Because southwestern willow flycatcher is
unlikely to occur in the biological survey area frequently, and the disturbance would be minor and would affect foraging behavior only, construction disturbance is considered less than significant.

Construction activities during the nesting season for raptors and other birds (generally February 15 through August 31) could result in the disturbance of great blue heron, osprey, Cooper’s hawk, and white-tailed kite. Construction disturbance (noise and/or activity) during the breeding season could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. The Project could result in a potentially significant impact, through loss of eggs or young, on a species regulated under the MBTA. Implementation of Mitigation Measure BIO-3 would ensure that the Project would have no effect on nesting birds by requiring pre-construction surveys and temporary fences, if active nests are found. Furthermore, implementation of Mitigation Measure BIO-7 would further minimize the impact by requiring the preparation of an environmental awareness program for construction personnel, construction monitoring by a biologist, and through the avoidance and minimization of impacts to native vegetation [see Impact IV (b)]. The impact would be less than significant after implementation of mitigation.

A potential indirect effect of the Project could be increased human disturbance of nesting activity from additional pedestrian access along the rail. However, the rail ROW is currently disturbed by pedestrians walking along the railroad, maintenance activities, and the surrounding urban environment. Additional pedestrian access is not expected to elevate the level of disturbance above current conditions. This impact would be less than significant.

Mitigation Measure BIO-3: Conduct Preconstruction Surveys for Nesting Raptors and Other Migratory Birds. If construction activities (including vegetation removal) would occur during the breeding season (generally February 15 through August 31), the City will retain a qualified wildlife biologist with knowledge of the relevant species to conduct nesting surveys before the start of construction.

The survey area will include all potential nesting habitat, including the suitable nesting trees, within the biological survey area and trees and emergent vegetation that are within 250 feet of the Project grading boundaries. The survey will be conducted no more than 14 days prior to commencement of construction activities.

If active nests of raptors or other migratory bird species protected under the MBTA and the California Fish and Game Code are present in the construction zone or within 250 feet of the construction zone, a temporary fence will be erected at a distance of 250 feet around the nest site (or less if determined to be appropriate by the biologist and according to the species and site conditions). Caltrans/City must be notified if the Project will result in adverse effects to migratory birds. Clearing and construction within the fenced area will be postponed until juveniles have fledged as determined by the biologist.

Pallid Bat and Hoary Bat. Pallid bat and hoary bat could roost in trees within the biological survey area, and could forage over any of the open habitats within the biological survey area. The Project could result in the removal or disturbance of trees that provide suitable roosting habitat (cavities, crevices, furrowed bark, and foliage) for special-status bats. Removal or disturbance of trees providing suitable roosting habitat could result in the injury or mortality of roosting bats, if present during removal or disturbance of the tree. Removal of occupied roost habitat would also displace bats, causing them to relocate to another roost site, and potentially competing with other bats for the roost site.
A significant impact could potentially occur if a substantial number of pallid bats or hoary bats were affected. Implementation of Mitigation Measure BIO-4 would ensure that the Project would have no effect on roosting bats by requiring pre-construction surveys and implementation of avoidance and protection measures. Furthermore, implementation of Mitigation Measure BIO-7 would further minimize the impact by requiring the preparation of an environmental awareness program for construction personnel, construction monitoring by a biologist, and through the avoidance and minimization of impacts to native vegetation [see Impact IV (b)]. The impact to pallid bats and hoary bats would be less than significant after mitigation.

**Mitigation Measure BIO-4: Identify Suitable Roosting Habitat for Bats and Implement Avoidance and Protective Measures.** If tree removal or trimming cannot be conducted between September 15 and October 30, qualified biologists will examine trees for suitable bat roosting habitat before tree removal or trimming. High-quality habitat features (e.g., large tree cavities, basal hollows, loose, or peeling bark, larger snags, palm trees with intact thatch) will be identified and the area around these features searched for bats and bat signs (e.g., guano, culled insect parts, staining). Riparian woodland and stands of mature broadleaf trees are considered potential habitat for solitary foliage-roosting bat species. Because signs of bat use are not easily found, and trees cannot be completely surveyed for bat roosts, the protective measures listed below will be implemented for trees containing high-quality habitat features.

- Removal or disturbance of trees providing bat roosting habitat will be avoided between April 1 and September 15 (the maternity period) to avoid effects on pregnant females and active maternity roosts (whether colonial or solitary).
- Removal of trees providing bat roosting habitat will be conducted between September 15 and October 30, which corresponds to a time period when bats have not yet entered torpor or would be caring for nonvolant young.
- Trees will be removed in pieces rather than felling an entire tree. If a maternity roost is found, whether solitary or colonial, that roost will remain undisturbed until September 15 or until a qualified biologist has determined the roost is no longer active.
- If avoidance of non-maternity roost trees is not possible, and tree removal or trimming must occur between October 30 and August 31, qualified biologists will monitor tree trimming/removal of the habitat. If possible, tree trimming or removal should occur in the late afternoon or evening when it is closer to the time that bats would normally arouse. Prior to trimming or removal of trees providing suitable roosting habitat, each tree will be shaken gently and several minutes should pass before felling trees or removing limbs to allow bats time to arouse and leave the tree. Biologists should search downed vegetation for dead and injured bats. The presence of dead or injured bats that are species of special concern will be reported to CDFW. The biologist will prepare a biological monitoring report, which will be provided to the City and CDFW.

*San Francisco Dusky-Footed woodrat.* Riparian scrub along Neary Lagoon in and adjacent to the biological survey area provides suitable habitat for San Francisco dusky-footed woodrats. The Project would result in the permanent loss of 0.9 acre of riparian scrub in the biological survey area. Construction activities within riparian scrub could also destroy San Francisco dusky-footed woodrat middens (nests) and injure or kill individuals. The riparian scrub on the south side of the railroad tracks provides lower quality habitat for San Francisco dusky-footed woodrat because of it is narrow and more sparsely vegetated than the area on the north side of the biological survey area.
that is along Neary Lagoon. The higher quality habitat along Neary Lagoon would not be impacted by the Project. Nonetheless, a potentially significant impact could occur if a substantial number of San Francisco dusky-footed woodrats were injured or killed. Mitigation Measure BIO-5 would minimize the potential for injury or mortality to San Francisco dusky-footed woodrats by requiring pre-construction surveys and avoiding middens. Furthermore, implementation of Mitigation Measure BIO-7 would further minimize the impact by requiring the preparation of an environmental awareness program for construction personnel, construction monitoring by a biologist, and through the avoidance and minimization of impacts to native vegetation [see Impact IV (b)]. The impact to San Francisco dusky-footed woodrats would be less than significant after implementation of mitigation.

Mitigation Measure BIO-5: Conduct Surveys for Woodrat Middens and Relocate Woodrats and Middens prior to Construction Activity. The City will retain a qualified biologist to conduct a survey for woodrat middens in all suitable habitat in the Project area that will be affected by construction. This survey will be conducted in the non-breeding season (between October 1 and December 31) prior to any clearing or grading activities in the Project area. If no middens are found within this area, no further action is required.

Any active middens that will not be in areas of Project-related grading or vegetation removal will be avoided and protected with a minimum 25-foot buffer. Middens that cannot be avoided will be dismantled and relocated during the non-breeding season (between October 1 and December 31) prior to land clearing activities to allow animals to escape harm and to reestablish territories for the next breeding season. Dismantling will be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. If a litter of young is found or suspected, nest material should be replaced, and the nest left alone for 2 to 3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling. The biologists will attempt to relocate any removed middens to the same area where woodrats are released.

Less Than Significant with Mitigation Incorporated. The Central Coast riparian scrub is present on both sides of the railroad at Neary Lagoon. The Central Coast riparian scrub on the south side of the rail may not be part of the riparian corridor associated with Neary Lagoon. This area contains isolated riparian vegetation that is physically separated from Neary Lagoon by the railroad. The Central Coast riparian scrub on the south side of the railroad contains a larger number of invasive plant species; is narrow and more sparsely vegetated; and may provide limited cover and accessibility for wildlife species. Therefore, the Central Coast riparian scrub on the south side of the rail may not be considered part of the Neary Lagoon riparian corridor and it is assumed, may not be subject to CDFW 1602 jurisdiction. Nonetheless, the Project would result in the removal of 15 willow trees from the south side of the rail, which would be considered a potentially significant impact. Mitigation Measure BIO-6 would require the City to plant willow trees within the City, in order to offset its impact to riparian habitat. Thus, the Projects impact to riparian habitat on the south side of the rail would be less than significant after mitigation. The Central Coast riparian scrub located on the north side of the rail is outside the Project footprint and would not be directly affected by the Project.
Neary Lagoon, including the perennial outlet, is a jurisdictional water of the United States. The Project has been designed to avoid direct impacts to the Neary Lagoon. The Project was located on the south side of the railway opposite Neary Lagoon to avoid impacts on Neary Lagoon and associated riparian corridor.

Indirect impacts on the Central Coast riparian scrub located on the north side of the rail and Neary Lagoon could occur from adjacent construction activity and staging. Neary Lagoon water quality could be impacted due to erosion and sedimentation as a result of earth moving activities. These impacts could potentially result in a significant impact to the Central Coast riparian scrub located on the north side of the rail and Neary Lagoon. Implementation of Mitigation Measure BIO-7 would minimize these impacts by requiring the installation of silt fencing, implementation of BMPs to protect water quality, an environmental awareness program for construction personnel, construction monitoring by a biologist, and by measures to avoid and minimize potential disturbances to vegetation. The indirect impacts on Neary Lagoon and the Central Coast riparian scrub habitat on the north side of the rail would be less than significant after mitigation.

**Mitigation Measure BIO-6: Plant Willow Trees**

To compensate for the removal of willow trees, the City or its construction contractor will plant willow trees within the City at a 3:1 ratio. For each willow tree that is removed, three willow trees would be planted. At a minimum, the following performance standards will be met.

The tree mitigation areas will be monitored during years 1–5. Monitoring surveys will be performed in August or September. Monitoring surveys will record tree survival and vigor and invasive plant species relative cover. Monitoring results from years 1–4 will be used to determine if the mitigation site is likely to meet the success criteria. Year 5 monitoring results will be used to determine if the mitigation site has indeed met the success criteria. If the year 5 success criteria are not met, monitoring will continue annually until those criteria are met, at which time performance monitoring can be discontinued. The success criterion for the tree plantings is 60% survival rate at the end of the 5-year monitoring period. If the mitigation sites do not achieve the success criteria, remedial actions will be implemented as necessary. These remedial actions could include but would not be limited to replanting or installing tree protection cages.

**Mitigation Measure BIO-7: Install Silt Fencing Around Environmentally Sensitive Areas**

The City and/or its construction contractor will install silt fencing to minimize impacts to environmentally sensitive areas (ESAs) in and adjacent to the construction area. A qualified biologist will identify sensitive biological resources adjacent to the construction area before the final design plans are prepared, so that the areas to be fenced can be included in the plans. This would include the staging and access area in Section H, as well as any other staging or access areas used during Project construction. Portions of these areas that are to be avoided during construction will be fenced off to limit disturbance. Sensitive biological resources that occur adjacent to the construction area include sensitive natural communities and protected trees to be retained. Temporary fences around the ESAs will be installed as one of the first orders of work following Caltrans specifications. Before construction, the construction contractor will work with the Project engineer and a resource specialist to identify the locations for the barrier fencing, and will place stakes around the sensitive resource sites to indicate these locations. The protected areas will be designated as ESAs and clearly identified on the construction plans.
fencing will be installed before construction activities are initiated, maintained throughout the construction period, and removed after completion of construction.

**Protect Water Quality and Prevent Erosion and Sedimentation in Neary Lagoon**

The City and/or its construction contractor will ensure the construction specifications include the following water quality protection and erosion and sediment control BMPs, based on standard City requirements, to minimize construction-related contaminants and mobilization of sediment to Monterey Bay.

The BMPs will be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable and are subject to review and approval by the City. The City will perform routine inspections of the construction area to verify the BMPs are properly implemented and maintained. The City will notify contractors immediately if there is a noncompliance issue and will require compliance.

The BMPs will include, but are not limited to, the following.

- Equipment used in and around drainages will be in good working order and free of dripping or leaking engine fluids. All vehicle maintenance will be performed at least 300 feet from all drainages. Any necessary equipment washing will be carried out where the water cannot flow into drainages.
- Any surplus concrete rubble, asphalt, or other rubble from construction will be taken to an appropriate recycling and disposal site.
- An erosion and sediment control plan will be prepared and implemented for both Phases of the Project. It will include the following provisions and protocols.
  - Keep disturbed areas (areas of grading and related activities) to the minimum necessary for construction of the Project.
  - Keep runoff away from disturbed areas during grading and related activities.
  - Stabilize disturbed areas as quickly as possible, either by vegetative, mechanical and/or physical methods.
  - Trap sediment before it leaves the site with such techniques as check dams, sediment ponds, or straw wattles including perimeter protection.
  - Use dirt and sediment tracking BMPs, including stabilized construction entrances.
  - Cover exposed soils and material stockpiles to prevent wind erosion.
  - Sweep paved streets as needed during construction activities to minimize dust.
  - Conduct periodic maintenance of erosion and sediment control measures.
  - Plant an appropriate seed mix of locally occurring native species, approved by a qualified biologist, on disturbed areas upon completion of construction.
- Conduct routine monitoring of erosion control facilities during construction and during/after rain events.
- Implement a Storm Water Pollution Prevention Plan (SWPPP), as part of the NPDES Permit and a General Construction Activity Storm Water Permit, to minimize the potential for sediments or contaminants to be discharged into Monterey Bay or wetlands within vicinity. A hazardous materials control and spill response plan will be implemented to regulate the use of toxic materials (e.g., fuel and lubricants) and minimize the risk of spills or leaks of toxic materials into the waterway.

**Prepare Environmental Awareness Program and Conduct Environmental Awareness Training for Construction Employees**

The City will retain a qualified biologist to develop an environmental awareness program and conduct environmental awareness training for construction employees. The program will explain the importance of onsite biological resources, including sensitive natural communities, protected trees to be retained, special-status wildlife habitats, and how to best avoid take of federally listed species. The program will include invasive plant identification and the importance of controlling and preventing the spread of invasive plant infestations.

The environmental awareness program will be provided to all construction personnel to inform them on the life history of special-status species in or adjacent to the biological survey area, the need to avoid impacts on sensitive biological resources, any terms and conditions required by state and federal agencies, and the penalties for not complying with biological mitigation requirements. If new construction personnel are added to the Project, the contractor’s superintendent will ensure that the personnel receive the mandatory training before starting work. An environmental awareness handout, that describes and illustrates sensitive resources to be avoided during each Phase construction and identifies all relevant permit conditions, will be provided to all construction personnel.

**Retain a Biologist to Conduct Construction Monitoring**

The City will retain a qualified biologist to conduct construction monitoring in and adjacent to all identified ESAs. The frequency of monitoring will range from daily to weekly depending on the biological resource, as determined by the qualified biologist. The monitor, as part of the overall monitoring duties, will inspect the ESA fencing once a week in the construction area. The biological monitor will assist the construction crew as needed to comply with all Project implementation restrictions and guidelines. The biological monitor also will be responsible for ensuring that the contractor maintains the staked and flagged perimeters of the construction area and staging areas adjacent to sensitive biological resources.

**Avoid and Minimize Potential Disturbances to Vegetation**

The City and/or its construction contractor will avoid and minimize potential impacts to native vegetation in natural communities of special concern by implementing the following measures.

- The potential for long-term loss of woody vegetation will be minimized by trimming vegetation rather than removing entire shrubs to the maximum extent possible. Shrubs that need to be trimmed will be cut at least 1 foot above ground level to leave the root systems intact and allow for more rapid regeneration. Cutting will be limited to the minimum area necessary within the construction zone.
• A certified arborist will be retained to perform pruning or root cutting of retained trees under advisement of the City's Urban Forester

• The areas that undergo vegetative pruning and tree removal will be inspected immediately before construction, immediately after construction, and 1 year after construction to determine the amount of existing vegetative cover, cover that has been removed, and cover that resprouts. After 1 year, if these areas have not resprouted sufficiently to return the cover to the pre-project level, the City will replant the areas with the same native species to reestablish the cover to the pre-project condition.

• Areas of temporary disturbance will be hydroseeded with a pre-approved native plant mix.

c) Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant with Mitigation Incorporated. As discussed in Impact IV (b), construction of the Project would not result in direct impacts to aquatic habitat (Neary Lagoon) but could result in indirect impacts to aquatic habitat, which are considered jurisdictional waters. This indirect impact would be potentially significant. The impacts to jurisdictional water would be less than significant after implementation of Mitigation Measure BIO-7, which requires the installation of silt fencing, implementation of best management practices to protect water quality, and an environmental awareness program for construction personnel.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant with Mitigation Incorporated. The Project is located within an urban area and there are no wildlife corridors within the Project area. Neary Lagoon is not a wildlife corridor for migratory fish species because there is low quality habitat and barriers to fish passage between the ocean and the Project area; therefore, the Project would not affect any migratory fish species. There is the potential, however, that migratory birds could use the trees in the Project area for nesting. Construction of the Project would require vegetation pruning and tree removal; therefore, a potentially significant impact to migratory birds could occur if they are present at the Project site. As described in Impact IV(a), the impact to migratory birds would be less than significant after implementation of Mitigation Measure BIO-3.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact. Heritage trees, shrubs, and all street trees of any size are regulated by the Santa Cruz City Code Chapter 9.56 (City of Santa Cruz 2016b) and require a heritage tree permit or street tree permit, respectively. The City defines a Heritage tree as any tree, grove of trees, shrub or group of shrubs, growing on public or private property within the City, which has a trunk with a circumference of 44 inches, has historical significance, or has horticulture significance.

Numerous native and non-native trees are present along the rail ROW. Up to 47 trees of various species could be removed as part of the Project. Of these 47 tree removals, 21 trees qualify as heritage trees. The actual number of trees that would be removed may potentially be lower. If it is determined that trees can be root pruned and saved at the time of construction, the contractor will
work with the city arborist to make these adjustments. Tree replacement is required as a condition of the tree removal permit, per the City Code. The Santa Cruz City Code requires tree removal mitigation at a ratio of 1:1 (one 24-inch box tree) and the City's Local Coastal Program requires a mitigation ratio of 2:1 (two 24-inch box trees). The Project would not conflict with local policies regarding tree removal because the City would comply with City code requirements and local coastal permit. The impact would be less than significant.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?

No Impact. The Project site is not located in an area that is managed by a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state Habitat Conservation Plan. The Project would, therefore, not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?</td>
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<td>b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?</td>
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<td>c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?</td>
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<td>d. Disturb any human remains, including those interred outside of formal cemeteries?</td>
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<td>e. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
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</thead>
<tbody>
<tr>
<td>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</td>
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<td>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe</td>
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Affected Environment

ICF performed a background literature search of the project’s area of potential effects (APE) at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS). Through the records search and literature review, portions of three previously documented prehistoric resources (CA-SCR-80, CA-SCR-293, and CA-SCR-273/H) were identified within the APE. In addition, eight resources were identified within 0.25 mile of the APE.

An archaeological field survey was performed across the entire APE on June 29, 2015, and no artifacts or features associated with any of the previously documented resources were observed in the APE during the field survey. Available documentation relating to previous ground disturbance and buried site sensitivity was reviewed to determine the likelihood of intact buried archaeological deposits in the vicinity of the three sites. Anthropogenic landscape modification has resulted in the widespread removal of several vertical feet from the landform. Within this landform a portion of the APE intersects with P-44-000085/CA-SCR-80, P-44-000286/CA-SCR-293, and P-44-000274/CA-SCR-273/H. Since the landform that the study area is located upon formed during the Pleistocene epoch, a period which predates the time in which there is evidence for human occupation of North America, removal of the pre-development ground surface would have removed any archaeologically sensitive sediments or surfaces. All proposed Project-related ground disturbance in the portion of the APE would occur within the portion of the landform where the pre-development ground surface has been removed. Therefore, it does not retain the potential to contain prehistoric archaeological deposits.
Based on the results of the pedestrian survey and desktop-based buried site sensitivity analysis, it appears that artifacts and features associated with P-44-000085/CA-SCR-80, P-44-000286/CASCR-293, or P-44-000274/CA-SCR-273/H are no longer present within the APE. Since the majority of all three resources are located outside of the portion of the APE where direct ground disturbance will occur and evaluation of these resources based on the portions located within the area of direct ground disturbance would not be appropriate; for the purposes of this undertaking, these resources should be assumed eligible for the National Register of Historic Places and the California Register of Historic Resources.

Areas near natural water sources are often considered sensitive, or even highly sensitive, for prehistoric archaeological deposits and associated human remains. These ecologically rich areas would have provided abundant and readily accessible resources for the aboriginal population that favored these areas as places for locating habitation and resource processing sites. However, because archaeological evidence of past human alteration or occupation of a landscape is subject to the same processes that affect the preservation, distribution, and visibility of geological deposits (Bettis 1992:119), the nature and timing of landscape evolution ultimately determines whether archaeological remains will be buried, destroyed, or redeposited (Kuehn 1993; Waters 1992).

The alluvial build-up of general sandy, loamy deposits throughout the Project area, combined with the previously recorded sites within and adjacent to the Project, make this area potentially sensitive for buried prehistoric material. The low slopes, and general proximity to the coast, as well as fresh water sources create prime locations for both seasonal processing sites and/or stable, long-term habitation. Therefore, the archaeological sensitivity for prehistoric archaeological resources is considered high.

With regards to historic-era archaeological resources, the review of historic documentation (the background records search), as well as the field survey, did not identify any historic resources. One of the previously recorded prehistoric sites within the Project Area (CA-SCR-293) included a historic refuse concentration; however, this material is stated to “likely be roadside trash” (McGowan and Dondero 1991). No historic-era archaeological resources were observed during the field survey. Therefore, the archaeological sensitivity for historic-era archaeological resources is considered low.

**Discussion**

a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

**Less Than Significant with Mitigation Incorporated.** No historic resources were identified during the field survey; however, for the purposes of this analysis, the three prehistoric resources identified during the records search are considered eligible for inclusion in the National Register of Historic Places and California Register of Historic Resources because evaluation was not possible. Although no indications of archaeological resources were noted during field surveys and it is unlikely that these resources would be affected, an impact could occur if these prehistoric resources are substantially damaged during construction. **Mitigation Measure CUL-1** would require the City to implement an Environmentally Sensitive Area Action Plan, as required by Caltrans. This plan requires flagging to prevent construction activities from extending beyond the APE and archeological monitoring. Implementation of **Mitigation Measure CUL-1** would ensure that the three potential historical resources would be protected during construction. Impacts to these three potential historical resources would be less than significant after incorporation of mitigation.
**Mitigation Measure CUL-1: Implement an Environmentally Sensitive Area Action Plan and Archeological Monitoring Plan.** The following measures will be implemented as a part of the Environmentally Sensitive Area Action Plan.

- To avoid effects to the portions of CA-SCR-80, CA-SCR-273/H, and CA-SCR-293 that fall outside of the APE, Environmentally Sensitive Areas (ESAs) will be established by placing temporary flagging and/or fencing in non-paved or unfenced areas to prevent construction activities from extending beyond the APE at these locations.

- Perform archeological monitoring for construction-related ground disturbing activities that occur within the portions of CA-SCR-80, CA-SCR-273/H, and CA-SCR-293 that fall within the APE through the establishment of an Archaeological Monitoring Area (AMA).

**ESA Limits.** The ESA includes the combined boundaries of the portions of CA-SCR-80, CA-SCR-273/H, and CA-SCR-293 that fall outside of the APE. Since the project would only occur along a narrow band that bisects all three resources, only the northern and southern boundaries of the resources along the APE margins need to be depicted in engineering and construction plans and in the field.

**AMA Limits.** The AMA includes the combined boundaries of the portions of CA-SCR-80, CA-SCR-273/H, and CA-SCR-293 that fall within the APE. This area should be depicted in engineering and construction plans in the field.

**ESA Flagging.** Temporary flagging or fencing should be installed along the non-paved or unfenced margins of the APE that intersect with the combined boundaries of CA-SCR-80, CA-SCR-273/H, and CA-SCR-293. The flagging or fencing should be installed prior to project-related ground disturbing activities within the APE and should remain in place until all anticipated project-related ground disturbing activities in the vicinity of ESAs have ceased.

**Archeological Monitoring.** An archaeologist will monitor all ground-disturbing activities within the AMA. The archaeologist will meet the Caltrans PQS Equivalency at or above Lead Archaeological Surveyor, and work under supervision of Caltrans PQS Equivalency at or above Co-Principal Investigator – Prehistoric Archaeology. Archaeological monitoring will consist of observing in-progress manual and mechanical excavation, and inspecting exposed sediments and sidewalls for evidence of archaeological features, artifacts concentrations, human remains, or unique isolated finds. As necessary, the archaeologist may screen samples of the excavated sediment in order to assess whether deposits of interest are archaeological in origin and retain integrity. In such cases, the archaeologist will photograph and document the location and contents of the deposit of interest and any excavated sidewall profiles.

**Archeological Monitoring.** Considering the presence of known Native American-affiliated resources within the APE, including CA-SCR-80, CA-SCR-273/H, and CA-SCR-293, Native American monitoring is recommended.

**Monitoring Frequency.** The archaeological monitor, in consultation with Caltrans and the project's contractor, will determine what project activities will be monitored by an archaeologist and a Native American representative. In general, activities such as grading, excavations for utility installation and relocation, slope excavation that occur within the combined boundaries of CA-SCR-80, CA-SCR-273/H, and CA-SCR-293 will require archaeological monitoring because they could disturb as-yet undocumented features and deposits associated with these resources. Decisions about the specific locations and frequency of archaeological monitoring will be made...
by the responsible parties described below. All archaeological monitoring procedures will be conducted in direct coordination with the Caltrans Archaeologist assigned to the project.

**Potentially Significant Discoveries and Stop Work Authority.** A pedestrian survey of the APE revealed no surface-exposed archaeological deposits and a desktop-based geoarchaeological sensitivity analysis determined that anthropogenic landscape modification has resulted in the widespread removal of several vertical feet from the landform that the APE is located upon – removing sediments that retain the potential to contain intact archaeological resources. Despite this, the APE may retain some degree of potential to contain as-yet undocumented archaeological resources. If such a discovery occurs, it may lead to a scenario in which ground disturbing activities would need to temporarily cease until the appropriate treatment is identified and implemented. Examples of such discoveries may include, but are not limited to:

- Human remains, regardless of context;
- Stratigraphically intact deposits of shell, charcoal, and fire modified rock;
- Intact features such as hearths, concentrations of artifacts (i.e., caches), concentrations of ash/charcoal or fire-affected rock, or compacted living surfaces;
- Potential funerary objects such as pendants, certain bead types, and ceremonial tools; and,
- Unique or uncommon artifacts such as certain projectile point types, fishhooks, steatite artifacts, milling equipment, and bone tools.

The archaeological monitor will have the authority to stop any project-related ground disturbing activity at the location of the discovery. If deemed necessary, project activities/equipment will cease in the immediate vicinity of the find, and, if possible, be redirected to another portion of the project. In order to maintain clear communication lines, and to ensure that project stakeholders are apprised of potential unanticipated effects, in the event of a potential discovery, the monitor will notify the Consultant Principal Investigator, the Caltrans Archaeologist, and Native American groups (if not already on-site). As appropriate, the Caltrans Archaeologist would notify the Caltrans Cultural Studies Office (CSO), who in turn would notify SHPO. Evaluation and treatment options would be determined in direct communication with each party, as applicable.

If human remains are encountered, then the procedures outlined by the Native American Heritage Commission (NAHC), in accordance with Section 7050.5 of the California Health and Safety Code (HSC) and Section 5097.98 of the Public Resources Code, and Section 24.12.430 of the Municipal Code would be followed. If the monitor determines that a discovery includes human remains:

1. All ground-disturbing work within the immediate vicinity (60 feet) of the find would halt.
2. Staking would be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking.
3. The Santa Cruz County Coroner will be notified:
Santa Cruz County Medical Examiner & Coroner  
701 Ocean Street  
Santa Cruz, CA 95060  
Phone: (831) 454-2520  
Web: https://www.countyoffice.org/ca-santa-cruz-county-medical-coroner/

4. NAHC will be notified:

Native American Heritage Commission  
915 Capitol Mall, Room 364  
Sacramento, California 95814  
Phone: (916) 653-4082  
Email: nahc@nahc.ca.gov

5. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

6. The coroner would have 2 working days to examine the remains after being notified in accordance with HSC Section 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner’s authority, the coroner has 24 hours to notify NAHC of the discovery.

7. NAHC would immediately designate and notify the Native American Most Likely Descendant (MLD), who will have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for treatment of them.

All Native American coordination would be done in direct communication with the Caltrans Archaeologist assigned to the project.

Reporting. At the completion of each work day, the archaeological monitor will complete a daily monitoring log that documents ground disturbing activities, discoveries (as necessary), and any other observations considered relevant. At the end of each week, the archaeological monitor will also compile a weekly monitoring summary report that summarizes the observations from the previous weeks monitoring logs, including potentially significant discoveries of archaeological resources or human remains, for distribution to Caltrans and Local Agency staff.

Responsible Parties. The table below summarizes the ESA provisions, the timing of their implementation, and responsible parties (Table 3-1). This table will be used by all responsible parties identified below to verify that the ESA Action plan has been successfully implemented. As of April, 2018, the contact information for the known responsible parties identified in Table 3-1 are identified below.

- City of Santa Cruz Project Manager: Nathan Nguyen, nnguyen@cityofsantacruz.com, 831.420.5188
- Planning and Community Development Director: Lee Butler, lbutler@cityofsantacruz.com; 831.420.5103
- Caltrans District 5 PQS Prehistoric Archaeology: Krisstín Sibley, Krisstín.Sibley@dot.ca.gov, 805.549.3193
- Consultant Archaeologist: Tait Elder, ICF, Tait.Elder@icf.com, 360.920.8959
- Caltrans District 5 Environmental Branch Chief: Randall LaVack, randy.lavack@dot.ca.gov

### Table 3-1. ESA Action Plan Provisions, Timing of Implementation, and Responsible Parties

<table>
<thead>
<tr>
<th>Stage</th>
<th>Responsible Parties</th>
<th>Provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Consultant Archaeologist City of Santa Cruz Project Manager Project Engineer/Planning Director</td>
<td>The Consultant Archaeologist will ensure that the ESA for CA-SCR-80, CA-SCR-273/H, and CA-SCR-293 is clearly described and illustrated in the plans.</td>
</tr>
<tr>
<td>1</td>
<td>Environmental Branch Chief Consultant Archaeologist City of Santa Cruz Project Manager Project Engineer/Planning Director</td>
<td>The Consultant Archaeologist will ensure the ESA Action Plan and Archeological Monitoring Plan are included in the Environmental Commitment Record (ECR).</td>
</tr>
<tr>
<td>1</td>
<td>Consultant Archaeologist Project Engineer Construction Contractor Planning Director</td>
<td>All responsible parties will ensure that the ESA Action Plan and Archeological Monitoring Plan are discussed during the pre-construction meeting. The importance of the ESA Action Plan and Archeological Monitoring Plan will be discussed with construction personnel and it will be stressed that no construction activity (including storage or staging of equipment or materials) should occur within the ESA and that workers must remain outside of the ESA at all times. Additionally, personnel will be informed of historic preservation laws that protect archaeological sites against any disturbance or removal of artifacts.</td>
</tr>
<tr>
<td>1</td>
<td>Consultant Archaeologist Construction Contractor</td>
<td>The Contractor and/or Consultant Archaeologist will install temporary flagging or fencing around the ESA. The flagging or fencing will be installed at least one calendar week prior to initiating any work in the area (see Attachment 3 of this ESA Action Plan). The Consultant Archaeologist will coordinate with responsible parties and be present to supervise and monitor the installation of fencing or flagging.</td>
</tr>
<tr>
<td>2</td>
<td>Consultant Archaeologist Native American Representative</td>
<td>The Consultant Archaeologist, alongside the Native American tribal representative, will monitor ground disturbing activities with the AMA that have the potential to result in adverse effects to CA-SCR-80, CA-SCR-273/H, and CA-SCR-293.</td>
</tr>
<tr>
<td>3</td>
<td>Consultant Archaeologist Caltrans Archaeologist</td>
<td>The Consultant Archaeologist will inform the Caltrans Archaeologist when construction is complete.</td>
</tr>
</tbody>
</table>

**Notes:** (1) denotes preconstruction, (2) denotes during construction, (3) denotes post-construction
b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

**Less Than Significant with Mitigation Incorporated.** No indications of archaeological resources were noted during field surveys. Furthermore, all proposed Project-related ground disturbance in the portion of the APE that intersects with the three prehistoric sites will occur within the portion of the landform where the pre-development ground surface has been removed. Therefore, it appears that artifacts and features associated with the three prehistoric resources are no longer present within the APE. Additional artifacts and features that would contribute to the significance of these resources are not anticipated to be discovered during Project activities. If previously unknown archeological resources are discovered, **Mitigation Measure CUL-1** would require the implementation of measures to minimize impacts, including stopping project-related ground disturbing activities. Implementation of **Mitigation Measure CUL-1** would reduce potential impacts to a less-than-significant level.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Less Than Significant with Mitigation Incorporated.** The proposed Project is located within the Late Pleistocene Alluvium geologic unit and the Purisima Formation (City of Santa Cruz 2011: Figure 4.9-5). Based on literature review, these geologic units are known to contain fossils (City of Santa Cruz 2011:4.9-14). There is some potential that paleontological resources could be discovered during excavation, resulting in a potentially significant impact. In the event that paleontological resources are encountered, implementation of **Mitigation Measure CUL-2** would reduce impacts to a less-than-significant level.

**Mitigation Measure CUL-2: Discovery of Paleontological Resources.**

The City will notify the construction contractor that there are sensitive paleontological areas on the Project site and that there is a potential for encountering such resources during construction. If paleontological resources are encountered during Project subsurface construction, all ground-disturbing activities within 60 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Adverse effects to such deposits shall be avoided by Project activities. Paleontological resources are considered significant if they may provide new information regarding past life forms, paleoecology, stratigraphy, or geological formation processes. If found to be significant, and Project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City Planning Director, and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

**Less Than Significant with Mitigation Incorporated.** Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location
other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined whether or not the remains are subject to the coroner's authority. There is no indication that human remains are present within or along the Project alignment. However, a potentially significant impact could occur if previously undiscovered human remains were encountered during excavation. Implementation of Mitigation Measure CUL-3 would ensure that potential impacts to human remains, should they be encountered, would be reduced to a less-than-significant level.

**Mitigation Measure CUL-3: Discovery of Human Remains.**

In the event that human remains are encountered, the construction contractor shall:

a. Immediately cease all further excavation, disturbance, and work within 60 feet of the discovery;

b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;

c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;

d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section;

e. a qualified archaeologist shall be contacted to assess the situation and consult with agencies as appropriate;

f. Project personnel shall not collect or move any human remains and associated materials.

If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City and the NWIC.

e) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

i. **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1,**
the lead agency shall consider the significance of the resource to a California Native American tribe.

**No Impact.** The records search and site visit have not identified any known tribal cultural resources located within the APE that are listed, or eligible for listing, in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k). The results of the outreach to the NAHC did not result in identification of new potentially sacred lands or other significant resources. Therefore, no impact is expected to occur on tribal cultural resources.

### VI. GEOLOGY AND SOILS.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>i. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)</td>
<td>☐</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>ii. Strong seismic ground shaking?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iii. Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iv. Landslides?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b. Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>c. Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>
Affected Environment

The City is situated on the southwestern slope of the central Santa Cruz Mountains, part of the Coast Ranges physiographic province of California. The northwest-southeast structural grain of the Coast Ranges is controlled by a complex of active faults within the San Andreas fault system. Southwest of the San Andreas fault, the Coast Ranges, including the Santa Cruz Mountains, are underlain by a large, northwest-trending, fault-bounded, elongated prism of granitic and metamorphic basement rocks. The granitic and metamorphic basement is Cretaceous in age, or older, and is overlain by a sequence of dominantly marine sedimentary rocks of Paleocene to Pliocene age and non-marine sediments of Pleistocene and Holocene age. The older sedimentary rocks are moderately to strongly deformed, with steep-limbed folds and several generations of faults associated with uplift of the Santa Cruz Mountains (City of Santa Cruz 2011).

The site is underlain by Quaternary Age lowest emergent coastal terrace deposits and basin deposits. There are no active faults within the City, and the nearest active fault is the Monterey Bay-Tularcitos (Monterey Bay section) fault, approximately 2 miles north of the Project alignment. The Monterey Bay-Tularcitos has a Maximum Moment Magnitude (Mmax) of 7.3.

Discussion

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

   i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. Surface rupture occurs when the ground surface is broken due to fault movement during an earthquake. The location of surface rupture generally can be assumed to be along an active or potentially active major fault trace. There are no formally recognized faults in Santa Cruz. The City lies within 15 miles of at least six major seismic faults and fault system, including the San Andreas, Zayante, Ben Lomond, San Gregorio, Butano, and the Monterey Bay Fault Zone (City of Santa Cruz 2012a:91). No active or potentially active faults have been mapped at or along the Project site; therefore, the potential for fault rupture at the site is low and the impact is less than significant.

   ii. Strong seismic ground shaking?

Less Than Significant with Mitigation Incorporated. The Project alignment is in a seismically active part of California which is subject to strong seismic ground shaking. Ground shaking is a general term referring to all aspects of motion of the earth’s surface resulting from an earthquake, and is typically the major cause of damage in seismic events. The extent of ground-shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The City Local Hazard Mitigation Plan identifies that the Hayward, Calaveras, San Gregorio, and San Andreas faults are all considered historically active and even a moderate earthquake in the Santa Cruz area could result in deaths, property and environmental damage (City of Santa Cruz 2013:35). A potentially significant impact could occur if the proposed Project was not designed to withstand ground shaking due to an earthquake. Implementation of Mitigation Measure GEO-1, described below, would reduce potential geotechnical impacts related to ground shaking to a less-than-significant level.
Mitigation Measure GEO-1: Geotechnical Concerns. The Project shall be constructed using the requirements of the current applicable codes to minimize any geophysical risks associated with construction of the Project. These recommendations are as follows:

- A geotechnical engineer shall be retained to review the geotechnical aspects of the project plans and structural calculations, as appropriate to evaluate if they are in general conformance with the intent of the geotechnical recommendations.
- A geotechnical engineer shall be retained to observe the geotechnical aspects of construction, particularly grading, installation of wall anchors, footing excavations, subsurface drainage installation, over excavations and placement and compaction of select fill or backfill, and to perform appropriate field and laboratory testing, as applicable.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant with Mitigation Incorporated. Liquefaction is the transformation of loose water-saturated granular materials (such as sand or silt) from a solid to a fluid-like state due to earthquake shaking or other rapid loading. Liquefaction can lead to ground failure and has been observed within the City during the 1989 Loma Prieta Earthquake. The Project site, adjacent to Neary Lagoon, is located in an area identified as potentially vulnerability to liquefaction (City of Santa Cruz 2013:35). Implementation of Mitigation Measure GEO-1, described above, would minimize liquefaction risks by requiring that the Project implement geotechnical recommendations, consistent with applicable codes. Implementation of Mitigation Measure GEO-1 would reduce potential geotechnical impacts related to liquefaction to a less than significant level.

iv. Landslides?

Less Than Significant with Mitigation Incorporated. The urban center of Santa Cruz is at relatively low risk for landslides, although they do occur on steeper slopes within the City (City of Santa Cruz 2013: 114). The Project site is relatively flat; however, there are some steep embankments located near the Project site that could pose a potential significant landslide risk. Implementation of Mitigation Measure GEO-1, described above, would minimize landslides risks by requiring that the Project implement geotechnical recommendations, consistent with applicable codes. Implementation of Mitigation Measure GEO-1 would reduce potential geotechnical impacts related to landslides to a less than significant level.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Construction would involve disruption of soil surfaces during excavation and would have the potential to cause erosion. The Project will be required to comply with the compliance measures in the Caltrans NPDES Statewide Stormwater Permit (Order No. 2012-0011-DWQ), Caltrans’ Storm Water Management Plan, the City’s Storm Water Management Plan, and the Construction General Permit (Order No. 2009-0009-DWQ, and amended by Order No. 2012-0006-DWQ). These NPDES permits and Stormwater Management Plans require implementation of a stormwater pollution prevention plan (SWPPP) and erosion control BMPs. The Caltrans’ Storm Water Management Plan identifies a list of BMPs that could be implemented to control sediment and erosion, including using fiber rolls, geotextiles, erosion blankets, and hydro seeding (Caltrans 2016:F-5 to F-10). Furthermore, the Geotechnical Investigation for the Project identifies that the surface soils are classified as having a moderate potential for erosion and, therefore, the finished ground surface (other than the trail) should be planted with ground cover...
and continually maintained to minimize surface erosion (RRM Design Group 2015:13). Because erosion would be minimized during construction by implementing BMPs, as required by NPDES permits and because the affected area would be hydro seeded after construction has been completed, the erosion impact would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**Less Than Significant with Mitigation Incorporated.** As described above, the potential for hazard from landslide and liquefaction is low. Therefore, the potential for liquefaction induced lateral spreading is also low. Nonetheless, there is still a potential hazard, albeit low and the impact is considered potentially significant. Implementation of Mitigation Measure GEO-1, described above, would ensure that unstable soil conditions such as liquefaction and lateral spreading would be mitigated as part of the design and construction of the proposed Project. The impact would be less than significant after implementation of mitigation.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

**No Impact.** The Santa Cruz Local Hazard Mitigation Plan indicates that the City is not affected by expansive soils (City of Santa Cruz 2013:29). The proposed Project would, therefore, not be located on expansive soils and would not result in impacts associated with being located on expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**No Impact.** Septic tanks and alternative wastewater disposal systems would not be installed on the Project site. Therefore, implementation of the proposed Project would not result in impacts to soils associated with the use of such wastewater treatment systems.

### VII. GREENHOUSE GAS EMISSIONS.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Affected Environment**

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of greenhouse gases (GHGs) that contribute to global climate change have a broader global impact. Global climate change is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth’s atmosphere. The principal GHGs contributing to global
Climate change are carbon dioxide (CO$_2$), methane (CH$_4$), nitrous oxide (N$_2$O), and fluorinated compounds. These gases allow visible and ultraviolet light from the sun to pass through the atmosphere, but they prevent heat from escaping back out into space. Among the potential implications of global climate change are rising sea levels, and adverse impacts to water supply, water quality, agriculture, forestry, and habitats. In addition, global warming may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect regional air quality and public health. Like most criteria and toxic air pollutants, much of the GHG production comes from motor vehicles. GHG emissions can be reduced to some degree by improved coordination of land use and transportation planning on the city, county and sub-regional level, and other measures to reduce automobile use. Energy conservation measures can contribute to reductions in GHG emissions.

**Discussion**

a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?**

**Less Than Significant Impact.** GHG emissions associated with implementation of the proposed Project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust.

**Long-Term GHG Emissions.** The proposed Project would provide a trail in the City and would not generate GHGs because the trail is not anticipated to generate vehicle trips and peak hour trip changes as a result of the Project would be imperceptible. The proposed Project would not cause a long-term increase in GHG emissions. No impact would occur from the operation of the Project.

**Short-Term GHG Emissions.** Construction would produce combustion emissions from various sources. During site preparation and construction of the Project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels. As described in the MBSST Network Final EIR (refer to Section 4.7, page 4.7-19), construction emissions are not anticipated to exceed thresholds and no GHG emissions as a result of operations would be negligible. Therefore, the Project’s contribution to GHG emissions would be less than significant.

b) **Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

**No Impact.** The City has developed a Climate Action Plan to meet State land use requirements pertaining to climate change, to achieve the policies identified in the General Plan, and to accomplish GHG reduction goals set by the City Council. The Climate Action Plan identifies and supports the MBSST Network as a project that would help meet the Climate Action Goal of reducing town car trips by 30 percent (City of Santa Cruz 2012b:41,44). The Project is a component of the MBSST Network. The Project would, therefore, be consistent with the Climate Action Plan and no impact would occur.

Implementation of the Climate Action Plan will meet and exceed State requirements as outlined in AB 32, which requires limits on greenhouse gas emissions from all major industries. Because the Project does not conflict with the Climate Action Plan, the Project would also not conflict with AB 32. No impact would occur from conflicts with AB 32.
VIII. HAZARDS.

Would the Project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ☐ ☐ ☒ ☐

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☒ ☐ ☐

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☒ ☐

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment? ☐ ☐ ☐ ☒

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☒

f. For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☒

g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ☐ ☐ ☒ ☐
Affected Environment

Land uses along the Project alignment include recreational and residential uses. Soils in the existing rail ROW could be contaminated with petroleum by-products, lead from leaded fuel, and/or household hazardous wastes such as cleaning products from stormwater runoff from existing and historic land uses.

According to the California Department of Toxic Substances Control (DTSC) EnviroStor website and the Department of Toxic Substance Control (DTSC) EnviroStor website, no open-hazardous materials sites are found in the Project alignment. Table 3-2 identifies the list of open hazardous sites within the 0.25 mile of the Project alignment.

Table 3-2. Open Hazardous Sites within 0.25 mile of the Proposed Project

<table>
<thead>
<tr>
<th>Name</th>
<th>Contaminant</th>
<th>Medium</th>
<th>Location</th>
<th>Distance</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater Treatment Plant (Voluntary</td>
<td>Diesel</td>
<td>None</td>
<td>110 California Street Santa</td>
<td>100 feet</td>
<td>Open – Inactive as of 1/1/1975</td>
</tr>
<tr>
<td>Clean-up)</td>
<td></td>
<td>Specified</td>
<td>Cruz, CA 95060</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neary Lagoon Skate Park (Voluntary</td>
<td>Lead, diesel</td>
<td>Soil</td>
<td>North of railroad and west of</td>
<td>80 feet</td>
<td>Other Agency as of 1/6/2003</td>
</tr>
<tr>
<td>Clean-up)</td>
<td></td>
<td></td>
<td>Wastewater Treatment Plan</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: California Department of Toxic Substance Control 2017 and State Water Resources Control Board 2017

Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. After Project construction, no routine transport or disposal of hazardous materials would be associated with the Project. While gas and diesel fuel would typically be used by construction vehicles, BMPs would be utilized to ensure that no construction-related fuel hazards occur. Use, storage, transport and disposal of hazardous materials (including any hazardous wastes) during construction activities would be performed in accordance with existing local, state, and federal hazardous materials regulations. Therefore, implementation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. This impact is considered less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant with Mitigation Incorporated. As described in Section VII(a) above, operation of the Project would not require routine use of hazardous materials; therefore, no hazards or hazardous materials impacts related to long term operation of the Project are anticipated. However, construction activities would include the use of limited quantities of ordinary equipment fuels and fluids. In the unlikely event of a spill, fuels would be controlled and disposed of in
accordance with applicable regulations. Furthermore, open hazardous sites are located within 0.25 mile of the Project site. If any of the hazardous materials from these open hazardous sites migrated to the Project site, and were discovered during construction, the impact would be potentially significant.

Implementation of Mitigation Measure HAZ-1 would ensure that handling of or discovery of hazardous materials during construction activities would not create a hazard to the public or the environment, thereby reducing potential impacts to a less-than-significant level.

As Described in Impact III(b), construction could potentially result in air quality emissions. These emissions could pose a potentially significant risk to receptors within the vicinity; however, impacts would be minimized to less than significant levels after implementation of air quality BMPs, per Mitigation Measure AIR-1.

Mitigation Measure HAZ-1: Handling or Discovery of Hazardous Materials During Construction. Project construction plans shall include emergency procedures for responding to hazardous materials releases for materials that would be brought onto or discovered at the site, as part of construction activities. If evidence of contaminated soils is discovered during construction, work in the vicinity of the contaminated area shall cease until the soils are characterized or remediated. The emergency procedures for hazardous materials releases shall include the necessary personal protective equipment, spill containment procedures, and training of workers to respond to accidental spills/releases. The Contractor shall be required to have on hand at all times adequate absorbent materials and containment booms to handle a spill equivalent to the largest container of fuels or oil in their possession.

c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?**

**Less than Significant Impact.** The closest school to the Project alignment is Bay View Elementary School, which is approximately 0.3 mile from Segment F of the Project. No schools are located within 0.25 mile of the Project site; therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school and the impact would be less than significant. Furthermore, as described in Impact VIII(b) above, implementation of Mitigation Measures HAZ-1 and AIR-1 would minimize emissions during Project construction.

d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**No Impact.** The Project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur.

e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

**No Impact.** The Project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. The Watsonville Municipal Airport is the only public airport located within Santa Cruz County. The Watsonville Municipal Airport is over 13 miles away from the
Project site. Therefore, the proposed Project would not result in a safety hazard for people residing or working in the Project area. No impact would occur.

f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The Project site is not in the vicinity of a private airstrip. Therefore, implementation of the proposed Project would not expose persons to airport-related hazards. No impact would occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The City of Santa Cruz General Plan does not identify specific evacuation routes but identifies policies to ensure emergency preparedness (City of Santa Cruz 2012a). In the event that road lanes are temporarily closed during construction, emergency vehicles would be waved through the construction site. Furthermore, after completion of the Project, emergency access would be similar to the existing conditions. The impact to emergency access would be less than significant.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The Project site is in a developed area, and the proposed Project is a new trail that would not include flammable materials or any structures for human occupation. The Project would, therefore, not expose people or structures to significant loss, injury, or death from wildfires.

<table>
<thead>
<tr>
<th>IX. HYDROLOGY AND WATER QUALITY.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the Project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?</td>
<td>☐</td>
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<tr>
<td>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-</td>
<td>☐</td>
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</tbody>
</table>
IX. HYDROLOGY AND WATER QUALITY.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?</td>
<td>☐</td>
<td>☒</td>
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<td>☐</td>
</tr>
<tr>
<td>e. Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f. Otherwise substantially degrade water quality?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>h. Place within a 100-year flood hazard area structures which will impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>j. Inundation by seiche, tsunami, or mudflow?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>

Affected Environment

The Project is located within the Baldwin Wilder watershed, which is located southeast of the Majors Creek watershed and west of the San Lorenzo River watershed. Spanning approximately 20 square miles, the drainage area is comprised of Baldwin Creek, Lombardi Gulch, Sandy Flat Gulch, Old Dairy Gulch, Wilder Creek, Moore Creek, and the Arroyo Seco. Generally, the Project drains into Neary Lagoon, which is ultimately discharged to Cowell Beach.

Some portions of the Project traverse the 100-year floodplain of the San Lorenzo River, the main water body of the San Lorenzo River watershed, which has a drainage area of 138 square miles and is the largest watershed existing entirely within Santa Cruz County. Beginning in the Santa Cruz Mountains, the San Lorenzo River watershed is comprised of a 29-mile long main stem with 9 principal tributaries: Branciforte, Carbonera, Zayante, Bean, Fall, Newell, Bear, Boulder, and Kings Creek. With the exception of urban area pockets, the majority of the watershed is forested. The San Lorenzo River is on the 2010 Clean Water Act Section 303(d) List of Water Quality Limited Segments.
for chlordane, chlorpyrifos, nutrients, pathogens, polychlorinated biphenyls (PCBs), and sedimentation.

In December 1955, a record flow of 30,400 cubic feet per second was recorded for the San Lorenzo River. During this storm event, flooding reached depths as high as 6.5 feet and inundated 410 acres of the City. In 1958, the United States Army Corps of Engineers (USACE) constructed flood control levees, channel improvements, and bank protections as a response to this storm event. No flooding was reported when similar flows occurred in January 1982. Levees and floodwalls along the San Lorenzo River were rebuilt in 2004 by USACE.

The portion of the Project that traverses the 100-year floodplain is located east of Bay Street in the Federal Emergency Management Agency's (FEMA) Zone A99, which is an area that will be protected from the 1% annual chance flood event (100-year storm event) by a Federal flood protection system (portions of Segments G and H). FEMA considers Zone A99 flood protection projects to be complete for insurance rating purposes.

According to the geotechnical investigation, groundwater was encountered at depths ranging from 6 to 14 feet. Actual groundwater levels may be higher or lower than what was encountered. Groundwater depth will vary by location and will fluctuate with variations in rainfall, runoff, irrigation and other changes to the conditions existing at the time measurements were made (RRM Design Group 2015:4-5).

**Discussion**

a) *Violate any water quality standards or waste discharge requirements?*

**Less Than Significant with Mitigation Incorporated.** Development of the proposed Project would result in a small increase in the amount of impervious surface area and an associated increase in the rate and volume of stormwater runoff from the site. The impact could be potentially significant and the City would be required to comply with the Caltrans NPDES Statewide Stormwater Permit (Order No. 2012-0011-DWQ), Caltrans’ Storm Water Management Plan, the City’s Storm Water Management Plan, and the Construction General Permit (Order No. 2009-0009-DWQ, and amended by Order No. 2012-0006-DWQ) to minimize water quality impacts. In addition, **Mitigation Measure HYD-1** would require the City to prepare a drainage plan to ensure that proposed storm drainage systems are adequate to channel runoff from the proposed Project.

As described in Impact VI(b), construction of the proposed Project would require excavation that could result in erosion, which could affect water quality. BMPs that would minimize erosion and water quality impacts would be required by the Caltrans’ Storm Water Management Plan, the City’s Storm Water Management Plan, the Caltrans NPDES Statewide Stormwater Permit (Order No. 2012-0011-DWQ), and the Construction General Permit (Order No. 2009-0009-DWQ, and amended by Order No. 2012-0006-DWQ). Water quality impacts due to erosion would be less than significant after implementation of BMPs.

Construction of the proposed Project would require the use of oils and other petroleum products that could pose a potential impact to water quality if these hazardous materials were spilled during construction. As described in Impact VIII(b), implementation of **Mitigation Measure HAZ-1** would require emergency procedures for responding to hazardous materials releases. The potential impact to water quality from an accidental spill would be less than significant after mitigation.
If dewatering is necessary areas where groundwater is encountered within the planned depth of excavation, depending on surface and groundwater levels at the time of construction, a permit for discharge of the extracted groundwater would be obtained from the Regional Water Quality Control Board (RWQCB). This discharge shall be consistent with RWQCB requirements and as such would not result in a violation of water quality standards or waste discharge requirements.

**Mitigation Measure HYD-1: Drainage Plan.** A drainage plan for the site shall be prepared to ensure that proposed storm drainage systems are adequate to channel runoff from the proposed Project.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

**Less than Significant Impact.** The Project would not result in the construction of large areas of impervious surfaces that would prevent water from infiltrating into the groundwater nor would it result in direct additions or withdrawals to existing groundwater. Groundwater was encountered at depths ranging from 6 to 14 feet during the geotechnical investigation and excavation; therefore, there is the potential that groundwater could be encountered during construction. De-watering may be required if groundwater is encountered during excavation. However, no groundwater would be extracted per se. Dewatering, if necessary, would be conducted in compliance with the permit conditions of the RWQCB; therefore, the impact to groundwater from dewatering would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

**Less Than Significant with Mitigation Incorporated.** Construction of the Project would require new storm drain infrastructure in Sections F, G, and H. The installation of new storm drain infrastructure would be needed to accommodate the Project and would help maintain the existing drainage patterns. The installation of new storm drain infrastructure could alter the existing drainage patterns, resulting in a potentially significant impact. Mitigation Measure HYD-1 would be implemented to ensure that proposed storm drainage systems are adequate to channel runoff from the proposed Project. Adequate storm drainage will ensure that erosion is minimized; therefore, the impact would be less than significant after mitigation.

During construction, BMPs would be implemented so that on-site and off-site erosion sedimentation would be controlled to the extent practicable per the Caltrans’ Storm Water Management Plan, the City’s Storm Water Management Plan, the Caltrans NPDES Statewide Stormwater Permit, and the Construction General Permit. Erosion impacts due to construction would be less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

**Less Than Significant with Mitigation Incorporated.** Development of the proposed Project would result in a small increase in the amount of impervious surface area and a small increase in rate and volume of stormwater runoff from the site. The proposed Project would also require new storm
drain infrastructure in Sections F, G, and H. Implementation of Mitigation Measures HYD-1 would ensure adequate storm drainage, which would avoid flooding impacts. The flooding impact would be less than significant after mitigation.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant with Mitigation Incorporated. See Response VIII(d).

f) Otherwise substantially degrade water quality?

Less Than Significant with Mitigation Incorporated. See Response VIII(a).

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. No housing units are proposed as part of the Project; therefore, the Project would not result in an impact associated with placing housing within a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. Portions of Segment G and H of the project would be located within the San Lorenzo River 100-year floodplain (FEMA 2012). The Project will, however, not impact flood flows within the FEMA floodplain because the trail and the Project grading will be graded to the existing topography, thus causing no net change to the floodplain area or capacity. Because Project grading will match the existing topography, potential impacts from impeding or redirecting flood flows within the San Lorenzo River 100-year floodplain would be less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?

No Impact. Pursuant to the recent Supreme Court case decision in the CBIA vs. BAAQMD case, CEQA does not require an analysis of how the existing environmental conditions will affect a Project’s residents or users unless the Project would exacerbate those conditions. Therefore, when discussing impacts of the environment on the Project, such as exposing people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, the analysis will first determine if there is a potential for the Project to exacerbate the issue. If evidence indicates it would not, then the analysis will conclude by stating such. If it would potentially exacerbate the issue, then evidence is provided to determine if the exacerbation would or would not be significant.

According to the Santa Cruz County Local Hazard Mitigation Plan 2015-2020 (County of Santa Cruz 2015:129), a portion of the Project is located within the dam failure inundation zone for Newell Creek Dam. The Project would not be located near any dams and would not affect any dams; therefore, conditions under the Project would be similar to the existing conditions and would not increase the potential of dam failure.

Levees exist around the San Lorenzo River and were constructed to minimize the risk of flooding. Maps of the levee failure inundation areas are not currently available; however, due to the proximity of the Project from the San Lorenzo River, it is likely that the Project trail would be inundated in the
event of a levee failure. The Project would not include any activities that would involve these levees; therefore, conditions under the Project would be similar to the existing conditions and would not increase the potential of levee failure.

Although the Project is expected to increase bike and pedestrian traffic, it is not expected to substantially increase the overall presence of people in the Project area. The possibility of exposing people or structures to a substantial risk of loss, injury, or death involving flooding as a result of dam or levee failure is highly unlikely. Therefore, operations of the Project would not exacerbate the risk dam or levee failure.

j) Inundation by seiche, tsunami, or mudflow?

No Impact. Pursuant to the recent Supreme Court case decision in the CBIA vs. BAAQMD case, CEQA does not require an analysis of how the existing environmental conditions will affect a project’s residents or users unless the project would exacerbate those conditions. Therefore, when discussing impacts of the environment on the Project, such as exposing people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow, the analysis will first determine if there is a potential for the Project to exacerbate the issue. If evidence indicates it would not, then the analysis will conclude by stating such. If it would potentially exacerbate the issue, then evidence is provided to determine if the exacerbation would or would not be significant.

According to the Tsunami Inundation Map for Emergency Planning (California Emergency Management Agency 2009), a portion of the Project, as it approaches the ocean, is located within the tsunami inundation zone. Conditions under the Project would be similar to the existing conditions and would not increase the potential of site inundation.

Other than the Pacific Ocean, there are no nearby waterbodies that could result in inundation by seiche. Due to the relatively flat topography of the Project area, landslides and slope failure are not considered hazards, and the Project area is not within a designated landslide area. Therefore, the Project area would not be subject to inundation by seiche or mudflows.

Although the Project is expected to increase bike and pedestrian traffic, it is not expected to substantially increase the overall presence of people in the Project area. The possibility of exposing people or structures to a substantial risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow is highly unlikely. In addition, people would be given sufficient warning to evacuate the Project site by the West Coast and Alaska Tsunami Warning Center, which monitors earthquakes and issues tsunami warnings when a tsunami is forecast to occur. Therefore, operations of the Project would not exacerbate the risk of seiche, tsunami, or mudflow.
X. LAND USE AND PLANNING.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>c. Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
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<td>☐</td>
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</tbody>
</table>

**Affected Environment**

The City of Santa Cruz’s General Plan designates the Project as Parks, Community Facilities, and Regional Visitor Commercial. The proposed Project would be located in the following zones: PK (Parks), PF (Public Facilities), R-T (B) (Motel Residential), and C-B (Beach Commercial). The Project alignment would be located within the Santa Cruz Branch Rail Line right-of-way.

**Discussion**

**a) Physically divide an established community?**

**No Impact.** The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. The proposed Project would provide a new trail. The Project is a component of the MBSST Network, which would ultimately connect various areas along 50 miles of the Santa Cruz coast. The proposed Project would ultimately increase access along communities and would not physically divide an established community. No impact would occur.

**b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less Than Significant Impact.** The City of Santa Cruz General Plan (2012a), the City Municipal Code, the MBSSST Master Plan (Santa Cruz County Regional Transportation Commission 2014), the City Active Transportation Plan (City of Santa Cruz 2017), and the 2014 Santa Cruz Regional Transportation Plan (County of Santa Cruz 2014) are the primary land use plans containing policies and regulations applicable to the Project. The proposed Project is an allowable land use according to the general plan land use and zoning designations for the Project site.
The City of Santa Cruz identifies goals to improve mobility in Chapter 5 of the General Plan (City of Santa Cruz 2012a:51). The construction of a bike trail would be consistent with the General Plan and would help the City meet their mobility goals. The Project would meet the following goals:

- Goal M-1: Land use patterns, street design, parking, and access solutions that facilitate multiple transportation alternatives.
- Goal M-2: A safe, sustainable, efficient, adaptive, and accessible transportation system.
- Goal M-4: A citywide interconnected system of safe, inviting, and accessible pedestrian ways and bikeways.

As described in the Biological Resources and Noise sections, the proposed Project would not conflict with ordinances in the Municipal Code and would follow all requirements to comply.

The City Active Transportation Plan identifies the MBSST project as a key type of improvement and notes that the Active Transportation Plan was undertaken in the context of the policies and standards of the MBSST Master Plan (City of Santa Cruz 2017:80,117). The Project is a component of the MBSST Network. The proposed Project is, therefore, consistent with the planning in the City Active Transportation Plan.

The 2014 Santa Cruz Regional Transportation Plan also identifies the MBSST as a project underway that would contribute to the transportation network (County of Santa Cruz 2014:2-18). The Project is a component of the MBSST Network. The proposed Project is, therefore, consistent with the planning in the 2014 Santa Cruz Regional Transportation Plan.

The proposed Project is consistent with all the goals, policies and ordinances of the relevant planning documents with implementation of the mitigation measures contained in this document. Impacts related to applicable plans, policies, or regulations would, therefore, be less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The Project site is not located in an area that is managed by a Habitat Conservation Plan or Natural Community Conservation Plan; therefore, the Project would not conflict with a Habitat Conservation Plan or Natural Community Conservation Plan.

<table>
<thead>
<tr>
<th>XI. MINERAL RESOURCES.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the Project:</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>a. Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
Affected Environment

Minerals are any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat and oil bearing rock, but excluding geothermal resources, natural gas and petroleum. Rock, sand, gravel and earth are also considered minerals by the California Department of Conservation when extracted by surface mining operations. The Division of Mines and Geology of the California Department of Conservation prepared a report in 1987 and an updated report in 2000 that identified mineral land classifications in the San Francisco and Monterey Bay Area (California Department of Conservation 1987, 2000). The 2000 report identifies five areas within Santa Cruz County that contain extractable aggregate deposits. These five areas are named Sector A, B, C, L, and M (California Department of Conservation 2000:10-11). Table 3-3 shows the type of mineral deposits within the Project vicinity and their distance from the Project. Sector C is the closest mineral deposit (sandstone) from the Project. No known mineral resources are located on the Project site.

Table 3-3. Mineral Deposits in the Project Vicinity

<table>
<thead>
<tr>
<th>Sector Name</th>
<th>Mineral Deposit</th>
<th>Approximate Distance from Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Quartz diorite</td>
<td>6 miles north of the Project</td>
</tr>
<tr>
<td>B</td>
<td>Sandstone</td>
<td>6 miles north of the Project</td>
</tr>
<tr>
<td>C</td>
<td>Sandstone</td>
<td>3 miles west of the Project</td>
</tr>
<tr>
<td>L</td>
<td>Quartz diorite and siltstone</td>
<td>9 miles north-east of the Project</td>
</tr>
<tr>
<td>M</td>
<td>Fluvial sand and gravel</td>
<td>10 miles north-east of the Project</td>
</tr>
</tbody>
</table>

Source: California Department of Conservation 2000:10-11

Discussion

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No Impact. No known mineral resources are located on the Project site. The closest mineral resource is a sandstone deposit located 3 miles west of the Project site. Because no known mineral resources are located on the Project site, the proposed Project would not result in the loss of availability of a known mineral resource. No impact would occur.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. Other than the mineral resources identified by the Division of Mines and Geology of the California Department of Conservation, no additional locally-important mineral resources have been identified in the City of Santa Cruz General Plan or the County of Santa Cruz General Plan. The proposed Project would have no impact on any locally-important mineral resources.
XII. NOISE.

Would the Project:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

☐ ☐ ☒ ☐

b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?

☐ ☐ ☒ ☐

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

☐ ☐ ☒ ☐

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

☐ ☒ ☐ ☐

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?

☐ ☐ ☐ ☒

f. For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?

☐ ☐ ☐ ☒

Affected Environment

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3.0 dB or less are only perceptible in laboratory environments. Audible increases in noise levels generally refer to a change of 3.0 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive.
The Project site is located near residential areas and the noise in the Project site would be typical of those land uses.

Discussion

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Less Than Significant Impact.** The long-term operational and short-term construction noise impacts of the proposed Project are described below.

*Long-Term Operational Impacts.* The primary purpose of the proposed Project is to provide a new trail in the City. The Project trail would not accommodate vehicular traffic. The addition of the trail would add noise sources such as human voices or barking dogs. However, the noise sources would not typically be loud enough to disturb sensitive receptors in the Project vicinity. Therefore, the long-term, operational phase of the proposed Project would not expose persons to or generate noise levels in excess of standards in the local general plan or noise ordinance. The impact would be less than significant.

*Short-Term (Construction) Impacts.* Section 9.36.010 of the City’s noise ordinance prohibits offensive noise between the hours of 10:00 p.m. and 8:00 a.m. within 100 feet of a building used for sleeping purposes, or which would disturb people within hearing distance of the noise. Section 9.36.010(c) exempts construction noise from the ordinance between 7:00 a.m. and 8:00 a.m. if permitted by the City to alleviate traffic impacts, or is required due to project completion time constraints. Furthermore, to avoid traffic disruptions and to address public health and safety concerns, construction could occur outside of the hours of 8:00 a.m. and 5:00 p.m. if there is written approval from the City's Public Works Director and if there is public notification. In addition, the City Manager can authorize work at other times in the event of an emergency.

Construction for the Project is proposed between 8:00 a.m. and 5:00 p.m., Monday – Friday and no construction would occur on Sundays or national holidays. Construction of the proposed Project could occur at other hours as described and conditioned in the Municipal Code. Construction noise would be temporary and intermittent, and noise levels would fluctuate throughout any given day. Given other sound sources in the area, and due to the limited duration and short-term nature of the construction, temporary construction noise is considered a less than significant impact.

b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?

**Less Than Significant Impact.** Construction of the proposed Project would require some equipment that could potentially generate groundborne vibration, such as a jackhammer. These activities would, however, be short-term impacts that would cease after construction has been completed. The Project would, therefore, not generate excessive groundborne vibration or groundborne noise levels. The impact would be less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less Than Significant Impact.** As described in response XII(a), noise from the new trail would not result in a substantial permanent increase in noise levels in the Project vicinity above levels existing without the Project. The permanent impact to ambient noise levels would be less than significant.
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less Than Significant with Mitigation Incorporated.** Construction of the Project would require grading and earthwork activities that could generate a temporary increase in ambient noise levels. Construction noise would be temporary, infrequent, and would cease after construction has been completed. As described in impact XII(a), construction would fall within the allowable hours dictated by the City Municipal Code. Implementation of Mitigation Measure NOISE-1 will ensure that noise levels are reduced by assuring that equipment is maintained, including mufflers. The impact would be less than significant with Mitigation Measure NOISE-1.

**Mitigation Measure NOISE-1:** All equipment shall be maintained in proper working order, including proper muffling.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** The Watsonville Municipal Airport is the only public airport located within Santa Cruz County. The Watsonville Municipal Airport is over 13 miles away from the Project site. The Project site is not located within an Airport Land Use Compatibility Plan. Due to the Project’s distance from an airport, the Project would have no impact from exposing people residing or working the Project area to excessive noise levels.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** The proposed Project is not located within the vicinity of a private airstrip; therefore, the Project would result in no impacts from exposing people residing or working the Project area to excessive noise levels.

<table>
<thead>
<tr>
<th>XIII. POPULATION AND HOUSING.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the Project:</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
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<td>☒</td>
</tr>
<tr>
<td>c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
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</tbody>
</table>
Affected Environment

Existing land uses in the Project area consist of the Santa Cruz Branch Rail Line, which operate freight trains; local roadways; and a recreational area (La Barranca Park). Residential developments do not occur directly within the Project area but are located within the vicinity of the Project.

Discussion

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. No housing, new commercial areas, or new industrial areas are proposed as a part of the Project. The Project would not result in direct population growth from the operation of the Project. During construction, a construction crew would be required, which could potentially and insubstantially increase the population of the City. The potential growth from the construction crew would be minimal because some of the construction workers would live in the City and because a large number of construction workers would not be needed. The potential direct impact to population growth would be less than significant. The Project would not have any indirect impacts on population growth because the Project would not provide additional vehicle access or additional major infrastructure and would, therefore, not remove any barrier to population growth.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project would be primarily located within the existing rail ROW with portions of the Project located within public streets (e.g., when the projects crosses public streets). In addition to these locations, the trail would require limited private land adjacent to the rail ROW to maintain minimum clearance from the rail tracks. None of these locations have houses and include two parcels located along West Cliff Drive. Permanent easements would be required from each of these locations. No property acquisition or structure removal would be required. No housing would be displaced as a result of the proposed Project; therefore, no impact would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. As described in Response XIII(b) above, the Project would not result in the displacement of housing. Therefore, no people would be displaced and no impact would occur.
XIV. PUBLIC SERVICES.

Would the Project:

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire Protection? ☐ ☐ ☐ ☒

ii. Police Protection? ☐ ☐ ☐ ☒

iii. Schools? ☐ ☐ ☐ ☒

iv. Parks? ☐ ☐ ☐ ☒

v. Other Public Facilities? ☐ ☐ ☐ ☒

Affected Environment

The Project site is in an urban area served by existing public services.

Police Protection. Police protection is provided to the City by the Santa Cruz Police Department (SCPD). In addition, the City has mutual aid agreements with county law enforcement (Sheriff’s Office, Capitola, Scotts Valley, Watsonville, California Highway Patrol, State Parks and UCSC Police Departments) (City of Santa Cruz 2011). The City's police station is located at 155 Center Street, approximately 0.5-mile north east of Section F of the Project alignment.

Fire Protection. The City Fire Department provides fire protection and emergency response for all areas within the City limits and maintains mutual aid agreements with other fire districts in the County, University of California at Santa Cruz (UCSC) and California Department of Forestry (CDF) to provide fire protection to areas surrounding the City. The City serves the Paradise Park subdivision through an annexation to the service area that was approved by the Local Agency Formation Commission of Santa Cruz County (City of Santa Cruz 2011). The closest fire station to the Project alignment is Station 3, located at 335 Younglove Avenue, approximately 0.4 mile to the west of Section F.

Schools. Schools and educational services are provided to City residents by the Santa Cruz City Schools District (SCSD), as well as a number of private schools, for grades K-through 12 (City of Santa Cruz 2011). The closest school to the Project is Bay View Elementary School, approximately 0.3 mile from Section F.

Parks. For a discussion of parks, see Section XV. Recreation.
Discussion

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?

No Impact. The proposed Project would not result in an increase in population or facilities that would require the provision of fire or police services, schools, parks, or other public facilities, or result in the need for physically altered facilities. The demand for public services would be the same as under existing conditions after the construction of the proposed Project. Therefore, no impact on public services would occur from the Project.

XV. RECREATION.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>☐</td>
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</tbody>
</table>

Affected Environment

The City is served by a network of community and neighborhood parks, open spaces, and beaches. The City manages 18 neighborhood parks, 5 community parks, and 3 greenbelt open spaces. Furthermore, the City is served by beaches that are managed by the State of California, including Lighthouse Field State Beach, Natural Bridges State Beach, Santa Cruz Mission State Historic Park, Twin Lakes State Beach, and Seabright State Beach. The Project would be located within a small portion of La Barranca Park and would be adjacent to Neary Lagoon Park.

Discussion

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The Project would not increase the use of existing recreational facilities during construction or during operation of the Project.
Construction of the Project would result in a direct impact to La Barranca Park and an indirect impact to Neary Lagoon Park. Construction is planned within La Barranca Park and would include the in-kind replacement of a portion of the park's existing decomposed granite pathway. There are no designated play areas or park features that would be affected by construction of the Project. The presence of equipment and the noise caused during construction could potentially result in less visitors using parks within the vicinity of the Project, including La Barranca Park and Neary Lagoon Park. Recreationalist could, however, use many of the other parks within the vicinity, including Lighthouse State Beach, Derby Park, Depot Park, and Garfield Park. The direct and indirect impacts to La Barranca Park and Neary Lagoon Park would not result in substantial people using other parks. Construction of the Project would, therefore not substantially increase the use of recreational facilities and the impact would be less than significant.

Operation of the Project would result in a trail that serves the recreational needs of residents in the City. Furthermore, once the MBSST project is completed, the Project would also play a part in serving the need of the region. The Project would serve a need for recreation and would, therefore, not increase demand for parks. The impact from operation of the Project would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Less Than Significant with Mitigation Incorporated.** The Project would entail a bicycle and pedestrian trail that would serve as a recreational facility. As shown in this Initial Study, the Project could potentially result in some significant impacts on the environment; however, these impacts would be mitigated to less than significant levels with the mitigation identified in this Initial Study. Impacts would be less than significant after mitigation.

<table>
<thead>
<tr>
<th>XVI. TRANSPORTATION/TRAFFIC.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the Project:</td>
<td>☐</td>
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</tr>
<tr>
<td>a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
<td>☐</td>
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<tr>
<td>b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</td>
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</tbody>
</table>
XVI. TRANSPORTATION/TRAFFIC.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?</td>
<td>☐</td>
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<td>☐</td>
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<tr>
<td>e. Result in inadequate emergency access?</td>
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<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td>☐</td>
<td>☐</td>
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</tbody>
</table>

**Affected Environment**

The Project site is bounded by railroad tracks on the north side of the proposed trail and recreational and residential areas on the southern side of the proposed trail. The Project would cross one road (Beach Street) and would incorporate pedestrian hybrid beacons and cross-bike facilities in the design of this crossing. Primary vehicle access to the Project site is provided via SR-1.

**Discussion**

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

**Less Than Significant with Mitigation Incorporated.** Both the 2014 Santa Cruz Regional Transportation Plan and the City Active Transportation Plan identify the MBSST as a project that would contribute to the transportation network (City of Santa Cruz 2017:80,117 and County of Santa Cruz 2014:2-18). Because the Project is a component of the MBSST, the Project would be in compliance with these transportation plans. After completion, the Project would not generate additional vehicle trips, but would increase the effectiveness of the circulation system by adding a new bicycle and pedestrian connection. A small increase in traffic would occur in the Project area during the construction phase of the Project from construction vehicles and construction workers accessing the site. The Project may also require temporary lane closures during construction. A small increase in traffic and temporary lane closures could cause an increase in traffic during construction activities, which could result in a potentially significant impact. Construction activities would be short-term and temporary. Implementation of Mitigation Measure CIRC-1 would reduce potential impacts associated with lane closures to a less than significant level.
**Mitigation Measure CIRC-1: Transportation Control Plan.** Prior to construction, a transportation control plan (TCP) will be developed by the contractor for review and approval by the City. The TCP will include specific measures to ensure safe access and detours during construction. The TCP will be implemented by the construction contractor throughout the construction period and will provide alternate routes for any road closures.

b) **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Less Than Significant with Mitigation Incorporated. See XVI(a), above.

c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?**

**No Impact.** The Watsonville Municipal Airport is the only public airport located within Santa Cruz County and it is located over 13 miles from the Project site. The Project site is not located within an Airport Land Use Compatibility Plan that manages air traffic safety. Due to the distance to the nearest airport, the Project would not interfere traffic patterns. Furthermore, none of the Project components could possibly interfere with air traffic patterns. No helicopters or other equipment that could fly would be used during construction and the operation of a trail would not erect any structure that could potentially interfere with air traffic. The Project would, therefore, have no impact on air traffic levels that could cause a safety risk.

d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Less Than Significant with Mitigation Incorporated. No incompatible uses or hazardous design features are associated with operation of the proposed Project. The Project would involve one roadway crossing; however, the design of the Project, including pedestrian hybrid beacons and cross-bike facilities, would ensure that the impact would be less than significant.

During construction activities, a short-term increase in the potential for accidents involving motor vehicles, bicycles, and/or pedestrians could occur. Because of the temporary disruption to traffic flow, the potential removal of traffic lanes, the presence of construction equipment in the public ROW, and the localized increase in traffic congestion, drivers would be presented with unexpected driving conditions and obstacles, potentially resulting in an increase in automobile accidents. Implementation of **Mitigation Measure CIRC-1**, described above, would reduce potential impacts to a less than significant level.

e) **Result in inadequate emergency access?**

Less Than Significant Impact. The proposed Project is designed to provide a trail connection with a safe crossing for bicyclists and pedestrians, and emergency access would be similar to existing conditions after Project completion. During construction activities, there could be slight delays to emergency access due to temporary lane closures and construction vehicles accessing the Project site. However, construction activities would be short-term and temporary, and any emergency vehicles would be waved through during lane closures. Therefore, the proposed Project would not result in inadequate emergency access. The impact would be less than significant.
f) Conflict with adopted polices, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**No Impact.** As described in Impact XVI(a), the Project would help implement the 2014 Santa Cruz Regional Transportation Plan and the City Active Transportation Plan. The proposed Project would help meet the mobility goals of the City, including a citywide interconnected system of safe, inviting, and accessible pedestrian ways and bikeways (Goal M-4 in the City of Santa Cruz General Plan). The Project would be compatible with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, and would increase the performance and safety of such facilities. No impact would occur.

### XVII. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>☐</td>
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<tr>
<td>c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<tr>
<td>d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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</tr>
<tr>
<td>e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>g. Comply with federal, state and local statutes and regulations related to solid waste?</td>
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</tbody>
</table>

### Affected Environment

The Project site is in an urban area served by existing public services.

**Water Supply, Wastewater, Solid Waste, Stormwater.** The Santa Cruz Municipal Utilities provides customer service for water, sewer, and refuse and recycling services to the residents and business of the City. The City obtains all of its water from local sources. Most of the water comes
from surface waters with a small amount coming from groundwater (City of Santa Cruz 2016a). Wastewater in Santa Cruz is treated at the Santa Cruz Wastewater Treatment Facility. The City storm drain system collects storm water runoff from City streets along gutters and through underground pipes to discharge into waterways and ocean.

**Solid Waste.** There are three permitted solid waste landfills within the County of Santa Cruz (CalRecycle 2017):

- The City of Santa Cruz Recovery Facility has a remaining capacity of 6,150,000 cubic yards.
- The City of Watsonville Landfill has a remaining capacity of 2,100,000 cubic yards.
- The Buena Vista Drive Sanitary Landfill in Watsonville has a remaining capacity of 3,303,629 cubic yards.

**Gas and Electricity.** Pacific Gas & Electric (PG&E) provides natural gas and electricity in the Santa Cruz area.

**Communication Facilities.** AT&T provides local telephone service to the Santa Cruz area. Comcast, Cruzio and others provide internet services. Verizon, Sprint, and others provide cell services.

**Discussion**

a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

**Less than Significant Impact.** No wastewater would be generated by the Project. If dewatering is necessary in areas where groundwater is encountered, depending on surface and groundwater levels at the time of construction, a permit for discharge of extracted groundwater would be obtained from the RWQCB. This discharge shall be consistent with RWQCB requirements and as such would not result in a violation of water quality standards or waste discharge requirements. Impacts would be less than significant.

b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less than Significant Impact.** The proposed Project would not require water or wastewater treatment as no potable water and/or toilets would be provided as part of trail construction. Additional water may be needed for irrigation of proposed landscaping. However, such an increase in water demand would be minimal and would not require the construction of new wastewater treatment facilities or expansion of existing facilities. Therefore, this impact is considered less than significant.

c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant with Mitigation Incorporate.** Construction of the Project would require installation of new storm drain infrastructure in Sections F, G, and H. In addition, development of the proposed Project would result in a small increase in the amount of impervious surface area and an associated increase in the rate and volume of stormwater runoff from the site. **Mitigation Measure HYD-1** would require the City to prepare a drainage plan to ensure that proposed storm drainage systems are adequate to channel runoff from the proposed Project. Implementation of Mitigation Measure HYD-1 would ensure that the new storm water drainage facilities addresses the drainage
requirements of the Project and that no additional drainage facilities are required. The impact would be less than significant after mitigation.

d)  **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

**Less than Significant Impact.** As described in Impact XVII(b) above, the only potential water demand from the Project would be due to plant and tree establishment watering. The water demand from irrigation would be minimal because the landscaping that would be planted would be native species, per Mitigation Measure AES-1. Native species are adapted to the existing climate and, therefore, would require less water than non-native species that may not be adapted to the local climate. Due to the minimal amount of water that would be required for irrigation and because water demand would be minimized by using native plants and only during plant and tree establishment, the impact to the existing water supply would be less than significant.

e)  **Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?**

**Less than Significant Impact.** As described in Impact XVII(a) above, the Project would not generate wastewater and if dewatering is required, the discharge shall be consistent with RWQCB requirements and as such would not result in a violation of water quality standards or waste discharge requirements. The proposed Project would not have an impact on the capacity of the Santa Cruz Wastewater Treatment Facility. The impact to the Santa Cruz Wastewater Treatment Facility would be less than significant.

f)  **Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?**

**Less Than Significant Impact.** Construction of the proposed Project would generate solid waste. The amount of construction waste would not be substantial, would be limited to the construction time period, and would not result in a substantial reduction in the capacity of a landfill. There are three permitted solid waste landfills within the County of Santa Cruz that could be used to dispose of construction waste. All three landfills currently have remaining capacity and recycle some construction waste. The City of Santa Cruz Recovery Facility has a remaining capacity of 6,150,000 cubic yards, the City of Watsonville Landfill has a remaining capacity of 2,100,000 cubic yards, and the Buena Vista Drive Sanitary Landfill in Watsonville has a remaining capacity of 3,303,629 cubic yards (CalRecycle 2017). There is sufficient capacity in the landfills within the region to serve the Project; therefore, construction of the Project will not result in an impact to the capacity of landfills and the Project’s impact would be less than significant.

Operation of the bicycle and pedestrian trail would not generate minimal solid waste; therefore, operation of the Project will not result in an impact to the capacity of landfills.

g)  **Comply with federal, State, and local statutes and regulations related to solid waste?**

**No Impact.** The Project would comply with all federal, State, and local statutes and regulations related to solid waste. No impact would occur.
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
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</tr>
<tr>
<td>b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>☐</td>
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</table>

Less Than Significant with Mitigation Incorporated. The Project is located in an urban environment near railroad tracks. Implementation of the mitigation measures recommended in this Initial Study would ensure that the construction and operation of the proposed Project would not reduce the habitat, population, or range of a plant or animal species; or eliminate important examples of California history or prehistory. Section IV, Biological Resources, includes mitigation measures to minimize impacts to CRLF, western pond turtle, pallid bat, special-status birds, nesting birds, and riparian habitat. Impacts would be less than significant after mitigation.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Less Than Significant Impact. Cumulative impacts related to development accommodated by the
City's General Plan were analyzed in the General Plan 2030 EIR. Although the Project is not specifically called out in the General Plan, the Project is consistent with the policies in the General Plan and would help the City achieve its goal of providing a bicycle network in Santa Cruz. The Project is considered a project accommodated for in the General Plan.

Cumulative impacts related to development accommodated by the City's General Plan over the next 15+ years were found to be less than significant in the General Plan 2030 EIR, except for potential significant cumulative impacts related to traffic, water supply, population and noise (City of Santa Cruz 2011:5-3 and 5-4).

The cumulative impacts for traffic, noise, and population were found to be significant due to the growth in population that would occur from multiple development projects. The General Plan 2030 EIR identifies the following:

- **Population.** Cumulative growth could result in physical effects, such as increased traffic and water supply demand.
- **Traffic.** Cumulative development and growth would generate traffic that would result in unacceptable levels of service at 26 intersections.
- **Noise.** Cumulative development and growth would result in noise increases associated with the traffic increases.

Although cumulative impacts on population, traffic, and noise are potentially significant, the Project's contribution to the cumulative impacts would be less than significant. As described in Impact XIII(a), the Project would not include housing, new commercial areas, or new industrial areas that could induce growth and would also not remove any barriers that could result in population growth. Because the Project would not result in population growth, the Project's contribution on a cumulative population impact would be less than significant. The Project entails the construction of a bicycle and pedestrian trail and would, therefore, not generate traffic. In fact, the Project would provide the infrastructure to reduce traffic in Santa Cruz. Because the Project will not result in increased traffic, the Project's contribution on a cumulative traffic impact would be less than significant. Furthermore, because the Project will not result in increased traffic, the proposed Project would not result in the increased noise associated with increased traffic. The Project's contribution to a cumulative noise impact would, therefore, be less than significant.

With regards to cumulative water impacts, as disclosed in the City's General Plan 2030 EIR, the City's future water supply availability continues to be uncertain, and overall water demand continues to decrease. The City faces a series of ongoing challenges that potentially could lead to some loss of existing supply in the future, although it is uncertain at this time which supplies might be affected and to what extent. These considerations include the preparation of an HCP that could adjust diversions in some scenarios, water rights petitions, and reduction of groundwater production to protect against saltwater intrusion (City of Santa Cruz 2011:5-4). The Project would not include any facilities that would require water; however, water would be needed to irrigate during the plant and tree establishment period that would be planted to (1) replace landscaping and trees that are removed during construction and (2) for erosion control. The water that would be used for the Project would be minimal and the Project's would be less than significant. Furthermore, water use would be minimized with implementation of Mitigation Measure AES-1, which requires use of native plants for landscaping. Native plants are adapted to the local climate and would require less water than plants not native to the local climate.
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Less Than Significant with Mitigation Incorporated.** As described in this document, the implementation of the proposed Project could result in temporary air quality, greenhouse gas, hazardous materials, and noise impacts during the construction period. Implementation of the mitigation measures recommended in this document would ensure that the proposed Project would not result in environmental effects that would cause substantial adverse effects on human beings. Impacts would be less than significant after mitigation.
References


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