1.0 INTRODUCTION

1.1 Findings of Fact

The California Environmental Quality Act (CEQA) requires that the environmental impacts of a project be examined and disclosed prior to approval of a project. CEQA Guidelines Section 15091 provides the following guidance regarding findings:

> "(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
>
> (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
>
> (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
>
> (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR."

Having received, reviewed and considered the Final Environmental Impact Report for the Monterey Bay Sanctuary Scenic Trail (MBSST) Network Master Plan, SCH #2012082075, dated October 2013 ("CEQA Document"), as well as all other information in the record of proceedings on this matter, the following Findings regarding the CEQA Document for the MBSST Network Master Plan (Project) are hereby adopted by the Santa Cruz County Regional Transportation Commission (RTC).

1.2 Document Format

These Findings have been categorized into the following sections:

1) Section 1.0 provides an introduction to these Findings.
2) Section 2.0 provides a summary of the Project and overview of other discretionary actions required for the Project, and a statement of Project objectives.
3) Section 3.0 provides a summary of those activities that have preceded the consideration of the Findings for the Project as part of the environmental review process, and a summary of public participation in the environmental review for the Project.
4) Section 4.0 sets forth findings regarding those potentially significant environmental impacts identified in the CEQA Document which the RTC has determined to be less than significant with the implementation of Project design features and/or Project conditions included in the Mitigation Monitoring and Reporting Program (MMRP) for the Project.
5) Section 5.0 sets forth findings regarding those significant or potentially significant environmental impacts identified in the CEQA Document which the RTC has determined can feasibly be mitigated to a less than significant level through the imposition of mitigation measures included in the MMRP for the Project.
6) Section 6.0 sets forth findings regarding growth inducing impacts.

7) Section 7.0 sets forth findings regarding alternatives to the Project.
8) Section 8.0 contains findings regarding the MMRP for the Project.
9) Section 9.0 contains other relevant findings adopted by the RTC with respect to the Project.

The Findings set forth in each section herein are supported by findings and facts identified in the administrative record of the Project.

1.3 Custodian and Location of Records

The documents and other materials which constitute the administrative record for the RTC's actions regarding the Project are located at the RTC Santa Cruz office, 1523 Pacific Avenue, Santa Cruz, California 95060. The RTC is the custodian of the administrative record for the Project.

2.0 PROJECT SUMMARY

2.1 Project Location

The Master Plan corridor stretches the entire length of Santa Cruz County from the San Mateo County line north of Davenport past the Pajaro River in Watsonville. The trail would extend through unincorporated Santa Cruz County and portions of the cities of Santa Cruz, Capitola, and Watsonville. The southernmost segment (segment 20) would extend into Monterey County. The MBSST Network corridor would primarily align with the former Santa Cruz Branch Rail Line right-of-way, a 32-mile, continuous travel corridor, 31-miles of which are now owned by the Santa Cruz County Regional Transportation Commission (RTC). The rail right-of-way would serve both rail service and bike/pedestrian trail functions. North of the railroad right-of-way, the trail would align along the west side of Highway 1 for 7.5 miles, for a combined trail length of 39.2 miles. Other proposed new trails outside of the primary MBSST corridor would comprise 10.4 additional miles of paved and unpaved coastal spur trails. The trail network would span a combined total of 49.6 miles of bicycle and pedestrian facilities. The railroad generally runs along the coast, parallel to the Pacific Ocean, except where it turns inland near Manresa State Beach. From there, the tracks run inland toward Watsonville and ultimately end at the Watsonville Junction.

2.2 Project Description

The MBSST Network corridor is separated into three reaches: the northern reach extends from the San Mateo County line to the western Santa Cruz city limit; the central reach extends from the western Santa Cruz city limit to Seascape Boulevard; and the Watsonville reach extends from Seascape Boulevard to Railroad Avenue in Monterey County. These reaches are further divided into smaller "segments." Segments one through six fall within the northern reach; segments seven through 14 fall within the central reach; and segments 15 through 20 fall within the Watsonville reach.

The majority of the proposed corridor would include construction of a new multi-use recreation trail that provides bicycle, pedestrian, wheelchair, and non-motorized scooter travel on a paved right-of-way completely separated from any vehicular traffic on streets or highways. The multi-use paved path may include a paved surface of approximately 8 to 12 feet wide, center lane striping in some segments, separation from adjacent roadways by at least 12 feet where feasible, fencing, landscaping, and signage. The proposed MBSST Network would require the construction of 23 new,

pre-engineered bridges; retrofitting of 1 existing bridge; 76 roadway crossings (including 1 undercrossing); and 20 railway crossings (including 1 undercrossing).

Implementation of the proposed trail includes land clearing, grading, and construction. Construction of the proposed trail would include laying asphalt for the trail and staging areas, constructing fencing, establishing signage, and landscaping. Administration of the proposed MBSST would involve the RTC and the implementing entities (City of Santa Cruz, County of Santa Cruz, City of Capitola, City of Watsonville, and/or State Parks). The RTC, as the owner of the Santa Cruz Branch Rail Line, would continue to provide regional policy oversight for the corridor and coordination with the rail operator. RTC staff would provide a forum for public input throughout the trail development process, augmenting public input in the local planning and design process.

2.3 Discretionary Actions

The RTC will need to take the following discretionary actions in conjunction with the MBSST Network Master Plan:

1) Certification of the Final EIR
2) Adoption of a Mitigation Monitoring and Reporting Program (MMRP)
3) Approval of the Final MBSST Network Master Plan

2.4 Statement of Objectives

The proposed MBSST Network project includes the following goals that guide the trail's implementation. A complete list of goals, objectives, and policies is provided in the proposed MBSST Network Master Plan.

1) Define a continuous trail alignment that maximizes opportunities for a multi-use bicycle and pedestrian trail separate from roadway vehicle traffic spanning the length of Santa Cruz County.
2) Develop public trail access along the Monterey Bay National Marine Sanctuary to enhance appreciation, understanding, and protection of this special resource.
3) Promote awareness of the trail, trail opportunities, and trail user responsibilities.
4) Develop a long- and short-term program to achieve the policies set forth in this plan through a combination of public and private funding, regulatory methods, and other strategies.
5) Develop the necessary organizational, staffing, and funding mechanisms to ensure that all trail segments, trailheads, and accessory features are safe, well-maintained, and well-managed.

3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

On August 23, 2012, a Notice of Preparation (NOP) was distributed by the RTC for the Project. The State of California Clearinghouse issued a project number for the MBSST Network Master Plan, SCH #2012082075.

In accordance with CEQA Guidelines Section 15082, the NOP was circulated to interested agencies, groups, and individuals for a period of at least 30 days, during which comments were solicited and received, pertaining to environmental issues/topics that the Draft EIR should evaluate. The NOP comment period began on August 23, 2012 and ended on November 11, 2012 (80 days). The RTC held two public scoping meetings to receive input on the environmental analysis on September 5, 2012 and September 6, 2012. NOP responses were

considered in the preparation of the Draft EIR, which upon release, was made available to all Responsible/Trustee Agencies and interested groups and individuals, as required under CEQA Guidelines Sections 15105 and 15087.

The State-mandated public review of the Draft EIR began on June 7, 2013 and ended on July 22, 2013 (45 days). The RTC held two public meetings to inform the community about the Draft EIR and to receive comments on June 25, 2013 and June 27, 2013. The FEIR includes Response to Comments (Section 8.0 of the FEIR), which presents all written and oral comments received during the public review period of the Draft EIR, and includes responses to these comments and associated changes made to the EIR.

The EIR is comprised of the FEIR dated October 2013, including any exhibits or appendices thereto, the list of persons, organizations and public agencies which commented on the EIR, the comments which were received by the RTC regarding the EIR, and the RTC's written responses to significant environmental comments raised in the public review and comment process, all of which are incorporated herein and made a part hereof by reference. Pursuant to State CEQA Guidelines Section 15084, the EIR has been reviewed and analyzed by the RTC as the lead agency with respect to the Project, and the EIR represents the independent judgment of the RTC as the lead agency with respect to the Project. The following findings for the Project and each fact in support of a finding are thus based upon substantial evidence in the record, including the FEIR.

4.0 FINDINGS REGARDING ENVIRONMENTAL IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

The RTC finds, based upon the analysis presented in Section 4.0 of the DEIR, dated June 2013, as amended by the Final EIR, dated October 2013, that the following environmental effects of the project are less than significant, and, therefore, no mitigation measures are required. The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been identified and incorporated into the MBSST Network which avoid or substantially lessen the potentially significant effect on the environment to a less than significant level.

4.1 Aesthetics

4.1.1 Less Than Significant Impact AES-1. There are no officially designated state scenic highways in Santa Cruz County. Therefore, the proposed MBSST Network project would not substantially damage scenic resources within a state scenic highway. Impacts would be Class III, *less than significant.*

> **Finding** – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.
>
> **Facts in Support of Finding** – There are no officially designated state scenic highways in Santa Cruz County. Four highways are listed as “eligible” by the California Department of transportation: Highway 1, Highway 9, Highway 17, and Highway 152. The proposed MBSST Network corridor would be visible from portions of Highway 1, particularly in the northern reach. However, because this highway is not an officially designated scenic highway, impacts to scenic resources within a state scenic highway would be less than significant.

Reference - FEIR pages 4.1-14.

4.1.2 Less Than Significant Impact AES-2. Portions of the proposed MBSST Network would be visible from locally-designated scenic roadways as well as from public viewing areas with access to scenic vistas. However, the project would not result in a substantial adverse effect on scenic vistas. Impacts are therefore Class III, *less than significant.*

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed project is a multi-use recreation trail that would generally follow the Santa Cruz Branch Rail line right-of-way through Santa Cruz County. Views would vary along the nearly 50-mile corridor, including coastal and agricultural vistas in the northern reach, urban and coastal views in the central reach, and agricultural vistas in the Watsonville reach. Structural improvements along the trail corridor could result in impacts to scenic vistas.

The proposed MBSST Network Master Plan contains design guidelines that would limit potential adverse effects to scenic vistas. Specifically, the Master Plan outlines the types of trail fencing to be used in various environments along the trail network, and recommends that fencing along the trail corridor be used conservatively to maintain the open feel and views of the coastal environment. With the exception of privacy fencing – which would be used to provide trespass prevention, security, and privacy for adjacent landowners in urban areas – and provision of fencing where agricultural food safety and security concerns exist, trail fencing would be designed to allow open visibility of the surrounding landscape, thus maintaining access to scenic vistas.

A uniform sign design and logo theme would be provided along the trail. Elements such as bollards to prevent unauthorized trail access, mile post markers to identify specific locations along the trail, directional signs to various places of interest and user services, informational and traffic control signs and a trail logo would all provide necessary information and help to unify the design. Signs along the trail would be designed to meet all of the required and recommended signing and marking standards developed by Caltrans in Chapter 1000 of the Highway Design Manual. In addition, all signs and markings would conform to the standards developed in the Manual on Uniform Traffic Control Devices (MUTCD). However, signs would be a smaller scale than highway signs, and thus would be unlikely to block scenic vistas.

The trail and other related facilities – including trail furnishings and signage – would be relatively unobtrusive and would not be expected to alter or obstruct views from locally-designated scenic roadways or other public viewing areas. In fact, in many locations the proposed trail network would improve public access to scenic viewing areas, which may be considered an improvement rather than a detriment to scenic vistas. Overall, the proposed facilities would not create a substantial adverse effect on a scenic vista, and impacts would be considered less than significant.

Reference - FEIR pages 4.1-14 through 4.1-18.

4.1.3 Less Than Significant Impact AES-3. The proposed MBSST Network would introduce physical improvements in the form of a multi-purpose trail, fencing, landscaping, signage, and other facilities in highly scenic areas throughout Santa Cruz County. These features would not substantially degrade the existing character or quality of the MBSST Network corridor. Impacts would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network would introduce physical improvements in the form of a multi-purpose trail, fencing, landscaping, signage, and other facilities in highly scenic areas throughout Santa Cruz County. These features would not substantially degrade the existing character or quality of the MBSST Network corridor. Overall, the proposed trail, landscaping, and relatively minor structural improvements would be visually compatible with the character of the project vicinity. Therefore, the proposed MBSST Network project would not substantially degrade the existing character or quality of the area.

The proposed Master Plan includes design standards to ensure that visual character and quality are maintained throughout the length of the proposed trail alignment. The landscaping treatment along the proposed MBSST Network would also serve to enhance the visual character of the proposed MBSST Network, and would vary with the setting as appropriate. A uniform sign design and logo theme would be provided along the trail. Finally, the proposed MBSST establishes a Trail Ranger who would be responsible for the day-to-day maintenance of the trail facility components. The establishment of a formal trail operations and maintenance plan would help ensure adequate maintenance of the trail corridor and facilities, thereby avoiding unsightly aesthetic conditions.

Reference - FEIR pages 4.1-18 through 4.1-21.

4.1.4 Less Than Significant Impact AES-4. The proposed MBSST Network project would introduce new sources of lighting along some segments of the trail. Lighting guidelines in the proposed Master Plan would ensure that impacts related to night lighting would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network project would introduce new sources of lighting along some segments of the trail. If lighting is not designed in such a way to reduce upward directed light, nighttime lighting associated with the trail would potentially affect nighttime views in the vicinity, and could obscure views of the night sky. However, the MBSST Network Master Plan requires the use of dark sky compliant lighting, which projects light downward without releasing lighting upwards into the atmosphere or outward past the intended projected path, to illuminate the trail. Such lighting would reduce the potential for nighttime lighting to obscure views of the night sky or otherwise affect nighttime views in the trail vicinity. In addition, although it is conservatively assumed that lighting would be provided

along every segment of the proposed trail, lighting would more likely be concentrated in dense urban areas, where considerable nighttime pedestrian and bicycle commuter traffic would be expected. Substantial nighttime lighting already exists in these urban areas, thus minimizing the perceptibility of the additional trail lighting.

Reference - FEIR pages 4.1-21 through 4.1-22.

4.2 Agricultural Resources

4.2.1 Less Than Significant Impact AG-2. Some segments of the proposed MBSST Network would be adjacent to areas zoned for agriculture and/or adjacent to areas with existing Williamson Act contracts. However, as trail segments would generally be confined to existing right-of-ways, impacts related to conflicts with existing zoning or Williamson Act contracts would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network corridor travels adjacent to land zoned Commercial Agriculture (CA) and Agriculture (A) in the northern and Watsonville reaches. However, the trail right-of-way itself is designated either Special Use (SU) (in the northernmost portion of the northern reach, where the trail would abut Highway 1) or Public and Community Facilities (PF) (where the corridor corresponds with the Santa Cruz Branch Rail Line right-of-way). The MBSST Network right-of-way is not itself used for agriculture, nor zoned for agriculture. Thus, a proposed multi-use recreation trail along these rights-of-way would not conflict with existing zoning for agricultural use.

Most of the agricultural land adjacent to the northern and Watsonville reaches is currently under Williamson Act contract. However, because the trail corridor itself is not under contract nor is it currently used for agricultural production, construction and operation of the proposed MBSST Network project would not conflict with Williamson Act contracts for adjacent land in agricultural production.

Based on the discussions above, impacts related to agricultural zoning and Williamson Act contracts would be less than significant.

Reference - FEIR pages 4.2-17 through 4.2-18.

4.3 Air Quality

4.3.1 Less Than Significant Impact AQ-2. Construction of the proposed MBSST Network would result in the temporary generation of air pollutants, which would affect local air quality. However, construction emissions would not exceed MBUAPCD thresholds. Impacts would therefore be Class III, *less than significant*.

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - Construction of the proposed MBSST Network would result in the temporary generation of air pollutants. Construction of segment 5 would result in a maximum of 21.92 lbs/day of PM_{10}, which is well below the MBUAPCD significance threshold of 82 lbs/day of PM_{10}. Therefore, impacts during construction of the longest trail segment would be less than significant.

Overlapping construction would increase the lbs/day of PM_{10} being emitted across the MBSST Network, particularly if multiple segments are being graded concurrently (which is the primary source of PM_{10} during construction activities). Given funding and infrastructure constraints, concurrent construction of approximately 40 miles of the trail corridor at any one time is highly unlikely. Therefore, air quality impacts from construction would be less than significant.

Reference - FEIR pages 4.3-11 through 4.3-12.

4.3.2 Less Than Significant Impact AQ-3. The proposed MBSST Network would incrementally increase the number of vehicles traveling to staging areas, which would contribute to operational air quality emissions. However, local trips would be balanced by a reduction in trips on cross County arterial corridors and elsewhere due to changes in travel modes by providing an active (non-vehicle) transportation option. Regionally, the proposed MBSST Network project would not generate a substantial amount of new vehicle trips, and resulting operational air quality impacts would be Class III, *less than significant*.

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network would result in the construction of new facilities for active modes of transportation in Santa Cruz County, including bicycle, pedestrian, and equestrian paths. The proposed MBSST Network would incrementally increase the number of vehicles travelling to staging areas from recreational users, commuters and for general maintenance purposes. On an individual basis for each staging area, the peak hour increase in trips would not be perceptible. Further, the minimal increase in localized trips may be balanced regionally by the potential reduction in vehicle trips on cross County arterial corridors. This reduction would occur due to the change in travel modes (from vehicles to bicycles) and also because many of the trips may be relocated from other recreational opportunities, and thus do not constitute "new" trips.

Because vehicle trips to the proposed MBSST Network would be minimal, and many would be relocated trips rather than "new" trips, from a regional perspective, the proposed MBSST Network would not be expected to generate measurable operational emissions from vehicles. As such, the project would not be expected to exceed the daily emissions thresholds established by the MPUAPCD,[1] and impacts would therefore be less than significant.

Reference - FEIR pages 4.3-12 through 4.3-13.

1 *137 lbs/day of ROG or NO_X, 82 lbs/day of PM_{10}, 550 lbs/day of CO, or 150 lbs/day of SO_X.*

4.3.3 Less Than Significant Impact AQ-4. The MBSST Network project would not contribute to an exceedance of any level of service (LOS) standard. Impacts related to CO hotspots would therefore be Class III, *less than significant*.

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - A significant CO impact would occur if project-generated traffic would degrade LOS operations at County roadways or intersections, such that those roadways or intersections would operate at LOS E or F with the addition of project-generated traffic. The proposed MBSST Network project would not contribute to an exceedance of any level of service standard. Because the MBSST Network project would not cause operations at County roadways or intersections to degrade from LOS D or better to LOS E or F, impacts related to CO hotspots would be less than significant.

Reference - FEIR page 4.3-13.

4.4 Geology/Soils

4.4.1 Less Than Significant Impact GEO-1. Future seismic activity could result in fault rupture along the San Gregorio Fault, which lies under segments 1 and 2 of the MBSST Network. However, improvements along these segments would be limited to on-road improvements and would not include the construction of any structures. Impacts would be Class III, *less than significant*.

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding – The portion of the San Gregorio Fault that underlies segments 1 and 2 is an Alquist-Priolo Fault Zone. The Alquist-Priolo Earthquake Zoning Act was established to mitigate the hazard of surface rupture to structures for human occupancy. Construction in Alquist-Priolo Fault Zones is regulated by the State Geologist and requires special study for structures planned over active faults. Other than within segments 1 and 2, there are no other Alquist-Priolo fault zones or other known active faults located along the MBSST Network corridor.

Segments 1 and 2 of the trail would not include any structures that would be inhabited by people. Trail components in segments 1 and 2 would only involve improvements to existing on-street facilities along Highway 1, such as roadway striping and shoulder improvements. These segments of the trail also are not anticipated to include any paving or sidewalks. Because there are no structures proposed and this segment of the MBSST Network would only include improvements to existing roadway facilities, there would be no change to risks associated with surface rupture; therefore, impacts would be less than significant.

Reference - FEIR page 4.6-26.

4.4.2 Less Than Significant Impact GEO-2. Seismically induced ground shaking could destroy or damage MBSST Network structures, including bridges and a restroom facility, resulting in loss of

property or risk to human health. All structures would be required to comply with California Building Code standards to address risk from seismic ground shaking. This would be a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - There are several potentially active faults in the region that could generate ground-shaking along the MBSST Network. These faults include the San Andreas Fault, the Zayante – Vergeles Fault, the San Gregorio Fault, and the Monterey Bay – Tularcitos Fault. Ground shaking produced by earthquakes along these faults could result in potentially significant impacts to structures on the MBSST Network. Earthquakes in the MBSST Network vicinity could produce peak ground accelerations estimated between 0.4g and 1.3g, or possibly greater in some areas. The perceived shaking from earthquakes that achieve these peak ground accelerations ranges from severe to extreme, and the potential damage ranges from moderate/heavy to very heavy. Any structures built along the trail, such as restroom facilities or bridges, would be at risk during a strong seismic event in the region.

Although nothing can ensure that structures do not fail under seismic stress, proper engineering can minimize the risk to life and property. As such, building standards have been developed for construction in areas subject to seismic ground shaking. The most recent California Building Code requirements ensure that new structures are engineered to withstand the expected ground acceleration at a given location. In addition, the bicycle and pedestrian bridges would be constructed in compliance with federal and state standards, including the American Association of State Highway and Transportation Officials (AASHTO) Load and Resistance Factor Design (LRFD) Bridge Design Specifications, the AASHTO Guide Specifications for the Design of Pedestrian Bridges (which provides standards for bridges which are designed for and intended to carry primarily pedestrians, bicyclists, equestrian riders, and light maintenance vehicles, but not designed and intended to carry typical highway traffic), and the Caltrans LRFD. Each local jurisdiction also has policies and standards in place to regulate construction in areas subject to ground shaking. Compliance with all applicable provisions of federal, state, and local construction and design standards would reduce impacts to less than significant. Furthermore, the MBSST Network would not include any residences or structures that would be occupied by large numbers of people or for extended periods of time. The only structures that would temporarily be occupied by people would be a restroom facility in the Watsonville reach and the bicycle and pedestrian bridges throughout the MBSST Network. The limited number of people that would be in or on a MBSST Network structure at any given time would further reduce potential impacts resulting from seismic ground shaking.

Reference - FEIR pages 4.6-26 through 4.6-27.

4.4.3 Less Than Significant Impact GEO-5. Several areas of the MBSST Network project could be subject to erosion hazards. Coastal erosion hazards are present in the areas of the MBSST Network that are directly adjacent to the coast. In addition, soils are present throughout the MBSST Network that have moderate to severe erosion hazard potential. However, design guidelines in the proposed MBSST Network Master Plan would ensure that impacts would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - There are several soils within the MBSST Network that are considered to have moderate to severe erosion potential. Construction and operation of the proposed MBSST Network project in these areas could result in substantial soil erosion or loss of topsoil if adequate erosion control methods are not implemented.

The proposed MBSST Network Master Plan identifies erosion control methods that would be implemented during construction and operation of the MBSST Network project, including engineering to prevent an increase of historic runoff onto other properties, channelization, culverts, improved bridge crossings, and minimization of siltation. The implementation of erosion control strategies would reduce impacts to on- and off-site erosion resulting from construction of the trail. Erosion impacts resulting from operation of the trail would be limited as trail improvements would be designed to prevent erosion and preserve the trail. Paved portions of the trail would prevent erosion impacts by protecting the soil from erosive elements, such as wind and water. Unpaved portions of the trail would be designed to avoid grades greater than two percent when possible and may require some hand tooled segments with drainage crossings.

In addition, each jurisdiction has policies in place designed to eliminate and prevent erosion. Policies include required measures for project design, runoff control, land clearing, and overall responsibility. Compliance with local regulatory policies and the drainage and erosion control methods and trail design standards included in the Master Plan would reduce impacts to a less than significant level.

Reference - FEIR pages 4.6-30 through 4.6-32.

4.5 Greenhouse Gas Emissions/Climate Change

4.5.1 Less Than Significant Impact GHG-1. The proposed MBSST Network project would generate greenhouse gas emissions during construction and operation. Construction emissions would primarily be generated by construction equipment and paving. Operational emissions would be generated by vehicle trips by trail users and for trail maintenance, but may be balanced regionally by the potential reduction in vehicle trips on cross county arterial corridors due to a change in travel modes. Overall, greenhouse gas emissions from the proposed MBSST Network Impacts would be Class III, *less than significant.*

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - Construction of the proposed MBSST Network project would result in the generation of greenhouse gas emissions, primarily from construction equipment emissions and paving. The maximum emissions from the longest segment of the trail (segment 5), which extends for 10.66 miles (or 21.5 percent of the total trail length), would result in 352.9 MT CO_2E. Therefore, construction of this segment would result in approximately 33.1 MT CO_2E per mile of construction activity. Using this factor as a proxy for

the remainder of the trail, up to 34.7 miles (or 70 percent) of the MBSST Network project could be constructed at one time without exceeding the threshold of 1,150 MT CO_2E per year. Given funding and infrastructure constraints, construction of approximately 34.7 miles of the trail corridor in any one year is highly unlikely.

The proposed MBSST Network would incrementally increase the number of vehicles travelling to staging areas from recreational users, commuters and for general maintenance purposes. On an individual basis for each staging area, the peak hour increase in trips would be imperceptible. Further, the minimal increase in localized trips may be balanced regionally by the potential reduction in vehicle trips on cross county arterial corridors. This reduction would occur due to the change in commuter, utilitarian and recreational travel modes (from vehicles to bicycling or walking trips) and also because many of the trips may be relocated trips currently accessing other recreational opportunities, and thus do not constitute "new" trips. Because vehicle trips to the proposed MBSST Network would be minimal, and from a regional perspective many would be relocated trips rather than "new" trips, the proposed MBSST Network would not be expected to generate measurable operational emissions from vehicles.

Overall impacts related to the proposed MBSST Network's contribution to regional GHG emissions would be less than significant

Reference - FEIR pages 4.7-19 through 4.7-19.

4.5.2 Less Than Significant Impact GHG-2. The proposed MBSST Network project would be generally consistent with the Climate Action Team GHG reduction strategies, the 2008 Attorney General Greenhouse Gas Reduction Measures, the City of Santa Cruz Climate Action Plan and County of Santa Cruz Climate Action Strategy. As a result, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network would be consistent with CAT strategies, the 2008 Attorney General Greenhouse Gas Reduction Measures, the City of Santa Cruz's CAP, and the County of Santa Cruz's CAS. Therefore, the proposed MBSST Network would be consistent with the objectives of AB 32, SB 97, and SB 375, and their contribution to the reduction of cumulative GHG emissions.

Reference - FEIR pages 4.7-19 through 4.7-26.

4.5.3 Less Than Significant Impact GHG-3. Several segments of the proposed MBSST Network would parallel the coastal bluffs/edges of the Santa Cruz County coastline. Given the proximity to the coastline, these segments could be affected by flooding and/or shoreline retreat associated with sea level rise. However, ongoing trail maintenance and inspection activities would ensure that sea level rise does not expose people or structures to the risk of loss, injury, or death. Impacts would be Class III, *less than significant.*

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which

avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - There are several areas of the MBSST Network that could be exposed to additional flooding during a 100-year flood event as a result of sea level rise. However, the extent of additional flood inundation caused by sea level rise is nominal and based on projections that rely on assumptions regarding global GHG emissions into the future. The actual global emissions and resulting change in global average temperature and rise in sea level are unknown. In addition to flooding, sea level rise can create an increased potential for erosion and shoreline retreat as a result of beaches and coastal bluffs being exposed to increased and more frequent wave attacks.

The proposed MBSST Network Master Plan contains an operations and maintenance plan to ensure that the MBSST Network is operated in an efficient and safe manner for all trail users and adjacent uses. The O&M Plan identifies the responsibilities, tasks, procedures, estimated operations and trail maintenance costs and other aspects related to the management of the trail. In accordance with the O&M Plan, the Trail Ranger would be responsible for monitoring security and safety of the trail through routine inspections, while the Trail Manager would be responsible for~~,~~ overseeing maintenance and rehabilitation efforts~~,~~ and managing and responding to issues and incidents. Through routine maintenance and inspections, it is anticipated that the Trail Manager and/or Trail Ranger would identify any areas of the trail that are experiencing excessive coastal erosion as a result of sea level rise. As these areas are identified, appropriate action would be taken to minimize the risk of loss, injury or death. Such actions may include trail segment closure, structural improvements or relocation of portions of the trail.

Reference - FEIR page 4.7-30 through 4.7-32.

4.6 Hazards and Hazardous Materials

4.6.1 Less Than Significant Impact HAZ-2. Based on the age of existing railroad bridge/trestle structures, it is possible that existing facilities contain asbestos or lead-based paint. Retrofitting or replacement of these existing structures would create the potential for exposure to these hazardous materials. However, compliance with applicable regulations regarding the removal, handling and disposal of asbestos and lead-based paint would reduce impacts to a Class III, *less than significant* level.

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding – The proposed MBSST Network project would include numerous railroad bridge/trestle crossings. All of the existing railroad bridges and trestles along the MBSST Network corridor were constructed between 1903 and 1977 (RTC, 2012). In some locations, existing bridges constructed prior to the 1970s may be retrofitted. In these instances, construction personnel and surrounding receptors may be exposed to friable asbestos and/or lead-containing building materials if not properly abated.

Existing regulations, including Monterey Bay Unified Air Pollution Control District (MBUAPCD) Rule 424 (National Emission Standards for Hazardous Air Pollutants

[NESHAPS]) require that the owner or operator of any demolition or renovation activity has an asbestos survey performed prior to demolition. The asbestos containing material (ACM) survey is required to be performed by a licensed asbestos sampling company. Under these regulations, all testing procedures would be required to follow California and Federal protocols. Pursuant to California and Federal standards, an asbestos survey report would be required to quantify the areas of ACMs. If the existing structures are found to contain ACMs, Rule 424 requires that the ACMs must be removed according to proper abatement procedures. All abatement activities would be required to be in compliance with California and Federal OSHA and MBUAPCD requirements. All ACMs removed from existing rail bridges would be required to be hauled to a licensed receiving facility and disposed under proper manifest, if needed, by a transportation company certified to handle asbestos containing materials. Following completion of asbestos abatement, the asbestos consultant would be required to provide a report to the MBUAPCD documenting the abatement procedures used, the volume of ACM removed, where the material was moved, and the transportation and disposal manifests or dump tickets.

In addition, all construction activities associated with the proposed MBSST Network project would be required to comply with California and Federal OSHA requirements relating to lead-based paint abatement. Under these requirements, only lead-based paint trained and certified abatement personnel would be allowed to perform abatement activities. All lead-based paint removed from these structures would be hauled by a transportation company licensed to transport this type of material, and the material would be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead-based paint abatement, the lead based paint consultant would be required to provide a report to the implementing entity documenting the abatement procedures used, the volume of lead-based paint materials removed, where the material was moved, and the transportation and disposal manifests or dump tickets.

With adherence to MBUAPCD, California, and federal requirements, further mitigation is not required.

Reference - FEIR pages 4.8-20 through 4.8-21.

4.6.2 Less Than Significant Impact HAZ-4. Railway and roadway accidents that involve hazardous materials could potentially create a public safety hazard by exposing people to contaminants. Due to the infrequency of train operations, the transient nature of trail use, and regulations already in place, impacts would be Class III, *less than significant.*

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding – The active rail line is currently used very infrequently for seasonal passenger services from Santa Cruz to the northern reach~~,~~ south of Davenport and the City of Watsonville to east of Manresa State Beach, and to transport perishables (including raspberries, strawberries, and other agricultural products), lumber, and biofuels within Watsonville. However, hazardous materials (e.g. fertilizers) could be transported along the rail line in the future. A railway accident involving hazardous materials could potentially create a public safety hazard by exposing people to contaminants. In addition, the proposed MBSST Network corridor would pass through public roadways in 84 locations and would

travel adjacent to roadways in some areas (e.g. in the northernmost segments the trail would abut Highway 1). A roadway accident involving hazardous materials could also create a hazard to trail users.

Implementation of existing federal, state, and local regulations pertaining to the use, containment, and transport of hazardous materials would minimize the possibility of an accident. State and local agencies such as the CHP, Caltrans, and City and County Fire Departments would respond to hazardous materials transporting emergencies. The Trail Manager is responsible for managing and responding to issues and incidents along the trail. In the case of a railway or roadway accident involving hazardous materials in the vicinity of the MBSST Network, the Trail Ranger would be responsible for closing the trail in the vicinity of the accident, in accordance with Fire Department direction, and would only reopen the trail after the appropriate entity (CHP, Caltrans, or Fire Department) indicates that it is safe to do so. Impacts would be less than significant.

Reference - FEIR pages 4.8-25 through 4.8-26.

4.6.3 Less Than Significant Impact HAZ-6. The proposed MBSST Network project would introduce a recreational use into areas designated as moderate and high wildland fire hazard areas. However, compliance with existing policies and state and local regulations would ensure Class III, *less than significant* impacts.

Finding – The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding – The MBSST Network contains moderate and high fire hazard severity designations. The proposed MBSST Network project would not include the construction of any buildings in the northern reach. Therefore, the project would not expose structures to a significant wildland fire risk. However, development of a multi-use trail in this area could expose trail users to risk of loss, injury or death involving wildland fire hazards. Emergency service providers would have sufficient access to the trail in the case of an emergency, such as a wildfire, and the proposed MBSST Network project would not be expected to lengthen existing emergency response times. In addition, due to the relative infrequency of wildfires and the transient nature of trail use, the potential for exposing trail users to a significant wildland fire hazard would be low. In the event of a wildland fire near the northern reach, the Trail Ranger would be responsible for closing the trail, in accordance with Fire Department direction, and would only reopen the trail after the Fire Department with jurisdiction over the fire indicates that it is safe to do so.

Reference - FEIR pages 4.8-27 through 4.8-28.

4.7 Hydrology and Water Quality

4.7.1 Less Than Significant Impact H-1. Construction of the MBSST Network project would increase stormwater runoff due to the increase in impervious surface in the project area, which could also degrade water quality. The proposed Master Plan includes design standards to maintain historic run-off volumes. In addition, compliance with federal, state, and local regulations would ensure historic runoff volumes are maintained and water quality standards are met. Impacts related to surface runoff volumes and water quality would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network project would increase impervious surfaces within the MBSST Network by adding a paved multi-use trail and on-road pedestrian and bicycle improvements. Based on an average width of approximately 12 feet for the multi-use paved path and six feet for on-road improvements, the proposed MBSST Network project would add an estimated 53.1 acres of impervious surfaces. Such surfaces would increase the amount of runoff following storm events, and water quality could be degraded as a result. While water quality impacts would be minimized because the trail would not allow the use of motorized vehicles or include the use of industrial or hazardous materials, polluted runoff could still result from litter or animals on the trail. The MBSST Network would pass through 16 watersheds and cross over 52 streams, which include intermittent and perennial streams, as well as swales. Given the number of stream crossings throughout the trail, polluted runoff would remain a concern. In addition, construction activities would have the potential to result in discharges to nearby drainages.

The linear nature of the trail, and its relatively narrow width, would minimize a change in runoff potential at any given location. The Master Plan also includes design standards that would prevent an increase in historic runoff volumes. Each portion of the trail would be required to comply with the existing policies and standards in place for the local jurisdiction pertaining to stormwater runoff. Regulations under the CWA would require that the proposed MBSST Network obtain CWA permits, including Section 401, Section 404, and NPDES permits. Permits would be required for each phase of construction of the MBSST Network and would be obtained by each implementing entity prior to construction. Construction activities associated with each segment would also require a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ), even if the segment under construction would disturb less than one acre of soil (as it would be part of a larger plan of development that disturbs more than one acre).

In addition to federal and state regulations regarding stormwater runoff and pollution prevention measures, each local jurisdiction has a SWMP in place to further guide runoff control measures during construction and operation of the MBSST Network. The SWMPs are supported by municipal code regulations in each jurisdiction, which provide the legal framework for stormwater runoff control. Adherence to existing federal, state, and local regulations regarding stormwater runoff would reduce impacts to a less than significant level.

Reference - FEIR pages 4.9-18 through 4.9-19.

4.7.2 Less Than Significant Impact H-2. Construction and operation of the MBSST Network would be required to comply with existing federal, state, and local standards regarding water quality associated with the use of septic systems. Impacts associated with the degradation of water quality due to a septic system would be Class III, *less than significant.*

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - One new public restroom facility would be constructed within the Watsonville reach. Although its precise location has not been determined, it is anticipated that this restroom would be in a predominantly rural location and utilize a septic disposal system. Because the location is unknown, the depth to groundwater cannot be determined and therefore the potential for groundwater contamination exists. However, the State and County have several regulations to prevent septic systems from causing pollution or presenting a serious public health hazard. The RWQCB has developed many standards for proper septic system installation, including: groundwater separation, stream and well setbacks, slope limitations, minimum system sizing requirements, and allowances for use of alternative technologies. These standards are contained in the Basin Plan. The RWQCB has conditionally delegated authority to oversee and regulate the installation of septic systems to the County Environmental Health Service through a memorandum of understanding. The County must comply with the minimum standards contained in the Basin Plan in order to keep the authority to permit septic systems. In addition, Section 7.38 of the Santa Cruz County Code (the Sewage Disposal Ordinance) specifies the standards for septic system installation in Santa Cruz County. Any installation, replacement, or significant repair of any part of a septic system requires a permit from Environmental Health. As part of the permit process, the proposed work is designed by a consultant, septic contractor, or the property owner, and described on the septic permit application form and a detailed plot plan. Environmental Health staff review the application and relevant information for the area on soils, groundwater depth, and site conditions in order to determine whether the proposal meets the standards as established by the State and the County. If inadequate information exists, additional soil or groundwater testing may also be needed prior to approval of the application. Once the application is approved, the Environmental Health Inspector conducts several progress inspections of the installation to ensure the work is done as indicated and that it is in compliance with standards. Minor changes to an approved permit may be allowed to accommodate actual field conditions encountered during the installation process. However, the discovery of soil conditions or high groundwater levels substantially different than those expected may require the work to stop until the project can be redesigned to meet standards. Compliance with existing state and local policies and standards would ensure that water quality impacts resulting from the installation of a septic disposal system would be less than significant.

Reference - FEIR page 4.9-20.

4.7.3 Less Than Significant Impact H-3. There are several streams within the MBSST Network vicinity that are designated as “impaired waterbodies.” The MBSST Network project would not increase pollutants of concern associated with impaired water bodies in the vicinity. Impacts associated with the degradation of water quality would be Class III, *less than significant.*

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - Several streams within the MBSST Network are considered “impaired waterbodies” through the CWA Section 303(d) Listing Policy. The proposed MBSST Network could contribute sedimentation into the system, primarily during construction activities. However, the Master Plan outlines drainage and erosion control methods that will be implemented during construction and operation of the MBSST Network,

including engineering to prevent an increase of historic runoff onto other properties, channelization, culverts, improved bridge crossings, and minimization of siltation. These measures would ensure that the MBSST Network would not contribute to water quality impacts associated with sedimentation/siltation.

Other pollutants of concern include pathogens, low dissolved oxygen, chlorophyll-a, pesticides, and turbidity. The sources of these pollutants come from agriculture, collection system failure, landfills, grazing-related sources, urban runoff, nonpoint source discharges, removal of riparian vegetation, as well as natural sources. Pollutants associated with septic disposal systems are not included on the Section 303(d) list for waterbodies in the Watsonville reach. In addition, the existing state and local policies in place to regulate septic disposal systems would prevent the discharge of pollutants. The proposed MBSST Network would not include agricultural or landfill related-uses and would therefore not contribute to pollutants associated with those activities. While some riparian vegetation removal would be required in areas of bridge construction, substantial vegetation removal would not be required. As such, impacts to water quality along the Watsonville reach of the MBSST Network would be less than significant.

Reference - FEIR pages 4.9-20 through 4.9-22.

4.7.4 Less Than Significant Impact H-4. The proposed MBSST Network project would introduce approximately 53.1 acres of impervious surfaces to Santa Cruz County, which is a region that derives 80 percent of its water supply from groundwater. However, the MBSST Network is not located in a PGR Zone. Impacts associated with groundwater recharge would be Class III, *less than significant.*

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - A decrease in aquifer volume or groundwater levels could occur if the proposed MBSST Network project interfered with groundwater recharge. However, no portion of the trail would fall within a primary groundwater recharge (PGR) zone. The PGR zones within Santa Cruz County are typically found at higher elevations along the Santa Cruz Mountains and foothills. The coastal location of the MBSST Network limits the potential for groundwater recharge due to the interface with the saltwater table. As such, impacts to groundwater recharge would be less than significant.

Reference - FEIR page 4.9-22.

4.7.5 Less Than Significant Impact H-6. Portions of the proposed MBSST Network project would be constructed within tsunami inundation and seiche hazard zones. Existing tsunami warning systems and compliance with state and local policies regarding construction in tsunami zones would reduce potential hazards. This is a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - There are areas along the MBSST Network that are in the tsunami run-up zone. In these areas, the proposed trail would be more likely to experience flood damage, including washouts and scouring, in the event of a tsunami. A tsunami event could potentially cause damage to trail features or loss of life to those using the trail during a tsunami event. In addition, portions of the MBSST Network are located adjacent to the Monterey Bay, which has the potential for seiche events. While not all seiche events result in flooding, a large seiche event could cause damage similar to a tsunami event and the same areas would be at risk.

Although nothing can ensure that structures do not fail under a large tsunami or seiche event, proper engineering can minimize the risk to life and property. The CBC sets forth standards for construction of buildings and structures within flood hazard zones. The proposed MBSST Network project would also comply with standards set forth by AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges, Caltrans LRFD, and Caltrans Highway Design Manual. In addition, each local jurisdiction has construction standards for buildings and structures within flood hazard zones set forth in their respective municipal codes. Compliance with existing building code standards would reduce seiche and tsunami impacts along the MBSST Network to the extent of industry standards and impacts would be less than significant. In addition, tsunami warning systems are in place to warn trail users of a potential tsunami threat. Existing warning and emergency evacuation systems would prevent loss of life for trail users during a tsunami event. Following a tsunami warning, the Trail Manager would coordinate with the appropriate agencies to close the trail and post any warning signs. Impacts would be less than significant.

Reference - FEIR pages 4.9-24 through 4.9-25.

4.8 Noise

4.8.1 Less Than Significant Impact N-2. Operational use of the proposed MBSST Network would create intermittent noise. However, this noise is not expected to result in a measurable increase in ambient noise levels. Impacts would therefore be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - Operational noise along the proposed MBSST Network would include the sound of trail users talking, maintenance workers collecting garbage or maintaining landscapes, dogs barking, and noises associated with equestrian uses (where allowed in the northern reach). These new noise sources would be intermittent, but would contribute incrementally to the ambient noise levels in the MBSST Network project vicinity. The existing noise environment in the project vicinity includes agricultural operations, existing railroad operations, and roadway noise from Highway 1 as well as other roadways in the project vicinity. The intermittent and incremental noise caused by pedestrians, bicyclists, and equestrians as well as maintenance activities would not be expected to generate a measurable increase in ambient noise levels compared to existing conditions. Therefore, the MBSST Network project would not expose nearby sensitive receptors to noise levels above accepted standards during project operations.

Reference - FEIR page 4.10-16.

4.8.2 Less Than Significant Impact N-3. The proposed MBSST Network would incrementally increase traffic in the vicinity of trail staging areas. However, this additional traffic would be minimal, and would not increase ambient noise levels. This is a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network would generate a small increase in local traffic in the vicinity of trail staging areas by encouraging pedestrians, bicyclists, equestrians, and other trail users to visit the trail via staging areas. The roadways anticipated to experience the greatest traffic level increases would be the roadways from which the existing 22 trail access and staging areas are accessible, as well as the roadway locations that intersect the trail. The proposed MBSST Network would generate a net increase of approximately 1,215 average daily vehicle trips (ADT), distributed evenly across the 22 trail access and staging areas. This level of trip generation would not be perceptible, nor create operational impacts on adjacent roadways.

It should also be noted that the proportion of these trips that can be characterized as "new" is uncertain. Traffic associated with recreational projects may be relocated trips from other locales, and consequently, may result in either higher or lower net vehicle miles traveled (VMT). For the proposed MBSST Network, it is likely that some of the ADTs would be truly "new" vehicle trips. However, it is also likely that some of the ADTs represent diversion of existing recreational-focused trips from other locations. Thus, although some increase in ADT would be associated with the proposed MBSST Network, it is not possible to discern how much diversion is occurring or what fraction of those average daily trips represents regional increases. Based on the minor increase in ADT throughout the region, and the fact that many of the trips may be relocated from other destinations (rather than newly generated trips), the contribution of the MBSST Network project to traffic-generated noise impacts would be less than significant.

Reference - FEIR pages 4.0-16 through 4.10-17.

4.8.3 Less Than Significant Impact N-4. Users of the proposed MBSST Network may temporarily be exposed to noise near busy roadways, agricultural operations, and active rail segments. However, the trail is not considered a sensitive land use, and exposure would be intermittent. This is a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network project would experience noise resulting from vehicular traffic along roadways adjacent to the proposed corridor, existing agricultural operations, existing industrial and commercial operations, and railroad noise. Noise exposure resulting from railroad operations would be infrequent. Typically, agricultural operations involve mobile sources of noise; therefore, trail users would not be

exposed to high noise levels for extended periods of time. It is also expected that trail users would be mobile and would eventually travel away from this source of noise. Portions of the trail would also be exposed to noise resulting from existing commercial and industrial operations. However, as future trail users would be mobile, noise levels resulting from such uses would attenuate as trail users move away from these sources.

Overall, existing noise sources along the MBSST Network would not substantially affect trail users. In addition, because active recreational uses (like the MBSST Network) are not classified as a noise-sensitive land use, impacts would be less than significant.

Reference - FEIR pages 4.10-17 through 4.10-19.

4.9 Transportation/Traffic

4.9.1 Less Than Significant Impact T-1. The proposed MBSST Network would incrementally increase the number of vehicles traveling to staging areas. However, the proposed trail would not contribute to an exceedance of a level of service standard. This is a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network project is expected to generate an average of 7,515 vehicle trips per day along the entire length of the trail, with 977 trips during the weekend midday peak hour and 676 trips during the weekday p.m. peak hour, which would be the two highest volume peak periods for the trail. There are 22 existing access and staging areas with vehicle parking in close proximity to the trail alignment. At each of the access and staging areas, the proposed MBSST Network project is expected to generate 1/22 of the total trips or an average of 342 trips per day, with 44 trips during the weekend midday peak hour and 30 trips during the weekday p.m. peak hour.

On an individual basis for each staging area, assuming a minimum of two primary routes of travel to each trail access point, the peak hour increase in trips of 44 to 30 peak hour trips which would be localized around staging areas are at a level which should not be perceptible, nor create operational impacts on adjacent roads and intersections. Therefore, the increase in vehicle traffic destined to trail staging and access areas for the purposes of commuting, recreational uses, and maintenance of the trail, is considered less than significant.

Reference - FEIR pages 4.11-14 through 4.11-16.

4.9.2 Less Than Significant Impact T-2. The proposed MBSST Network would incrementally increase the number of vehicles traveling on regional arterials. However, this would be balanced by a reduction in vehicle trips resulting from the MBSST Network project. Therefore, the proposed trail would not contribute to an exceedance of a level of service standard. This is a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which

avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - Traffic on the regional circulation network, such as Highway 1, State Route 17, and parallel arterials may incur a slight increase in vehicle recreational travel destined to staging areas. However, this would be balanced by a decrease in vehicle traffic due to the change in travel modes to bicycles by commuters. In addition, from a regional perspective, the trips would not all be newly generated trips, but instead would in part be relocated trips from other recreational opportunities. Because the MBSST Network project would not contribute substantial new traffic on the regional circulation network, the proposed MBSST Network project is not expected to conflict with any applicable congestion management program.

Reference - FEIR page 4.11-16.

4.9.3 Less Than Significant Impact T-4. Potential conflicts between trail users and railroad traffic could occur at any of the trail railway crossings. These conflicts could result in hazardous conditions for both trail users and rail operators and passengers. This is a Class III, *less than significant* impact.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - The MBSST Network includes several locations where trail users would be required to cross the railway facilities in order to continue traveling along the path, either because the trail alignment switches sides of the track or because a rail spur is providing an additional connection to another path. There is a potential safety impact associated with these crossings due to the potential freight or passenger train travel along the rail that may be in service at the time of the path user crossings. Regardless of the train speed or frequency, it is assumed that each rail crossing location represents a potential hazard to pedestrians and bicyclists who may not be aware of an approaching train at the time they choose to cross the tracks. The trail crossing locations include recommendations for pedestrian railroad crossing gates. These facilities could be implemented upon completion of the trail.

The CPUC has jurisdiction over the safety of rail crossings in California. As such, all applicable rules and regulations would apply to the proposed MBSST, including: California Public Utilities Code, Sections 1201 et al; the CPUC Rules of Practice and Procedure; and CPUC General Order 88-B. The CPUC recognizes that at-grade crossings present inherent hazards to the traveling public, particularly crossings on right or passenger main lines, and preference is to eliminate these crossings where possible. However, where it is not practicable to eliminate a pedestrian-rail at-grade crossing, pedestrian-rail at-grade crossing design and improvements are required to follow guidelines contained in the CPUC *Pedestrian-Rail Crossings in California: a Report Compiling the Designs and Devices Currently Utilized at Pedestrian-Rail Crossings within the State of California* (May 2008). Following these guidelines would ensure that hazards at any rail crossings are minimized. Thus, impacts would be less than significant.

Reference - FEIR page 4.11-24.

4.10 Public Safety and Services

4.10.1 Less Than Significant Impact PS-2. The proposed MBSST Network is anticipated to allow sufficient emergency access. In addition, demand generated by trail users would not result in an exceedance of average response times requiring construction of new facilities. Adjacent on-street facilities would also provide emergency access. Impacts to police, fire, and emergency services would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding – The proposed MBSST Network would result in the construction of new facilities for alternative and active modes of transportation in Santa Cruz County, including bicycle, pedestrian, and equestrian paths. The proposed MBSST Network project would not generate additional population (i.e. residents or employees) that would require police, fire, or EMS services. In addition, emergency access to the proposed trail network would be sufficient, and the project would not cause emergency providers to consistently exceed existing average response times. As such, the MBSST Network project would not generate sufficient demand for emergency services such that the construction of new facilities would be required. Impacts would be less than significant.

Reference - FEIR pages 4.12-13 through 4.12-16.

4.10.2 Less Than Significant Impact PS-3. The proposed MBSST Network may result in safety hazards due to conflicts between different types of trail users. However, with adherence to strategies and design requirements contained in the proposed MBSST Network Master Plan, impacts would be Class III, *less than significant*.

Finding - The RTC hereby finds that existing regulatory requirements, policies, and/or project conditions have been incorporated into the MBSST Network Master Plan which avoid or substantially lessen the potentially significant effect on the environment to below a level of significance.

Facts in Support of Finding - Trail safety hazards in the northern reach may occur between different types of trail users (i.e. between bicyclists and pedestrians, bicyclists and equestrians, and/or pedestrians and equestrians); among trail users within the same group (i.e. between two bicyclists or two pedestrians with dogs); and as a result of factors not related to users' trail activities at all. Conflicts may be related to activity style (mode of travel, level of technology, or trail dominance), focus of trip, and attitudes toward other trail users. Trail safety hazards in the central and Watsonville reaches may occur between different types of trail users (e.g. between bicyclists and pedestrians); among trail users within the same group (i.e. between two bicyclists or two pedestrians with dogs); and as a result of factors not related to users' trail activities at all. Conflicts may be related to activity style (mode of travel, level of technology, or trail dominance), focus of trip, and attitudes toward other trail users. Specific hazards include collisions or near misses among users, reckless behavior, or accident caused by unsafe trail conditions (e.g. uneven pavement or presence of debris).

The MBSST Network Master Plan identifies preventative measures to anticipate heavy use and preclude user conflict in multiple-use trails permitting use by walkers, runners, bicyclists, etc. These include the following:

1. *Involve all potential user groups in the planning process to raise issues and help address them*
2. *Design to minimize conflicts with separate trails or shoulders for pedestrian and equestrian use where possible, provide adequate width and sight lines, furnish turnouts at stopping points, etc.*
3. *Use clear signage or pavement markings to define etiquette and yielding protocol*
4. *Set expectations for multi-use*
5. *Enforcement of rules by volunteer trail patrols and/or a uniformed presence – especially when a trail is new to establish precedent and expectations*

The proposed Master Plan emphasizes trail etiquette through both informal and formal means. The proposed Master Plan recommends visual and simple displays of expectations, including the following courtesy advisories:

- *Wheels yield to heels*
- *Be courteous to all trail users*
- *Travel at a reasonable speed in a consistent and predictable manner*
- *Always look ahead and behind before passing*
- *Pass slower traffic on their left; yield to oncoming traffic when passing*
- *Give a clear warning signal before passing – use voice signal, not horn or bell, when passing horses*
- *Keep all pets on a short leash*
- *Respect the rights of adjacent property owners*
- *Don't be a litterbug*
- *Please clean up after your pets*
- *Move off the trail when stopped to allow others to pass*
- *Yield to other users when entering and crossing the trail*
- *Motorized vehicles are prohibited (except electric wheelchairs)*
- *Alcoholic beverages and illegal drugs are not permitted on the trail*
- *Firearms, fireworks, and fires are not permitted on the trail*
- *All trail users should use a light and reflectors after dusk and before dawn*
- *Travel no more than two abreast*
- *Be aware and courteous to others while using a cellular phone*

In addition, various types of fencing would be used for the following reasons: safety, security, trespass prevention, environmental impacts, and privacy. Moreover, a primary contact point (the Trail Manager) would be identified and be made available to the general public within their jurisdictions for general inquiries and management.

The Trail Ranger would be responsible for the day-to-day operation and maintenance of the MBSST Network. This includes trash clean up and disposal and repairs to trail features. This would help ensure proper maintenance of the trail, thereby avoiding potential collisions or accidents caused by unsafe trail conditions (e.g. uneven pavement or presence of debris).

Reference - FEIR pages 4.12-16 through 4.11-18.

5.0 FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS WHICH CAN BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The RTC finds, based upon the threshold criteria for significance presented in the FEIR, that the following potentially significant environmental effects of the project can be avoided or reduced to insignificance with feasible mitigation measures identified in the FEIR and adopted by the RTC as conditions of project approval. No substantial evidence has been submitted to or identified by the RTC that indicates that the following impacts would, in fact, occur at levels that would necessitate a determination of significance.

5.1 Agricultural Resources

5.1.1 Potentially Significant Impact AG-1. Development of the proposed MBSST Network would impact land designated as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Impacts would be Class II, *significant but mitigable.*

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The northern and Watsonville reaches of the MBSST Network contain Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. However, these areas are currently composed of disturbed dirt paths. With implementation of the required mitigation measures, the MBSST Network project would not convert a substantial area to non-agricultural use. Impacts would therefore be reduced to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.2 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP.

- Mitigation Measure AG-1(a) Placement of Fencing. Placement of fencing shall be located in a manner which minimizes impacts related to accessibility to farmland and use of farming equipment (e.g., allowing turning radius area for farm equipment).

Reference - FEIR pages 4.2-16 through 4.2-17.

5.1.2 Potentially Significant Impact AG-3. Operation of the proposed MBSST Network may result in direct and indirect impacts on agricultural productivity from land use conflicts between trail users and agriculture. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The interface of trail users and agricultural operations could result in several types of land use conflicts, affecting both agricultural resources and trail users. Direct physical impacts to farmland would include vandalism to farm equipment or fencing, and theft of products. Trespassing by trail users could occur, particularly on isolated

stretches of the MBSST Network corridor where security may be minimal. In addition to the potential for vandalism and theft, direct impacts from trespassers could include soil compaction and contamination, and littering on farmland. Indirect impacts to agriculture from the proximity of trail users can also affect the long-term viability of such operations.

Adjacent agricultural operations could create health-related and nuisance conflicts with trail users, including from closure of segments of the trail to accommodate agricultural activities. In particular, the use of pesticides on adjacent row crops and the suspension of dust from operation of farm equipment could present adverse health concerns.

The proposed MBSST Network project contains several design features intended to limit potential conflicts between agricultural operations and trail users. This includes the installation of continuous fencing between the trail and most adjacent agricultural properties, posting of notices of on-going agricultural activities, and requiring pet waste removal. Dogs may also be restricted in trail sections that are adjacent to agricultural lands where sensitivity relating to contamination exists. Notices would state that the trail may be subject to closure without notice to accommodate such activities. With these design guidelines and implementation of the required mitigation measures, impacts would be reduced to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.2 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP.

- Mitigation Measure AG-3(a) Notice of Agricultural Activities. The following information shall be added to the proposed notices on on-going agricultural activities:

    - Trail users are advised to stay on the trail and be alert to operating machinery and equipment near the trail.
    - Trail users are required to use restroom facilities in consideration of food hygiene issues on adjacent agricultural lands.
    - Where dogs are not prohibited, trail users are required to clean up after their dogs and prevent trespass by dogs on adjacent agricultural properties in consideration of food hygiene issues on adjacent agricultural lands.
    - The legal ramifications for trespassing on adjacent properties.
    - The legal ramifications for trespassing or being on the trail after it is closed.

- Mitigation Measure AG-3(b) Landscaping Coordination. For segments adjacent to agricultural operations in the northern and Watsonville reaches, any ornamental plant material used along the trail shall be comprised of native and indigenous species. The selected plant palate shall be reviewed by the Agricultural Commissioner's office prior to approval of landscape plans. Any plant material which may host pests destructive to agriculture shall be prohibited.

- Mitigation Measure AG-3(c) Chemical Spraying Impact Reduction Options. On a case-by-case basis, the RTC and/or the implementing entity for segments adjacent to agricultural operations shall work with the Agricultural Commissioner's office and adjacent farmers to reduce impacts to trail users from agricultural spraying, including pesticides. Non-buffer options shall be

considered, including the use of alternative methods of pest and weed control and/or an agreement that farmers notify the Agricultural Commissioner's office or Trail Manager in advance of proposed agricultural spraying within 100 feet of the trail. This would allow the Agricultural Commissioner's office, in accordance with existing requirements, to inform the RTC and/or implementing or managing entity of all spraying within 100 feet of the trail so that appropriate action can be taken (e.g., posting notices or closure of that segment of the trail).

Reference - FEIR pages 4.2-18 through 4.2-21.

5.2 Biological Resources

5.2.1 Potentially Significant Impact B-1. Implementation of the proposed MBSST Network project could result in impacts to special status plant and animal species. This impact is Class II, *significant but mitigable*.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Numerous special status plant and animal species may occur within and adjacent to the proposed MBSST Network, primarily in those areas where the trail crosses drainages and sloughs. The northern reach has the largest number of special status plant and animal species within the MBSST Network. Most of these species are associated with either coastal scrub habitat or drainages, though habitat that may support special status species is present at many other locations along the railroad corridor. For most species the potential for impact is low to none likely. The central reach is the least likely of the three reaches to be occupied by special status plant and animal species due to the presence of extensive urban development. In this reach, natural habitat is largely limited to drainages that course through the cities of Santa Cruz and Capitola and the community of Aptos. There are several natural areas that could be home to special status plant and animal species in the Watsonville reach, most notably the Gallighan and Watsonville Sloughs, the Santa Cruz Long-toed Salamander Ecological Reserve, the Ellicott Slough National Wildlife Refuge, and the Pajaro River.

The proposed MBSST Network Master Plan identifies drainage and erosion control methods that would be implemented during construction and operation of the MBSST Network project, including engineering to prevent an increase of historic runoff onto other properties, channelization, culverts, improved bridge crossings, and minimization of siltation. The implementation of drainage and erosion control strategies would reduce impacts to species that inhabit aquatic/riparian habitats such as tidewater goby, coho salmon, steelhead, CRLF, and western pond turtle that could result from on- and off-site runoff during construction and operation of the trail. However, mitigation measures are still required to reduce impacts to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.4 of the FEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

- Mitigation Measure B-1(a) Special Status Plan Species Surveys. Prior to any vegetation removal, grubbing, or other construction activity of each segment (including staging and mobilization), seasonally-timed special status plant surveys shall be conducted by a qualified biologist approved by the implementing entity no more than two years before initial ground disturbance. The purpose of these surveys is to document the location(s) and number(s) of sensitive plant species within construction and mitigation/restoration areas so that mitigation can be accomplished. The surveys shall coincide with the bloom periods for each species listed above in Tables 4.4-6, 4.4-7 and 4.4-8 and all special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map at a scale of no less than 1"=200'. Surveys shall be conducted in accordance with the County, CDFW, and USFWS protocols (California Department of Fish and Game 2009, United States Fish and Wildlife Service 2000). A report of the survey results shall be submitted to the RTC and/or implementing entity, and the CDFW for review and approval.

- Mitigation Measure B-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation. If state listed, CRPR List 1B species, or naturally occurring stands of Monterey Pine are found during special status plant surveys [pursuant to mitigation measure B-1(a)], the implementing entity shall redesign the segment to avoid impacting these plant species. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent to protect them from harm.

  If avoidance is not feasible, seed shall be collected from on-site rare plants prior to removal, and/or from other local populations of plant species to be impacted. Seed shall be distributed in areas not proposed for development that have the appropriate habitat characteristics necessary to support the restoration. Seed collection shall be conducted by a qualified biologist holding a rare plant collection voucher/permit. Topsoil may also be salvaged and distributed over temporarily disturbed areas following completion of construction activities provided it is free of non-native invasive species. For take of any plant species protected under CESA, an incidental take permit shall be obtained authorizing activities resulting in take.

  The total number and/or total acreage for each special status plant species that will be impacted shall be determined once the final design of the project is completed and prior to initiation of ground disturbance activities. Impacted species shall be restored on-site at a minimum of a 2:1 ratio (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. Prior to start of construction activities, a restoration plan shall be prepared and submitted to the RTC for approval and/or implementing entity and the CDFW. The restoration plan shall include, at a minimum, the following components:

  - *Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);*
  - *Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];*

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

The restoration plan shall be implemented for a period of at least five years or until restoration has been deemed complete based on the established success criteria. All restoration/compensatory mitigation areas shall be permanently protected through a conservation easement or deed restriction.

- Mitigation Measure B-1(c) Santa Cruz Long-Toed Salamander Habitat Assessment and Protocol Surveys. Prior to start of construction of each segment, a CDFW- and USFWS-approved biologist shall conduct a habitat assessment to determine if suitable habitat is present within or adjacent to the project site. If suitable habitat is identified, protocol surveys shall be conducted in accordance with *Sampling Procedures for Determining Presence or Absence of the Santa Cruz Long-toed Salamander (Ambystoma macrodactylum croceum)* (1993) developed jointly by the CDFW and the USFWS. The protocol surveys shall be conducted for two consecutive rainy seasons prior to the start of construction. A report of the survey results shall be submitted to the implementing entity, RTC, CDFW, and the USFWS for review and approval.

- Mitigation Measure B-1(d) California Red-Legged Frog, Santa Cruz Long-toed Salamander and Foothill Yellow-Legged Frog, California Tiger Salamander Avoidance and Minimization. The following avoidance and minimization measures are adapted from the *Programmatic Formal Endangered Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for Projects that May Affect the California Red-legged Frog* issued on January 1999 by the USFWS. Consultation shall occur with the USFWS to determine that 1) the project is covered under the above programmatic formal consultation through issuance of USACE permits under Section 404 of the Clean Water Act, or 2) that take of federally-protected species is not anticipated through implementation of the measures below as determined through informal consultation with the USFWS if no federal permits are pursued. Consultation shall also occur with the CDFW for state protected species to either obtain a state

Incidental Take Permit or establish concurrence that take would not occur.

- *Within two weeks of the initiation of construction activities of each segment (including mobilization and staging), a CDFW/USFWS-approved biologist shall conduct a survey of the construction area for all life stages of CRLF, CTS, foothill yellow-legged frog, and Santa Cruz long-toed Salamander. All areas where these species occur shall be avoided until the approved biologist has determined that these species are no longer present. No life stages of these species shall be relocated without a take authorization from the USFWS and/or CDFW. If relocation is authorized, a suitable relocation site shall be identified prior to initiation of construction activities and shall be located within the same watershed/streamcourse greater than 500 feet from the project site.*
- *Work activities in or adjacent to suitable habitat shall be completed between April 1 and November 1 to the greatest extent feasible.*
- *A CDFW/USFWS-approved biologist shall be present on-site during all ground disturbing activities, including vegetation removal, grading, and exclusion fence installation and removal. Once these activities have been completed, the approved biologist shall conduct periodic inspections of the work site of not less than once per week when construction activities are occurring in/adjacent to suitable habitat. Additional site visits should occur during rain events when special status amphibians are likely to be mobile to ensure that they are not entering work areas.*
- *The implementing entity shall designate a representative who will oversee implementation of all avoidance and minimization measures when the CDFW/USFWS-approved biologist is not present. This representative shall be trained by the CDFW/USFWS-approved biologist in the identification of special status amphibians and in the implementation of all avoidance and minimization measures. This representative shall not have the authority to handle special status species.*
- *Both the implementing entity's representative and the CDFW/USFWS-approved biologist shall have the authority to halt any action which may result in the take of special status species.*
- *Prior to start of construction, exclusion fencing shall be placed along the project boundaries in areas where suitable habitat is present. This fence shall consist of solid silt fencing placed at a minimum of 3 feet above grade and 2 feet below grade and shall be attached to wooden stakes placed at intervals of not more than 5 feet. The fence shall be inspected weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.*
- *All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.*
- *At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.*
- *All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.*
- *The CDFW/USFWS-approved biologist shall remove invasive aquatic species such as bullfrogs and crayfish from suitable aquatic habitat whenever observed and shall dispatch them in a humane manner and dispose of properly.*

- *If any federally and/or state protected species are harmed, the CDFW/USFWS-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.*

- Mitigation Measure B-1(e) Tidewater Goby, Steelhead and Coho Salmon Impact Avoidance and Minimization. If suitable habitat for tidewater goby, steelhead, and/or coho salmon cannot be avoided, any in-stream portions of each segment (where drainage crossings require in-stream work) shall be dewatered/ diverted. A dewatering/ diversion plan shall be prepared and submitted to the NMFS, the USFWS and the CDFW for review and approval. All dewatering/diversion activities shall be monitored by a qualified fisheries biologist. The fisheries biologist shall be responsible for capture and relocation of fish species out of the work area during dewatering/diversion installation.

  A *Programmatic Consultation and Conference for Listed Coastal Species, Ventura, Santa Barbara, San Luis Obispo, Monterey, and Santa Cruz Counties, California (1-8-96-F-11)* was established on August 29, 1991 between the USFWS and the USACE. The following measures are generally adapted from that document. Consultation shall occur with the USFWS to determine that 1) the project is covered under the above programmatic consultation through issuance of USACE permits under Section 404 of the Clean Water Act, or 2) that take of CRLF is not anticipated through implementation of the measures below as determined through informal consultation with the USFWS if no federal permits are pursued.

  - *The implementing entity shall designate a representative to monitor on-site compliance of all avoidance and minimization measures. This representative shall be trained by a qualified fisheries biologist in the identification of the target species and the assessment of the potential for take based on the proposed activities. The representative shall consult with the biologist as necessary to ensure compliance. The representative and the biologist shall have the authority to halt any action which may result in the take of listed species.*
  - *Only USFWS/NMFS/CDFW-approved biologists shall participate in the capture and handling of listed species.*
  - *No equipment shall be permitted to enter wetted portions of any affected drainage channel.*
  - *All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.*
  - *Work within and adjacent to streams shall not occur between November 1 and May 1. Unless otherwise approved by NMFS and the CDFW.*
  - *If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline.*

- *If water is to be pumped around work sites, intakes shall be completely screen with wire mesh not larger than five millimeters to prevent animals from entering the pump system.*
- *If any tidewater goby, steelhead, or coho salmon are harmed during implementation of the project, the project biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid further harm to CRLF.*
- *Water turbidity shall be monitored by a qualified biologist or water quality specialist during all instream work. Water turbidity shall be tested daily at both an upstream location for baseline measurement and downstream to determine if project activities are altering water turbidity. Turbidity measures shall be taken within 50 feet of construction activities to rule out other outside influences. Additional turbidity testing shall occur if visual monitoring indicates an increased in turbidity downstream of the work area. If turbidity levels immediately downstream of the project rise to more than 20 NTUs (Nephelometric Turbidity Units) above the upstream (baseline) turbidity levels, all construction shall be halted and all erosion and sediment control devices shall be thoroughly inspected for proper function, or shall be replaced with new devices to prevent additional sediment discharge into streams.*

- Mitigation Measure B-1(f) Black Legless Lizard Surveys. Not less than three months prior to the start of construction activities (including staging and mobilization) for each segment, an CDFW-approved biologist shall place coverboards in areas with suitable habitat for black legless lizard. The coverboards shall be at least four feet by four feet and constructed of untreated plywood placed flat on the ground. The coverboards shall be checked by the biologist once per week for each week after placement up until the start of vegetation removal. All black legless lizards found under the coverboards shall be captured and placed in five-gallon buckets for transportation to relocation sites. All relocation sites shall be approved by the RTC and/or implementing entity and shall consist of suitable habitat. Relocation sites shall be as close to the capture site as possible but far enough away to ensure the animal(s) is not harmed by construction of the project. Relocation shall occur on the same day as capture. CNDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed.

  During all initial ground vegetation removal activities for each segment, a qualified biologist shall be on-site to recover any black legless lizards that may be excavated/ unearthed. If the animals are in good health, they shall be immediately relocated to the designated release area. If they are injured, the animals shall be released to a CDFW approved specialist until they are in a condition to be released into the designated release area.

  A report of all preconstruction survey efforts and monitoring during initial ground vegetation removal of each segment shall be submitted to the implementing entity within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include for each captured special status animal, the UTM coordinates and habitat descriptions of the capture and release site (in UTM coordinates), the length of time between capture and release, and the general health of the individual(s).

- Mitigation Measure B-1(g) FESA and CESA Consultation. To ensure compliance with FESA and CESA, the RTC and/or implementing entity shall obtain either Incidental Take Permits or written concurrence that implementation of the project will not result in take for CRLF, SCLTS, CTS, steelhead, coho salmon, and tidewater goby.

- Mitigation Measure B-1(h) Western Pond Turtle Survey, Capture, and Relocation. Not less than 14 days prior to the start of all construction activities for each segment (including staging and mobilization), an RTC and/ or implementing entity approved biologist shall conduct surveys for western pond turtles within suitable habitat. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent western pond turtles from entering active work areas. If western pond turtles are identified within the work area they shall be captured and relocated to suitable habitat within the same or nearest drainage. The relocation site shall include a pool surrounded by vegetation for escape cover. CNDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed.

  During the rainy season (approximately November 1 to April 15), western pond turtles may actively move through upland habitats outside of drainages. If a turtle is observed by construction personnel within or adjacent to the project area, the turtle's location shall be communicated to the RTC and/ or implementing entity approved biologist. Only the RTC-approved biologist shall capture and relocate the turtle. Construction personnel are not permitted to handle animals.

  A report of all preconstruction survey efforts for each segment shall be submitted to the implementing entity within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include for each captured special status animal, the UTM coordinates and habitat descriptions of the capture and release site (in UTM coordinates), the length of time between capture and release, and the general health of the individual(s).

- Mitigation Measure B-1 (i) Special Status Bat Surveys and Impact Avoidance. A RTC and/ or implementing entity approved biologist shall conduct presence/absence surveys for special status bats where suitable roosting habitat is present. Bat surveys shall be conducted in consultation with the CDFW. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. Surveys shall be conducted not less than 30 days prior to initiation of construction activities for each segment.

  Areas where special status bats are located shall be avoided where feasible. If impacts to bats cannot be avoided, exclusionary devices, such as netting, shall be installed by an RTC and/ or implementing entity approved biologist around the roost(s) after the bats have left the roost in the evening and shall be monitored for a minimum of three days to ensure that no bats return to the roost. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately. Exclusion of bats must commence prior to establishment of maternity colonies, which varies by species. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement.

If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes near the impacted roost shall be installed to reduce the impact to the bat species present. Bat boxes shall be species-specific in dimensions and should mimic a tree hollow or crevice. Bat boxes shall be installed at a height that is appropriate for the bat species and anti-predator measures, such as small metal spikes on the top, shall be included to protect bats.

A report of survey efforts shall be submitted to the implementing entity within 30 days of completion of the surveys for each segment to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys. If exclusion devices and/or bat boxes are utilized, the report shall describe how these methods were employed.

- Mitigation Measure B-1(j) Monterey Dusky-Footed Woodrat Avoidance and Minimization. Within 14 days prior to start of construction activities, all suitable habitat within and adjacent to the construction disturbance limits shall be surveyed for woodrat middens by a qualified biologist approved by the RTC and/or the implementing entity. If middens are located within the disturbance area, the construction contractor shall under the guidance of the biologist remove the midden using an excavator. The midden shall first be "tapped" or shaken by the excavator bucket to encourage the woodrats to evacuate. The excavator shall then grasp portions of the midden with the bucket and relocate them to the same location outside of the disturbance area. All portions of the same midden shall be relocated to the same area; they shall not be distributed across the adjacent habitat. Once the biologist is satisfied that the midden has been removed, construction may commence.

  If a midden is located within 50 feet of the construction disturbance area, bright-orange construction fencing shall be installed along the perimeter of the disturbance area to protect the midden from harm impacts during construction.

- Mitigation Measure B-1(k) Preconstruction Surveys for Nesting Birds. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the CFGC and the MBTA (including, but not limited to, great blue heron, northern harrier, tricolored blackbird, and California black rail) shall be conducted by a qualified biologist no more than 14 days prior to initiation of construction activities for each segment, including construction staging and vegetation removal. The surveys shall include the entire segment disturbance area plus a 200 foot buffer around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

- Mitigation Measure B-1(l) Monarch Butterfly Avoidance and Minimization. Prior to completion of the final design, a biologist approved by the RTC and/or implementing

entity shall review the project for potential to impact monarch butterflies. If known or potential winter roost sites will be impacted, the biologist shall make recommendations to avoid impacts including, but not limited to, relocation/redesign of project features to avoid roost sites, guidance regarding tree removal and trimming at roost sites, and recommendations regarding planting additional roost trees.

Construction shall not occur within 100 feet of known or potential roost sites between November 1 and May 1 as feasible. If construction must occur during this period, the qualified biologist shall survey known and potential roost sites to confirm occupancy by monarch butterflies prior to start of construction within 100 feet. Multiple surveys may be necessary and the closest known roost sites shall be used as voucher sites to confirm the timing of butterfly arrival. If monarch butterflies are determined to be absent from a roost site, construction may commence. If monarch butterflies are found at a roost site, construction shall not occur within 100 feet of the roost site until the biologist has determined that the butterflies have left the area. The biologist shall visit the voucher sites to confirm that butterflies have left the region.

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

- Mitigation Measure B-1(n) San Francisco Garter Snake Avoidance and Minimization. The following measures shall be implemented in the Northern Reach in consultation with the CDFW and USFWS:

    - All portions of the proposed project within the range of the San Francisco garter snake shall be designed to avoid impacts to aquatic habitat and to avoid or minimize impacts to adjacent upland habitat.
    - Construction activities in the Northern Reach shall be avoided within 200 feet of suitable aquatic habitat to the greatest extent feasible.
    - Construction equipment, personnel, and materials shall be confined to roadways and existing disturbed areas so as to minimize habitat disturbance. If work must occur within 200 feet of suitable aquatic habitat, exclusion fencing shall be installed at the discretion of a qualified biologist to prevent San Francisco garter snakes from entering the work site.
    - Construction shall occur between May 1 and October 1 when San Francisco garter snake is most active and would be expected to move and avoid danger. If construction must occur between October 2 and April 30, the USFWS and CDFW shall be consulted to determine if additional minimization measures are necessary.

- Impacts to suitable upland habitat shall be the minimum necessary to complete construction of the project. The limits of construction shall be delineated clearly with highly visible flagging or construction fencing.
- Not more than 24 hours prior to initiation of construction activities at the project site, including mobilization and staging, a qualified biologist shall conduct a survey of suitable habitat for San Francisco garter snake. If a San Francisco garter snake is observed within the disturbance footprint, construction activities shall be postponed until the CDFW and USFWS has been consulted for guidance.
- Trash shall be fully contained at all times and shall be removed from the site daily.
- A qualified biologist shall be present during all construction activities occurring within and adjacent to suitable habitat to ensure avoidance and minimization measures are implemented and effective.

Reference - FEIR pages 4.4-40 through 4.3-67.

5.2.2 Potentially Significant Impact B-2. Implementation of the proposed MBSST Network project could result in impacts to riparian and other habitats considered sensitive by local, state, and/or federal agencies, including federally protected wetlands. This impact would be Class II, *significant but mitigable*.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Several drainages and wetland habitats are mapped within the proposed MBSST Network. In addition, several habitats considered sensitive by the CDFW may also be present within each of the reaches. Impacts may include loss of habitat through construction of project features, such as trails and drainage crossings. Habitat degradation may also result from introduction of invasive species incidentally from construction equipment and through selection of invasive landscape plants, as well as through erosion of disturbed areas.

The proposed MBSST Network Master Plan identifies drainage and erosion control methods that would be implemented during construction and operation of the MBSST Network project, including engineering to prevent an increase of historic runoff onto other properties, channelization, culverts, improved bridge crossings, and minimization of siltation. The implementation of drainage and erosion control strategies would reduce impacts to species that inhabit aquatic/riparian habitats such as tidewater goby, coho salmon, steelhead, CRLF, and western pond turtle that could result from on- and off-site runoff during construction and operation of the trail. In addition, mitigation measures are required to reduce impacts to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.4 of the FEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP.

- Mitigation Measure B-2 (a) Jurisdictional Delineation. Once the final design has been developed for each segment, but prior to the start of construction, a qualified biologist

shall conduct a jurisdictional delineation of the entire segment disturbance area at those locations where construction activity could affect jurisdictional waters. The jurisdictional delineation shall determine if features are under the jurisdiction of the USACE, RWQCB, CDFW, and/or CCC. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the RTC and/or implementing entity, USACE, RWQCG, CDFW, and CCC, as appropriate, for review and approval. Permits shall be obtained from each agency where applicable.

- Mitigation Measure B-2(b) Wetland and Riparian Habitat Restoration. Impacts to jurisdictional wetland and riparian habitat shall be mitigated at a ratio of minimum 2:1 for each segment, and shall occur as close to the impacted habitat as possible. A Habitat Restoration Plan shall be developed by a biologist approved by the RTC and/or implementing entity in accordance with mitigation measure B-1(b) above and shall be implemented for no less than five years after construction of the segment, or until the RTC/implementing entity and/or the permitting authority (e.g., CDFW or USACE) has determined that restoration has been successful. All restoration/compensatory mitigation areas shall be permanently protected through a conservation easement or deed restriction.

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

- Mitigation Measure B-2(d) Invasive Weed Prevention and Management Program. Prior to start of construction of each segment, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist approved by the RTC and/or implementing entity to prevent invasion areas adjacent native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication before any species can gain a foothold and out-compete native plant species for resources.

  All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan.

  Herbicides may be used on a limited basis to control the growth and spread of invasive weeds. Aqua-Master herbicides containing a dye to show overspray or a similar herbicide approved by the CDFW shall be used, and shall be applied by a certified pesticide application specialist under the direction of a qualified biologist. Herbicide application shall be plant species-dependent and can include foliar treatment or cut surface treatments. Herbicide shall not be broadcast over a large area; instead specific plant species shall be targeted. The target plant species shall be removed and disposed of properly at a landfill once they are dead.

Reference – FEIR pages 4.4-67 through 4.4-70.

5.2.3 Potentially Significant Impact B-2. Implementation of the proposed MBSST Network project could result in impacts to wildlife movement or nursery sites. This impact would be Class II, *significant but mitigable*.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Wildlife movement within the northern reach could be associated with drainages and with larger natural areas that are not plowed for cropland such as Big Basin Redwoods State Park and the California Polytechnic State University Lands. Movement through these areas is limited by the presence of Highway 1. Most wildlife movement in this reach is likely to occur in the largely undisturbed mountainous terrain east of Highway 1. Cropland present along the proposed MBSST Network does not necessarily present a barrier to movement, but croplands generally provide low quality habitat for wildlife, and are used primarily for feeding (e.g., white-tailed kites) and some movement. Other wildlife uses, such as nesting (nursery sites) or roosting, are typically absent from croplands due in part to the activities of humans and machines, and efforts to protect crops from predation.

Wildlife movement within the central reach is generally restricted to the drainages that cross the proposed MBSST Network. Wildlife movement within the Watsonville reach is likely to be more restrictive than the northern reach and less restrictive than the central reach. Drainages within this reach may facilitate movement and agricultural lands are generally open. However, there are numerous, scattered residential areas that many wild animals would likely avoid, and agricultural activities in this reach consist primarily of row crops. Wildlife present in this reach are likely those that occupy the drainages and/or are adapted to habitat edges such as the white-tailed kite and pallid bat.

No major wildlife movement corridors are identified along the proposed MBSST Network, and wildlife movement is likely to be negatively influenced by Highway 1, which also occurs generally parallel to the proposed MBSST Network throughout its length. Wildlife movement within the proposed MBSST Network is more likely to occur in the northern reach.

The proposed MBSST Network Master Plan contains design guidelines that would limit potential adverse effects to wildlife movement. Specifically, the Master Plan outlines the types of trail fencing to be used in various environments along the trail network, and recommends that fencing along the trail corridor be used conservatively to maintain the open feel and views of the coastal environment. With the exception of privacy fencing – which would be used to provide trespass prevention, security, and privacy for adjacent landowners in urban areas – trail fencing would be designed to allow open visibility of the surrounding landscape, but may still impede wildlife movement. Therefore, mitigation measures are required to reduce impacts to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.4 of the FEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP.

- Mitigation Measure B-1(k) addresses impacts to nesting birds

- Mitigation Measure B-3(a) Fence Design. All project fencing shall be designed to facilitate wildlife movement through the proposed MBSST Network and shall include:
    - *A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals;*
    - *A minimum 12 inches between the top two wires, or top the fence with a wooden rail or mesh instead of wire to prevent animals from becoming entangled; and*
    - *If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.*

  The final fence design shall be submitted by each implementing entity to the RTC and shall be reviewed by a RTC-approved biologist for approval.

- Mitigation Measure B-3(b) Construction Best Management Practices. The following construction Best Management Practices (BMPs) shall be incorporated into all grading and construction plans for each segment of the MBSST Network:

    - *Designation of a 15 mile per hour speed limit in all construction areas.*
    - *All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible.*
    - *The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the project.*
    - *Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from waters, wetlands, or other sensitive resources as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site.*
    - *Daily construction work schedules shall be limited to daylight hours only [consistent with mitigation measure N-1(a) (Construction Hours) in Section 4.10, Noise].*
    - *Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.*
    - *Drip pans shall be placed under all stationary vehicles and mechanical equipment.*
    - *All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week.*
    - *No pets are permitted on project site during construction.*

Reference – FEIR pages 4.4-70 through 4.4-72.

5.3 Cultural Resources

5.3.1 Potentially Significant Direct Impact CR-1. The proposed MBSST Network project would potentially damage existing prehistoric and archaeological cultural resources and historical structures along the proposed trail alignment. Impacts would be Class II, *significant but mitigable*.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Cultural resources are likely to occur along water courses, near rock outcrops, oak stands, and along historic slough margins. The proposed MBSST trail alignment is located near or adjacent to several of these features throughout Santa Cruz County. In addition, the proposed trail primarily aligns with the Santa Cruz Branch Rail Line right-of-way, a long-standing local transportation corridor, and passes through historic agricultural areas in Santa Cruz County; therefore, there are likely to be concentrations of historic sites and structures within the MBSST Network right-of-way. Development activities associated with the Master Plan could affect prehistoric and archaeological cultural resources and historic structures along the MBSST corridor.

The proposed MBSST Network Master Plan contains design features related to prehistoric and archaeological cultural and historic resources. Specifically, historic resource exhibits (interpretive exhibits) would be placed along the trail at strategic locations offering a variety of information. For example, information concerning the history of railroads, lumber, beaches, and farming in the area would be portrayed. While these design features would provide public information related to prehistoric and archaeological cultural and historical resources in the Master Plan area, the proposed Master Plan would still result in potentially significant impacts to prehistoric and archaeological cultural resource sites and historic structures, and mitigation is required.

Mitigation Measures - Based upon the analysis presented in Section 4.5 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure CR-1(a) Cultural Resources Records Search. Prior to completion of final design for each trail segment, the RTC and/or implementing entity shall contract with a qualified archaeologist to perform a cultural resources records search. The cultural resources records search shall include both the Area of Direct Impact as well as a suitable buffer area encompassing an Area of Indirect Impact as determined by a qualified archaeologist. If a cultural resources survey has previously been adequately performed for the subject trail segment/impact area, and existing prehistoric or archaeological cultural resources were not identified, no further pre-construction mitigation would be required. If no previous survey has been performed for the subject trail segment/impact area, or if a previous survey has identified prehistoric or archaeological cultural resources, mitigation measure CR-1(b) shall be implemented.

- Mitigation Measure CR-1(b) Pre-Construction Prehistoric and Archaeological Resources Survey. Prior to completion of final design for each segment that has not

been previously graded and/or surveyed for prehistoric and archaeological cultural resources [as determined by mitigation measure CR-1(a)], the RTC and/or implementing entity shall contract with a qualified archaeologist to perform a Phase I cultural resources assessment. In the event that prehistoric or archaeological cultural resources are identified within the Area of Direct Impact during the Phase I assessment and avoidance of impacts to the resource by redesign are not feasible, the implementing agency shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.

If the site is determined significant, the RTC and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant prehistoric or archaeological cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping or further archaeological investigation shall be required, though archaeological monitoring may still be required. The results and recommendations of the Phase II and/or Phase III studies shall determine the need for construction monitoring.

In the event that prehistoric or archaeological cultural resources are identified within the Area of Indirect Impact during the Phase 1 assessment, the implementing entity shall contract with a qualified archaeologist to determine whether avoidance or minimization measures are required to prevent looting and aggravation of existing resources. If required, these measures could include, but shall not be limited to: installation of signage prohibiting the public from accessing the site(s), installation of fencing around the identified sites, installation of protection landscape screening, and/or placement of cultural sterile and chemically neutral fill upon the site(s). Selection of feasible avoidance or minimization measures shall be in consultation with the appropriate resource agency, implementing entity, and/or RTC. Following implementation of feasible avoidance or minimization measures the RTC and/or implementing entity shall prepare a four year monitoring plan that includes annual review of sites within the Area of Indirect Impact to assess whether impacts are occurring, supplemental measures to address identified impacts and an annual report of findings which would be available for review by the relevant resources agencies. The plan shall be implemented for a minimum of four years, or until it is clear that resources are not being impacted by the project.

- Mitigation Measure CR-1(c) Alteration of Potential Historical Bridges/Structures. Prior to issuing permits for development of trail segments that would result in alteration of existing rail bridges, trestle structures, or other structures greater than 50 years old (at the time development is anticipated to occur), a qualified architectural historian shall inventory and evaluate the significance of potentially historical bridges and other structures located along the proposed trail alignment.

  Preliminary investigations have not identified any historic bridges; however, the trestle

over Soquel Creek in Capitola is located in a historic district. If a bridge or other structure located along the proposed trail alignment is determined to be historic, the following shall be conducted prior to any rehabilitation, changes, alterations, or additions:

A report shall be prepared by a professional architectural historian and shall be accompanied by requisite sets of large format camera Historic American Engineering Record (HAER) Level II black-and-white 8-by-10 inch archival quality prints taken by a professional photographer. A minimum of twelve views shall be documented (two profiles, two centerline shots, four abutment shots, and four engineering details) and two sets of prints shall be sent to the California State Library in Sacramento. Measured drawings shall be prepared of the structure under the supervision of a qualified architectural historian.

After this effort, any proposed rehabilitation, changes, alterations, and additions to historical structures shall comply with the Secretary of the Interior Standards for Rehabilitation. Alterations shall be similar to the surrounding historical landscape and consistent with the character-defining features of the bridge/structure, as determined by procedures implementing the National Historic Preservation Act. Adjacent property owners and local government shall be consulted about the design details of any alterations to existing historical resources. Alterations shall be consistent with applicable local historic preservation policies and guidelines.

Reference – FEIR pages 4.5-16 through 4.5-21.

5.3.2 Potentially Significant Direct Impact CR-2. Construction of the proposed MBSST Network would involve surface excavation. Although unlikely, construction activities have the potential to unearth or impact previously unidentified prehistoric or archaeological cultural resources. Impacts would be Class II, *significant but mitigable*.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Project construction activities, including ground clearing, grading and excavation, could have adverse impacts on previously unidentified prehistoric or archaeological cultural resources. Pre-construction reconnaissance can only confidently assess the potential for encountering surface prehistoric or archaeological cultural resource remains. Cultural resources are likely to occur along water courses, near rock outcrops, oak stands, and along historic slough margins. The proposed MBSST trail alignment is located near or adjacent to several of these features throughout Santa Cruz County. Therefore, the possibility remains for encountering subsurface prehistoric or archaeological cultural resources during construction activities.

If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the City or County Coroner (depending on the jurisdiction in which the discovery occurs) has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of

the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.

Adverse impacts would occur if the implementation of the MBSST Network Master Plan would result in construction activities that would damage previously unidentified prehistoric or archaeological cultural resources. Impacts to such resources would be potentially significant and mitigation is required.

Mitigation Measures - Based upon the analysis presented in Section 4.5 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure CR-2(a) Archaeological Resource Construction Monitoring. Prior to the commencement of construction activities for each trail segment, an orientation meeting shall be conducted by an archaeologist, general contractor, subcontractor, and construction workers associated with earth disturbing activities. The orientation meeting shall describe the potential of exposing archaeological resources, the types of cultural materials may be encountered, and directions on the steps that shall be taken if such a find is encountered.

  A qualified archaeologist shall be present during all initial earth moving activities for each trail segment. In the event that unearthed prehistoric or archaeological cultural resources or human remains are encountered during project construction, mitigation measure CR-2(b) shall take effect.

- Mitigation Measure CR-2(b) Unearthed Prehistoric or Archaeological Cultural Remains**.** If prehistoric or archaeological cultural resource remains are encountered during construction or land modification activities, work shall stop and the RTC and appropriate City or County planning, building department (depending on the jurisdiction in which the discovery occurs) or implementing entity shall be notified at once to assess the nature, extent, and potential significance of any prehistoric or archaeological cultural remains. The implementing entity shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.

  If the site is determined significant, the RTC and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant prehistoric or archaeological cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping and or further archaeological investigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring.

Reference – FEIR pages 4.5-21 through 4.5-23.

5.4 Geology/Soils

5.4.1 Potentially Significant Impact GEO-3. There are several areas within the MBSST Network that are at risk for seismic-related ground failure. Seismic activity could produce ground shaking sufficient to cause liquefaction, subsidence, or settlement in these areas. This is a Class II*, significant but mitigable* impact.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding – Moderate to high liquefaction potential occurs in all three reaches of the MBSST Network. Seismic subsidence and settlement also occur in the loose, alluvial soils that are typically associated with liquefaction hazards. Thus, the same areas may be subject to these hazards. The risk to structures, property, and people located in these areas would be potentially significant.

In areas prone to liquefaction, current structural engineering methods for foundation design may not be sufficient to prevent a building's foundation from failing in a larger earthquake which results in stronger and longer ground shaking. However, as with ground shaking hazards, compliance with standard design and engineering practices in the California Building Code, AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges (which provides standards for bridges which are designed for and intended to carry primarily pedestrians, bicyclists, equestrian riders, and light maintenance vehicles, but not designed and intended to carry typical highway traffic), Caltrans LRFD, and Caltrans Highway Design Manual would reduce impacts to structures, bridges, paved multi-use paths, and trail furnishings located in liquefaction hazard zones. Each jurisdiction along the MBSST Network also has policies in place to regulate construction in areas with known soil hazards, such as liquefaction. Policies include preparation of soils report or geotechnical reports and compliance with recommendations contained therein. Furthermore, the only structures that would temporarily be occupied by people would be a restroom facility in the Watsonville reach and the bicycle and pedestrian bridges throughout the MBSST Network. The limited number of people that would be in or on a MBSST Network structure, paved multi-use path, or trail furnishing at any given time would further reduce potential impacts resulting from seismic related ground failure. Nonetheless, mitigation is required to reduce impacts associated with seismic-related ground failure to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.6 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure GEO-3 Geotechnical Study**.** Prior to site development of each segment of the MBSST Network, a geotechnical study shall be prepared by a registered civil or geotechnical engineer and reviewed by the RTC and/or implementing entity. This report shall include an analysis of the liquefaction, subsidence, and settlement potential of the underlying materials. If the segment under study is confirmed to be in an area prone to seismically-induced liquefaction,

subsidence, or settlement, appropriate techniques to minimize hazards shall be prescribed and implemented. Suitable measures to reduce ground-failure impacts could include, but are not limited to, the following:

- *Specialized design of foundations by a structural engineer*
- *Removal or treatment of liquefiable soils to reduce the potential for liquefaction*
- *In-situ densification of soils*
- *Replacement or recompaction of soils, or*
- *Other alterations to the ground characteristics.*

Reference – FEIR pages 4.6-27 through 4.6-29.

5.4.2 Potentially Significant Impact GEO-4. Several isolated areas along the MBSST Network project are identified as potential landslide hazard areas. Impacts resulting from landslide hazards would be Class II, *significant but mitigable*.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding – The terrain of the MBSST Network varies throughout the trail due to its length and its location near the foothills of the Santa Cruz Mountains. There are numerous locations across all three reaches of the MBSST Network that have slopes greater than 30 percent. In addition, the Santa Cruz County Flood and Landslide Hazard Maps (2009) identify several areas along the MBSST Network corridor as having potential for landslides. Mitigation measures are required to reduce potential impacts to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.6 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure GEO-4 Hillside Stability Evaluation. If any permanent structures (including structures, bridges, paved multi-use paths, and trail furnishings) within a segment are to be located within possible landslide hazard zones, then an evaluation of the adjacent hillside shall be performed by a registered engineering geologist or a registered professional civil or geotechnical engineer prior to approval of that segment. If a landslide potential is found to exist, then setbacks or retaining walls, where approved by a registered engineering geologist or registered professional civil or geotechnical engineer, shall be imposed. The setback distance or design of the retaining walls shall be determined by the results of the landslide evaluation study.

Reference – FEIR pages 4.6-29 through 4.6-30.

5.4.3 Potentially Significant Impact GEO-6. The proposed MBSST Network project could be subject to structural damage resulting from unstable soils, including soils with high liquefaction, subsidence, and settlement potential. Impacts would be Class II, *significant but mitigable.*

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding – According to Santa Cruz County liquefaction hazard maps, there are several areas along the MBSST Network that have high liquefaction potential, including within the City of Santa Cruz, the Pajaro Dunes area, and the City of Watsonville portions of the trail. Subsidence and settlement can also occur in the loose, alluvial soils associated with liquefaction. Thus, the same areas may be subject to these hazards. The same areas that are subject to seismic-related ground failure (as described in Impact GEO-3) would also be subject to non-seismically induced soil instability impacts.

In areas prone to liquefaction, compliance with standard design and engineering practices in the California Building Code, AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges (which provides standards for bridges which are designed for and intended to carry primarily pedestrians, bicyclists, equestrian riders, and light maintenance vehicles, but not designed and intended to carry typical highway traffic), Caltrans LRFD, and Caltrans Highway Design Manual would reduce impacts to structures, bridges, paved multi-use paths, and trail furnishings located in liquefaction hazard zones. Each jurisdiction along the MBSST Network also has policies in place to regulate construction in areas with known soil hazards, such as liquefaction, subsidence, or settlement. Policies include preparation of soils report or geotechnical reports and compliance with recommendations contained therein. Furthermore, the only structures that would temporarily be occupied by people would be a restroom facility in the Watsonville reach and the bicycle and pedestrian bridges throughout the MBSST Network. The limited number of people that would be in or on a MBSST Network structure, paved multi-use path, or trail furnishing at any given time would further reduce potential impacts resulting from soil instability. Nonetheless, mitigation would be required to reduce impacts associated with unstable soils to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.6 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure GEO-3 Geotechnical Study (refer to Section 5.4.1)**.**

Reference – FEIR pages 4.6-32 through 4.6-33.

5.4.4 Potentially Significant Impact GEO-7. The MBSST Network project is located in areas defined as having potential for the expansion or contraction of soils. This is a Class II, *significant but mitigable* impact.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding – The County of Santa Cruz identifies several areas throughout the MBSST Network as having expansive soils. New trail features, such as paved

multi-use paths, bridges, fences, or other trail furnishings located in these areas could be damaged as a result of soil expansion or contraction.

Standard engineering practices in the California Building Code and the Caltrans Highway Design Manual would help reduce impacts to structures and pavement resulting from expansive soils. In addition, mitigation would be required to further reduce impacts resulting from expansive soils.

Mitigation Measures - Based upon the analysis presented in Section 4.6 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure GEO-7 Study of Soil Expansion. The geotechnical study required in mitigation measure GEO-3 shall include an evaluation of the potential for soil expansion of the underlying materials. If the segment under study is identified as being subject to expansive soil hazards, appropriate techniques to minimize hazards shall be prescribed and implemented. Suitable measures to reduce expansive soil hazards could include, but not be limited to: design of foundations by a structural engineer and/or or the replacement of soils beneath the segment.

Reference – FEIR pages 4.6-33 through 4.6-34.

5.5 Hazards and Hazardous Materials

5.5.1 Potentially Significant Impact HAZ-1. Grading associated with MBSST Network construction could expose construction workers to health hazards by releasing contaminants that could be present in the soil. This construction-related hazard is a Class II, *significant but mitigable* impact.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Construction of the proposed MBSST Network would involve grading. The project corridor primarily aligns with the Santa Cruz Branch Rail Line right-of-way, which extends for 32 miles of the approximately 50-mile trail. The long term use as a railroad line presents the potential that the corridor is contaminated with metals, herbicides, polynuclear aromatics, petroleum hydrocarbons, and other contaminants associated with rail operations. In addition, land adjacent to the northern and Watsonville reaches is currently used for agricultural production. The historic and continuing agricultural use adjacent to the corridor presents the potential that the property contains residual pesticides or other chemicals routinely used in agricultural production. Construction workers could therefore be exposed to these substances in on-site soils during construction of MBSST Network segments. Segment-specific due diligence is required to ensure that future hazards are mitigated to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.8 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible

and are made binding through the MMRP. With imposition of the following mitigation measure, impacts are less than significant.

- Mitigation Measure HAZ-1(a) Soil Sampling and Remediation. Prior to construction of each trail segment, a soil assessment shall be completed for that segment under the supervision of a professional geologist or professional civil engineer to determine the presence or absence of contaminated soil along the proposed trail. If soil sampling indicates the presence of any contaminant in quantities not in compliance with applicable laws or regulations, the RTC and/or implementing entity shall coordinate with Santa Cruz County Environmental Health Services to develop and implement a program to remediate or manage the contaminated soil during construction. Disposal shall occur at an appropriate facility licensed to handle such contaminants and remedial excavation shall proceed under the supervision of an environmental consultant licensed to oversee such remediation. The remediation/disposal program shall be approved by Santa Cruz County Environmental Health Services. The RTC and/or implementing entity shall submit all correspondence to Santa Cruz County Environmental Health Services prior to issuance of grading permits. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation/disposal, a qualified environmental consultant shall prepare a report summarizing the project, the remediation/disposal approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

- Mitigation Measure HAZ-1(b) Arsenic Management Plan**.** A management plan to address arsenic-containing soil during construction of individual segments along the MBSST Network corridor shall be prepared and implemented. This plan shall include soil excavation, stockpiling, disposal procedures (considering profiling of arsenic and other constituents), and construction monitoring guidelines.

- Mitigation Measure HAZ-1(c) Granite Construction Company Petroleum Remediation and Mitigation. An analysis shall be conducted to determine whether petroleum present in the soil near the Granite Construction facility is impacting groundwater. If groundwater is determined to have been affected by on-site contamination, or if soil contamination is detected at depths of 30 feet below grade or greater, then a groundwater sampling assessment shall be performed. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Santa Cruz County Environmental Health Services, Central Coast Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

  Contaminated soils near the Granite Construction Facility in Watsonville shall also be profiled for disposal at the appropriate facility licensed to handle such contaminants and remedial excavation shall proceed under the supervision of an environmental consultant licensed to oversee such remediation.

  The remediation/disposal program shall be approved by Santa Cruz County Environmental Health Services prior to issuance of grading permits for segment 18. All proper waste handling and disposal procedures shall be followed. Upon

completion of the remediation/disposal, a qualified environmental consultant shall prepare a report summarizing the project, the remediation/disposal approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

Reference – FEIR pages 4.8-17 through 4.8-20.

5.5.2 Potentially Significant Impact HAZ-3. Adjacent agricultural, commercial, and industrial activities may include the use of pesticides, herbicides, petroleum-based fuels, chlorinated solvents, or other chemicals considered to be a human health threat. Trail users and maintenance personnel could be exposed to these chemicals during and after their application to the adjacent orchards and row crops, or in the event of soil contamination or emission of hazardous materials into the air. This is a Class II, *significant but mitigable* impact.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Agricultural operations along the MBSST Network could include the use of hazardous chemicals. The Santa Cruz County Agricultural Commissioner's office has not established recommendations for land use setbacks, or buffers, between the land on which pesticides are applied and surrounding land uses. In addition, because the proposed project is a transient/transportation use, the Santa Cruz County Agricultural Commissioner's office as well as the County Planning Department have indicated that specific agricultural or pesticide buffers from the proposed trail would not be required (Mary Lou Nicoletti, e-mail communication, September 12, 2013; Samantha Haschert, e-mail communication, September 18, 2013). However, the Agricultural Commissioner requires that all pesticides be used pursuant to the manufacturers' instructions and that the pesticides are sprayed so as to prevent drift onto nearby properties. In addition, the County of Santa Cruz requires a 200 foot buffer area between commercial agriculture and non-agricultural land uses (General Plan Policy 5.13.23). However, because the proposed project is a transient recreational and transportation use, these setback requirements may not apply. The County of Santa Cruz Planning Department indicates that a reduced agricultural buffer would be allowed, and would not require discretionary approval (S. Haschert, personal communication, March 1, 2013).

Users of the trail may be exposed to agricultural chemicals through ingestion, inhalation, and dermal contact. The Santa Cruz County Agricultural Commissioner's office requires that pesticide users strictly adhere to the chemical label and other applicable regulations.

Regardless of whether agricultural operators follow all restrictions on the pesticide label, the potential exists for trail users to trespass onto adjacent agricultural property after pesticides have been applied, thereby becoming exposed to potentially dangerous chemicals, possibly including methyl bromide. In addition, pesticide spraying requirements are generally less restrictive near transit facilities such as trails because people using them typically move through the area quickly; however, trail users may choose to linger on portions of the trail, either stopping to talk or resting. This has the potential to increase pesticide exposure to trail users. Mitigation measures are required to reduce impacts to a less than significant level.

The proposed MBSST Network Master Plan contains several design and operational features

intended to limit the exposure of trail users to pesticides and other agricultural chemicals. These include posting notices at entrances to the trail advising of ongoing agricultural activities, stating that the trail user agrees to using the trail at his/her own risk. In addition, trail users would be advised that agricultural operations will be occurring and may include pesticide spraying, agricultural dust and debris, and burning activities in accordance with State and local laws and ordinances. Finally, notices would state that the trail may be subject to closure without notice to accommodate such activities.

Mitigation Measures - Based upon the analysis presented in Section 4.8 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measure, impacts are less than significant.

- Mitigation measure AG-3(c) (refer to Section 5.1.2)

- Mitigation Measure HAZ-3(a) Trail Closure. A communication system shall be established between the Santa Cruz County Agricultural Commissioner's office, the RTC and/or implementing and managing entities, to convey any notices of intent to spray chemicals in a timely manner. The Trail Ranger or its designee shall be responsible for closing trail segments during and following application of agricultural chemicals, and posting additional warning signs, as appropriate.

Reference – FEIR pages 4.8-21 through 4.8-25.

5.5.3 Potentially Significant Impact HAZ-5. Underground utility lines may be located beneath the proposed MBSST Network. Construction and design of the proposed trail would be affected by the presence of these lines. This is a Class II, *significant but mitigable* impact.

Finding – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - Existing surface and subsurface utilities within the Santa Cruz Branch Rail Line right-of-way include active and abandoned railroad communications cable, signal and communication boxes, fiber-optic cables, water and sewer lines, and telephone lines. In addition, the proposed trail may cross over utility lines buried beneath any of the 84 roadway crossings. A rupture of certain types of pipelines could expose trail users, maintenance workers, and nearby residences to flammable and toxic substances.

The Trail Manager and Trail Ranger are responsible for managing and responding to issues and incidents along the trail. In the case of a pipeline rupture in the vicinity of the MBSST Network, the Trail Ranger would be responsible for closing the trail in the vicinity of the accident, in accordance with Fire Department direction, and would only reopen the trail after the appropriate entity (CHP, Caltrans, or Fire Department) indicates that it is safe to do so. However, mitigation is required to reduce impacts to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.8 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and are made binding through the MMRP. With imposition of the following mitigation measure, impacts are less than significant.

- Mitigation Measure HAZ-5(a) Utility Line Location and Consultation. Prior to construction of each segment, the implementing entity shall determine the presence and exact location of any underground utility lines that correspond to the trail alignment. In addition, the presence of any above-ground utility lines in close proximity to the proposed alignment shall be determined.

  If any utility lines are found to be in proximity to the trail alignment, the implementing entity shall contact the utility line operator regarding any regulations for grading and construction activities near the lines. The trail alignment shall be constructed and designed in compliance with all regulations and policies set forth by the operating entity.

Reference – FEIR pages 4.8-26 through 4.8-27.

5.6 Hydrology and Water Quality

5.6.1 Potentially Significant Impact H-5. Portions of the proposed MBSST Network project would be constructed within the 100-year flood plain and would be subject to periodic inundation during major storm events. Construction of the proposed MBSST Network bridge crossings could also alter the flow characteristics of the drainages it would cross, possibly resulting in greater upstream flooding during major flood events. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - There are several areas of the MBSST Network within the 100-year flood hazard zone. These areas of the MBSST Network would be exposed to flood damage, including washouts and scouring, in the event of a substantial storm event. These areas of the trail would include the construction of new trail features, including a multi-use paved path, bike and pedestrian bridges, as well as trail amenities, such as signs, trash cans, kiosks, benches, fences, and historical and educational exhibits. In addition, the construction of bridge crossings could impede drainage and result in potential flooding upstream if the flow path of the waterway is constricted or obstructed by the trail bridges, or by debris caught behind these new bridges. Changes to flood flows in these portions of the central reach would be potentially significant.

The CBC sets forth standards for construction of buildings and structures within flood hazard zones. The proposed MBSST Network project would also be required to comply with standards set forth by AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges, Caltrans LRFD, and Caltrans Highway Design Manual. In addition, each local jurisdiction has construction standards for buildings and structures within flood hazard zones set forth in their respective municipal codes. Compliance with existing building code standards would help reduce flood impacts along the MBSST Network. Mitigation would also be required to reduce impacts related to flood flows to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.9 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible

and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure H-5(a) Bridge Design**.** The plans for proposed creek bridges shall be submitted to the planning and/or building department of the jurisdiction in which the segment is located for review and approval. Bridges shall be designed to ensure that pre-project flood flows are maintained, such that upstream flooding does not occur. All recommendations in bridge design made by reviewing bodies shall be considered for implementation. These may include, but would not be limited to: structural anchoring, increase in base-flood elevation, and flood proofing techniques, such as the use of paints, membranes or mortars to reduce seepage, reinforcement to resist water pressure, addition of mass or weight to structure to resist flotation.

- Mitigation Measure H-5(b) Trail Inspection Program. Within 10 calendar days following flooding events, the trail shall be inspected by the Trail Manager or its designee to determine if damage has occurred or if debris has collected and constricted water flow around the bridges. If damage or debris is found, it shall be repaired or cleared immediately. If repair is required, temporary signage shall be posted to indicate the trail's closure until damage is repaired. Routine bridge inspections shall be conducted by the Trail Manager or its designee on an annual basis.

Reference - FEIR pages 4.9-22 through 4.9-24.

5.7 Noise

5.7.1 Potentially Significant Impact N-1. Construction of the proposed MBSST Network would create temporary noise level increases that could disturb nearby sensitive receptors. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The operation of heavy equipment during construction of the proposed MBSST Network trail alignment would result in temporary increases in noise in the immediate vicinity. However, only areas within a few hundred feet of construction sites would be expected to be exposed to unacceptable noise levels. Given the proximity of sensitive uses to the MBSST Network segments [including residences and institutional uses (schools and churches)], numerous receptors may be exposed to noise levels exceeding thresholds.

The Santa Cruz County Municipal Code prohibits offensive noise (including construction) between the hours of 10:00 PM and 8:00 AM. The City of Santa Cruz prohibits offensive noise between the hours of 10:00 PM and 8:00 AM, but exempts certain construction projects from these time limits. The City of Capitola prohibits offensive noise between the hours of 9:00 PM and 7:30 AM on weekdays and on weekends except for Saturday work between 9:00 AM and 4:00 PM. The City of Watsonville prohibits offensive noise between the hours of 10:00 PM and 7:00 AM. The prohibition of offensive noise during nighttime hours would limit the effects of nighttime construction noise, thereby reducing impacts to residential land uses during the hours people are typically in their homes or normally sleep. However,

construction activities may be exempt from these noise ordinance restrictions in some instances, such that construction may take place at night. In addition, daytime noise would still exceed the established threshold of 60 dB Ldn (or CNEL) at other noise-sensitive receptors (including institutional and office uses) along all three reaches. Therefore, impacts are potentially significant and mitigation is required.

Mitigation Measures - Based upon the analysis presented in Section 4.10 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure N-1(a) Construction Hours. Hours of construction for all segments of the MBSST Network project shall be limited to the hours between 8:00 AM and 7:00 PM on weekdays and 9:00 AM to 4:00 PM on Saturdays.

- Mitigation Measure N-1(b) Acoustical Shelters. Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters if within 1,500 feet of a sensitive receptor (including residential, institutional, and office land uses).

- Mitigation Measure N-1(c) Construction Equipment. Stationary construction equipment that generates noise that exceeds 60 dBA at the boundaries of adjacent sensitive receptors shall be baffled to reduce noise and vibration levels. All construction equipment powered by internal combustion engines shall be properly muffled and maintained. Unnecessary idling of internal combustion engines shall be prohibited. Whenever feasible, electrical power shall be used to run air compressors and similar power tools.

Reference - FEIR pages 4.10-13 through 4.10-16.

5.8 Transportation/Traffic

5.8.1 Potentially Significant Impact T-3. Potential conflicts between trail users and automobile traffic could occur at any of the trail road crossings. These conflicts could result in hazardous conditions for both trail users and motorists. In addition, conflicts could occur between trail users and agricultural equipment. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The MBSST Network Master Plan includes guidance on the placement of the trail crossing with streets and roadways. The guidelines suggest that if there is a controlled crossing within 350 feet of the trail, trail users should be redirected to the controlled crossing. As such, the Master Plan includes various measures to connect the trail to adjacent controlled crossings.

Although the trail crossing design recommendations in the proposed MBSST Master Plan would minimize the potential conflicts between vehicles and pedestrians or bicyclists, there is remaining potential for unexpected pedestrian and bicycle crossings, which may lead to

conflicts between vehicles and trail users. This is especially critical on curved sections of roadways or where landscaping may obstruct sight distance or in more rural sections of the trail where there would be crossings of roads with agricultural equipment. These impacts would be potentially significant*.*

Mitigation Measures - Based upon the analysis presented in Section 4.11 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure T-3(a) Trail Crossing Warning Signs. In addition to the proposed lighted crosswalks, caution signs shall be installed along vehicular roadways preceding each crosswalk to warn motorists of trail users.

- Mitigation MeasureT-3(b) Agricultural Access Safety. Informational signs shall be installed at the trail crossings of public roads along the northern and Watsonville reaches, warning trail users of the presence of agricultural vehicles. Signs shall also be installed where agricultural access points intersect with adjacent roadways, warning operators about the presence of pedestrians and bicyclists.

- Mitigation MeasureT-3(c) Right-of-Way Priority. Right-of-way priority at all roadway crossings shall be determined by the RTC and/or implementing entity, in consultation with private property owners (where appropriate), during the design of individual trail segments. Where feasible, right-of-way preference shall be given to the facility with the higher volume of traffic (i.e., in locations where the roadway has a higher volume of vehicle traffic than pedestrian and bicycle traffic on the trail, right-of-way shall be given to the roadway; in cases where the trail is crossing a small private road or driveway that has a lower volume of traffic than the trail, right-of-way priority shall be given to the trail). Right-of-way shall be indicated with appropriate stop or yield sign given to the cross traffic.

Reference - FEIR pages 4.11-16 through 4.11-17.

5.8.2 Potentially Significant Impact T-5. Potential conflicts between pedestrian and bicyclists may occur at street crossings, where line of sight issues are encountered, or in other areas where there is not a separated path for different types of users. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The MBSST Network includes a number of roadway crossings or connections. In these locations, bicycles and pedestrians would cross the roadway in the same location, without the benefit of separate paths for different types of users. Such crossings may lead to conflicts between the two users groups, which could be a hazardous condition. In addition, some segments of the trail may not include separate paths for different trail users, leading to potential conflict in those areas.

The proposed MBSST Network Master Plan contains user conflict reduction strategies that

would minimize user conflict in multiple-use trails, including conflicts between pedestrians and bicyclists. Key strategies include the following:

1. *Design to minimize conflicts with separate trails or shoulders for pedestrian and equestrian use, where possible, and provide adequate width and sight lines, furnish turnouts at stopping points, etc.*
2. *Use clear signage or pavement markings to define etiquette and yielding protocol*
3. *Set expectations for multi-use*
4. *Enforcement of rules by volunteer trail patrols and/or a uniformed presence – especially when a trail is new to establish precedent and expectations*

The proposed Master Plan emphasizes trail etiquette through both informal and formal means. The proposed Master Plan recommends visual and simple displays of expectations, including the following potential courtesy advisories:

- *Wheels yield to heels*
- *Be courteous to all trail users*
- *Travel at a reasonable speed in a consistent and predictable manner*
- *Always look ahead and behind before passing*
- *Pass slower traffic on their left; yield to oncoming traffic when passing*
- *Give a clear warning signal before passing – use voice signal, not horn or bell, when passing horses*
- *Keep all pets on a short leash*
- *Move off the trail when stopped to allow others to pass*
- *Yield to other users when entering and crossing the trail*
- *All trail users should use a light and reflectors after dusk and before dawn*
- *Travel no more than two abreast*

Despite these design features, mitigation is required to reduce this potentially significant impact.

Mitigation Measures - Based upon the analysis presented in Section 4.11 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure T-5(a) Crosswalk Markings. The crosswalk marking used at all MBSST Network crossings of public roadways shall incorporate a distinctive crosswalk pattern to orient different types of trail users. The crosswalk markings may incorporate bike trail markings flanking the crosswalk (possibly green in color), separating pedestrians in the middle, with directional signs for bicyclists on either side.

- Mitigation Measure T-5(b) Line-of-Sight. Wherever feasible, the interface between the trail and intersecting roadway shall be designed so that the approaching driver and bicyclist or pedestrian have a view of each other within the appropriate stopping sight distance suggested by AASHTO Guidelines. This sight distance shall be provided through a combination of measures such as minor vegetation trimming and/or removal, sidewalk/shoulder curb extensions, roadway realignment or narrowing, etc.

Roadway Design Speed (mph)	Stopping Sight Distance (feet)
25	155
30	200
35	250
40	305
45	360

Reference - FEIR pages 4.11-24 through 4.11-26.

5.8.3 Potentially Significant Impact T-6. Construction activity associated with the MBSST Network could introduce a hazard by creating conflicts between construction vehicles and materials and existing vehicle traffic. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - During construction of the MBSST Network project, construction vehicles and related activity, including staging of materials and vehicles, may block existing vehicle travel lanes and/or interfere with traffic flow on intersecting roadways. The loss of travel lanes and roadway shoulder areas could potentially create conflicts due to unexpected merging. This is a significant but mitigable impact.

Mitigation Measures - Based upon the analysis presented in Section 4.11 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure T-6 Construction Activity. Prior to issuance of grading permits, the implementing entity for each trail segment shall prepare a traffic control plan based on Caltrans standards. The traffic control plan shall outline requirements for construction cone placements, temporary construction signage and flagger placement for conditions such as lane closures, shoulder closures, and/or lane narrowing.

Reference - FEIR page 4.11-26.

5.8.4 Potentially Significant Impact T-7. The proposed MBSST Network would include fencing. The installation of fencing may inhibit pedestrian access and reduce local connectivity. This is a Class II, *significant but mitigable* impact.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network Master Plan would include various types of trail fencing to be used in various environments along the trail network. Although the inclusion of trail fencing will be at the discretion of the RTC and/or implementing

entity on a segment-by-segment basis, trail fencing may potentially be included along the length of the MBSST Network due to trail and train operation protection needs. In urban areas, where most pedestrian and bicyclist activity would be anticipated, trail fencing would likely include 54-inch high smooth wire fencing or 72-inch high privacy fencing. In addition, where a high number of illegal rail crossings are expected, 72-inch high woven-wire security fencing may be included.

Installation of fencing in areas where pedestrians currently access the rail corridor may hinder this access and prohibit crossings at non-roadway crossings. Although such crossings are currently illegal, eliminating this accessibility may be perceived as a loss of local connectivity, and may impact the ability of locals to make short non-vehicular trips. This is considered a potentially significant impact to multi-modal connectivity.

Mitigation Measures - Based upon the analysis presented in Section 4.11 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure T-7 Trail Access. Where applicable, the RTC and/or implementing entities shall consider including openings in trail fencing to allow for pedestrian and bicycle access in locations other than staging areas and roadway crossings. If such openings are located on the trail side of the railroad tracks, no additional measures would be required. However, if the openings are located opposite the trail, such that bicyclists and pedestrians would be required to cross the railroad tracks to access the trail, then appropriate crossing equipment acceptable to the CPUC shall be included. These may include pedestrian railroad crossing gates and signage similar to what is proposed on other planned trail crossings of the railroad.

Reference - FEIR pages 4.11-26 through 4.11-27.

5.9 Public Safety and Services

5.9.1 Potentially Significant Impact PS-1. The proposed MBSST Network would result in an incremental increase in water demand, and some segments would be located in areas without adequate water to serve this demand. Impacts would be Class II, *significant but mitigable*.

Finding - Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the RTC hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Facts in Support of Finding - The proposed MBSST Network project would generate new water demand for landscaping maintenance and to service one proposed restroom in the Watsonville Reach. The proposed MBSST Network project would also incrementally increase water demand at existing restrooms and drinking fountains along the trail network.

The landscaping treatment along the proposed MBSST Network would vary along the corridor as it traverses from one region to another. The landscape treatment would be limited by availability of space in the trail corridor, narrow rights-of-way, railway operational clearance, agricultural operations, sensitive coastal bluffs, and other mitigating factors, and would be determined through the design phase of each segment in coordination with the

primary managing agency.

Currently there are existing segments of the MBSST corridor that follow highly urbanized areas with landscape treatments existing along street corridors, parks, adjacent open space, harbor edges, and beachfront areas. The landscape for new segments of the MBSST would vary with the setting and with the agency responsible for the design, implementation, and long-term maintenance. Landscape treatment in intense urbanized areas would include both native and non-native drought tolerant plant palettes. However, areas where the trail is located in and/or adjacent to native landscape settings, or rural and agricultural lands, every effort would be taken to maintain native and indigenous plant species in the planting and restoration efforts. Plant palettes would be determined as part of the design phase for each segment in coordination with the implementing entity. Planting plans would also comply with environmental studies and recommendations concerning sensitive or critical native plant habitats. Other precautions would consist of the strict avoidance of invasive species being included in any planting plans.

Although the proposed MBSST Network project is not anticipated to result in substantial water demand or a substantial increase in demand for water treatment, some segments of the trail are located in areas where water supply cannot be assured and/or where future water treatment capacity may be insufficient. In addition, the water landscape in Santa Cruz County is evolving, and fewer (or more) supplies may be available at the time a specific segment is proposed for development. Given the existing uncertainty, mitigation measures are required to reduce impacts to a less than significant level.

Mitigation Measures - Based upon the analysis presented in Section 4.12 of the FEIR, which is incorporated herein by reference, the following mitigation measures are feasible and made binding through the MMRP. With imposition of the following mitigation measures, impacts are less than significant.

- Mitigation Measure PS-1(a) Landscaping Irrigation. Where a segment is proposed in an area that may not have adequate water supplies or water treatment facilities, one or a combination of the following options shall be implemented:

    1) Landscaping shall be excluded from the trail design;
    2) Landscaping shall consist of native and drought-tolerant species that do not require long-term irrigation; or
    3) Landscaping requiring long-term irrigation shall utilize recycled water supplies.

    Landscaping plans shall be reviewed and approved by the implementing entity, in consultation with the water purveyor, prior to approval of each segment.

- Mitigation Measure PS-1(b) Retrofitting Existing Facilities. Where a segment is proposed in an area that may not have adequate water, the RTC and/or implementing entity shall ensure that there is no net increase in water demand for the affected water service area as a result of increased use of existing restrooms or water fountains. This may occur through one of the following options, or a combination thereof:

    1) Retrofit existing public restroom facilities at existing trail heads and staging areas (refer to Table 2-1 in Section 2.0, *Project Description*) to include low-flow toilets and other water saving devices;

2) Retrofit existing public restroom facilities at existing trail heads and staging areas to allow use of recycled water at existing facilities; and/or
3) Retrofit off-site public facilities (e.g. city or county offices, schools, etc.) that are within the same groundwater service area. The determination of the water demand that requires an offset, and the mechanisms for the offset, shall be determined by the implementing entity in consultation with the RTC and applicable water service provider(s).

- Mitigation Measure PS-1(c) New Bathroom in Watsonville Reach. Should the proposed new bathroom on the Watsonville Reach be sited in an area without adequate surplus water supplies to serve the facility, then one of the following options shall be implemented to ensure no net increase in water demand:

    1) Retrofit off-site public facilities (e.g. city or county offices, schools, etc.) that are within the same groundwater service area. The determination of the water demand that requires an offset, and the mechanisms for the offset, shall be determined by the implementing entity in consultation with the RTC and applicable water service provider(s);
    2) Install zero-water demand restroom facility (e.g. compost toilet); or
    3) Omit development of the new restroom facility.

Reference - FEIR pages 4.12-8 through 4.12-13.

6.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

CEQA Guidelines Section 15126.2(d) requires that an EIR:

> "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."

As a multi-use trail, the proposed MBSST Network project would not increase the residential or employment populations of Santa Cruz County. Rather, it would facilitate increased recreational opportunities for current residents and an alternative to passenger car travel for employees in the county. Consequently, no direct growth inducement is expected to result from MBSST Network Master Plan implementation.

Finding - The RTC hereby finds that the MBSST Network Master Plan does not result in any significant growth inducing impacts.

Facts in Support of Finding –

Economic and Population Growth. As a multi-use trail, the proposed MBSST Network project would not increase the residential or employment populations of Santa Cruz County. Rather, it would facilitate increased recreational opportunities for current residents and an alternative to passenger car travel for employees in the County. Consequently, no direct growth inducement is expected to result from MBSST Network Master Plan implementation.

The increased recreational opportunities associated with the MBSST Network project may, however, have indirect impacts by attracting trail users from outside the County. Although the proposed MBSST Network would have beneficial effects on county circulation by increasing

opportunities for the use of alternative modes of transportation, an influx of visitors may result in increased recreational traffic in the County, particularly on weekends. In addition, an influx of tourists may indirectly influence the market for the development of additional commercial establishments (e.g., restaurants, hotels, bike shops) in the vicinity of the proposed MBSST Network, due to a minor increase in demand for such services that may be created by trail visitors. The proposed MBSST Network project would also directly generate short-term employment during construction of the trail. However, jobs created by this additional activity would likely be filled by the local workforce and would not result in a significant source of employment or economic growth.

For the reasons described above, the proposed MBSST Network would not directly induce economic growth, but has the potential to indirectly induce a limited amount of economic growth in the unincorporated Santa Cruz County area, as well as cities of Santa Cruz, Capitola, and Watsonville, where the proposed MBSST Network would connect to existing and under-construction trails, existing bicycle facilities, or existing commercial development in those urban areas. However, it should be recognized that the ultimate extent of urban expansion in Santa Cruz County will largely be dependent upon a variety of other factors, including market forces and land use policies. Therefore, the proposed MBSST Network project would not be growth-inducing as it would not affect long-term employment opportunities or increase the region's population.

Removal of Obstacles to Growth. The proposed MBSST Network project would result in the construction of new facilities for active modes of transportation in Santa Cruz County, including bicycle, pedestrian, and equestrian paths. One new public restroom facility would be constructed within the Watsonville reach, which would be constructed to serve the incremental and intermittent needs of future trail users. The new restroom facility would not require expansion or construction of new water treatment infrastructure. In addition, any new water utility lines, if required, would be sized to serve the project only. Also, no new roads would be required to serve the MBSST Network project. Because of the nature of the project as a recreational and transportation multi-use trail, the proposed MBSST Network project itself does not remove an obstacle to growth. Because the proposed MBSST Network would not require the expansion or development of new infrastructure to serve the project, it would not remove an obstacle to growth.

Reference: FEIR pages 5-1 through 5-2.

7.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The RTC must consider the feasibility of any environmentally superior alternatives to the project, evaluating whether these alternatives could avoid or substantially lessen environmental effects while achieving most of the project objectives.

In evaluating and subsequently rejecting the alternatives, the RTC has examined the objectives of the project and weighed the ability of the various alternatives to meet those objectives. The decision-makers believe that the Project best meets these objectives with the least environmental impact. The specific objectives associated with the MBSST Network Master Plan are as follows:

1) Define a continuous trail alignment that maximizes opportunities for a multi-use bicycle and pedestrian trail separate from roadway vehicle traffic spanning the length of Santa Cruz County.

2) Develop public trail access along the Monterey Bay National Marine Sanctuary to enhance appreciation, understanding, and protection of this special resource.
3) Promote awareness of the trail, trail opportunities, and trail user responsibilities.
4) Develop a long- and short-term program to achieve the policies set forth in this plan through a combination of public and private funding, regulatory methods, and other strategies.
5) Develop the necessary organizational, staffing, and funding mechanisms to ensure that all trail segments, trailheads, and accessory features are safe, well-maintained, and well-managed.

The following alternatives were addressed in the FEIR:

- Alternative 1: No Project
- Alternative 2: On-Road Alignment
- Alternative 3: Reduced Project

Alternative 1: No Project

Description: The No Project alternative assumes that the proposed MBSST Network is not constructed. However, since regional plans endorse trail construction, this alternative assumes that bicycle/pedestrian trail planning and construction in areas other than the MBSST Network corridor would continue as envisioned under existing plans. Under this alternative, bicyclists would either follow existing bike paths, lanes, routes or other city and county roadways where formal facilities do not exist. Pedestrians would utilize existing sidewalks.

Finding: The RTC finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

Facts in Support of Finding: Because the No Project Alternative would eliminate (rather than reduce) many of the anticipated environmental effects of the project, it would be considered the most environmentally superior alternative. However, this alternative would not accomplish any of the objectives of the proposed project, including: defining a continuous trail alignment that maximizes opportunities for a multi-use bicycle and pedestrian trail separate from roadway vehicle traffic; developing public trail access along the Monterey Bay National Marine Sanctuary; or promoting awareness of the trail. Further, the proposed MBSST Network project would be expected to encourage increased use of bicycles and walking for local commuting, thus decreasing overall VMT. The No Project alternative would not promote alternative forms of commuting, and therefore would not result in a decrease in VMT or associated air quality and greenhouse gas improvements. Therefore, this alternative is not considered feasible.

Reference: FEIR Section 6.1.

Alternative 2: On-Road Alignment

Description: This alternative would eliminate the multi-use trail along the rail right-of-way and would instead utilize existing on road facilities, constructing new on-road bicycle improvements where needed. Pedestrians would utilize existing sidewalks or road shoulders. No equestrian facilities would be provided.

In the northern reach, this alternative would align with Highway 1. In the central reach, the alignment would follow the previously defined MBSST core alignment, utilizing existing on-road sidewalks, bicycle lanes (Class II), and separated bike paths (Class I) along the shoreline through Santa Cruz, Capitola, and unincorporated urban areas. Some new on-road bicycle improvements would be constructed, where exiting facilities are absent. In the Watsonville reach, this alternative would utilize Rio Del Mar Boulevard to Clubhouse Drive to Sumner Avenue to Seascape Boulevard to San Andreas Road to West Beach Street to Main Street/Porter Drive in Watsonville. On road facilities would also be constructed along West Beach Street, and a connection would be provided on Thurwacher Road from West Beach Street to connect to the Monterey County reach of the Monterey Bay Sanctuary Scenic Trail at the Pajaro River.

Improvements associated with this alternative would be limited to on-road bicycle facilities where existing facilities are not available. It is assumed that this alternative would only construct Class II designated bicycle lanes or Class III designated bicycle routes (and not a separated Class I bikeway), and would therefore not require roadway widening.

Finding: The RTC finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

Facts in Support of Finding: The On-Road Alignment alternative (Alternative 2) can be considered environmentally superior to the proposed MBSST Network project. This is primarily because this alternative would substantially reduce the number of improvements required, as well as overall disturbance area (due to the use of existing, disturbed roadway rights-of-way). As a result of the reduced area of disturbance, and the relocation of improvements away from the rail corridor, this alternative would reduce impacts related to: conflicts with rail operations, soil contamination, and ground-disturbance related effects (cultural and biological resources, erosion and erosion-related water quality). However, this alternative would not provide safe separation from vehicles or between trail users, and would therefore be in conflict with the project objective of developing a continuous trail alignment that maximizes opportunities for a multi-use bicycle and pedestrian trail separate from roadway vehicle traffic. There would also be substantially more roadway crossings, thus potentially increasing vehicle-related conflicts. Furthermore, this alternative would not fully meet the remaining project objectives, including: developing public trail access along the Monterey Bay National Marine Sanctuary; and promoting awareness of the trail. Therefore, this alternative is not considered feasible.

Reference: FEIR Section 6.2.

Alternative 3: Reduced Project

Description: This alternative would reduce the length of the project by eliminating ten segments from the proposed MBSST Network. Segments located in the more rural areas of the county would be eliminated (segments 1 through 6, segments 15 through 17, and segment 20). These segments total 31.5 miles, and are located in the northern and Watsonville reaches. The Reduced Project alternative would include construction of segments 7 through 14 (in the central reach) and segments 18 and 19 (in the Watsonville reach), for a total length of 18.1 miles. Along these ten segments, the alignment and design features would be identical to the proposed project.

The purpose of this alternative is to reduce environmental impacts while providing new bicycle and pedestrian facilities to the higher density areas anticipated to generate a greater demand for pedestrian and bicycling facilities. Improvements along the ten urban segments would be identical to the proposed project, and would include: various types of trail fencing; trail furnishings such as benches and seating areas, trash receptacles, bike racks, and picnic and shade shelters; rest areas containing trail furnishings, kiosks with traveler information, and interpretive signage; new pre-engineered and/or retrofitted bridges; roadway and railway crossings; and wayfinding signage. No improvements would be constructed along the eliminated segments.

This alternative would be the same width as the proposed project but would reduce the length of the project from 49.6 to 18.1 miles (a 63.5% reduction). Therefore, the overall disturbance area would be reduced. Because this alternative would eliminate improvements in the more rural areas of the Watsonville reach, the new restroom facility included in the proposed project for this location would not be included with this alternative.

Finding: The RTC finds that specific economic, legal, social, technological, or other considerations make this alternative environmentally inferior to the proposed Project. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

Facts in Support of Finding: By eliminating ten segments totaling 31.5 miles, the Reduced Project alternative would avoid numerous constraints anticipated in the northern reach and the more rural segments of the Watsonville reach, particularly related to biological resources. Since fewer segments would be constructed, construction-related impacts to air quality, noise, and traffic would also be reduced, as would ground-disturbance related effects (cultural resources, erosion and erosion-related water quality, biological resources). However, this alternative would not meet the goal of a providing a continuous trail alignment through the length of Santa Cruz County. In addition, because this alternative would fail to provide a link between urban areas of the County (through unincorporated and rural areas), it would not reduce VMT to the same extent as the proposed Project. Thus, this alternative would not achieve the same level of air quality and greenhouse gas emissions benefits as the proposed project. Furthermore, this alternative would not fully meet the project objectives, including: defining a continuous trail alignment that maximizes opportunities for a multi-use bicycle and pedestrian trail separate from roadway vehicle traffic; developing public trail access along the Monterey Bay National Marine Sanctuary; or promoting awareness of the trail. Therefore, this alternative is not considered feasible.

Reference: FEIR Section 6.3.

8.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources Code requires that when making findings required by Section 21081(a) of the Public Resources Code, the Lead Agency approving a project shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval, in order to ensure compliance with project implementation and to mitigate or avoid significant effects on the environment. The RTC hereby finds that:

1) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and the mitigation measures therein are made a condition of project approval. The MMRP is incorporated herein by reference and is considered part of the record of proceedings for the Project.

2) The MMRP designates responsibility and anticipated timing for the implementation of mitigation. The RTC and/or implementing entity will serve as the overall MMRP coordinator, and will be primarily responsible for ensuring compliance with all Project mitigation measures.

3) The MMRP prepared for the Project has been adopted concurrently with these Findings. The MMRP meets the requirements of Section 21021.6 of the Public Resources Code. The RTC will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period.

9.0 OTHER FINDINGS

The RTC hereby finds as follows:

1) The foregoing statements are true and correct;
2) The RTC is the "Lead Agency" for the Project evaluated in the CEQA Document and independently reviewed and analyzed in the Draft EIR and FEIR for the Project;
3) The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible and trustee agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;
4) The public review period for the Draft EIR was for 45 days between June 7, 2013 and July 22, 2013. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and notices of availability of the Draft EIR were published by the RTC. The Draft EIR was available for review at the RTC's Santa Cruz office, located at 1523 Pacific Avenue, Santa Cruz, CA 95060, and the Watsonville office, located at 275 Main Street, Suite 450, Watsonville, CA 95076, as well as some local libraries;
5) The CEQA Document was completed in compliance with CEQA;
6) The CEQA Document reflects the RTC's independent judgment;
7) The RTC evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the RTC prepared written responses describing the disposition of significant environmental issues raised. The FEIR provides adequate, good faith and reasoned responses to the comments. The RTC reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding adverse environmental impacts. The RTC has based its actions on full appraisal of all viewpoints, including all comments received up to the date

of adoption of these Findings, concerning the environmental impacts identified and analyzed in the FEIR.

8) The RTC finds that the CEQA Document provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period;
9) The CEQA Document evaluated the following impacts: (1) aesthetics; (2) agricultural resources; (3) air quality; (4) biological resources; (5) cultural resources; (6) geology/soils; (7) greenhouse gas emissions/climate change; (8) hazards and hazardous materials; (9) hydrology and water quality; (10) noise; (11) transportation/traffic; and (12) public safety and services. Additionally, the CEQA Document considered, in separate sections, significant irreversible environmental changes and growth inducing impacts of the Project, as well as a reasonable range of project alternatives. All of the significant environmental impacts of the Project were identified in the CEQA Document;
10) The MMRP includes all of the mitigation measures identified in the CEQA Document and has been designed to ensure compliance during implementation of the Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable;
11) The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the RTC and/or implementing entity will serve as the MMRP Coordinator;
12) In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the RTC has complied with CEQA Sections 21081.5 and 21082.2;
13) The impacts of the Project have been analyzed to the extent feasible at the time of certification of the CEQA Document;
14) The RTC made no decisions related to approval of the Project prior to the November 7, 2013 hearing. The RTC also did not commit to a definite course of action with respect to the Project prior to the November 7, 2013 hearing.
15) Copies of all the documents incorporated by reference in the CEQA Document are and have been available upon request at all times at the RTC's Santa Cruz office, located at 1523 Pacific Avenue, Santa Cruz, CA 95060, and the Watsonville office, located at 275 Main Street, Suite 450, Watsonville, CA 95076; the RTC is the custodian of record for such documents or other materials;
16) The responses to the comments on the Draft EIR, which are contained in the FEIR, clarify and amplify the analysis in the Draft EIR;
17) Having reviewed the information contained in the CEQA Document and in the administrative record, the RTC finds that there is no new significant information regarding adverse environmental impacts of the Project in the FEIR; and
18) Having received, reviewed and considered all information and documents in the CEQA Document, as well as all other information in the record of proceedings on this matter, these Findings are hereby adopted by the RTC in its capacity as the CEQA Lead Agency.