

Revised Draft  
ENVIRONMENTAL IMPACT REPORT

**Capitola to Aptos Recreational Rail  
Service with Extension to Seascap**



The Santa Cruz County  
Regional Transportation Commission  
State Clearinghouse Number - 2003102082

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# Chapter I

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## INTRODUCTION /EXECUTIVE SUMMARY

### A. Introduction and Background

On May 20, 2004, the Santa Cruz County Regional Transportation Commission (SCCRTC) published a Draft EIR for a 60-day public comment period. The Draft EIR contained an analysis of the potential environmental impacts of a proposed Capitola to Aptos Recreational Rail Service Project.

The SCCRTC received 54 comment letters on the Draft EIR and also received 12 oral comments at the public meeting held on June 17, 2004. The letters and oral testimony raised issues regarding the thoroughness and adequacy of the analysis contained in the Draft EIR.

In response to these comments, the SCCRTC conducted additional analyses in the areas of air quality, noise, and transportation. In August 2004, the SCCRTC published a Draft Business Plan for the recreational rail service that is based on considerably fewer trips per day than what was studied in the Draft EIR.

Rather than present this new project description and analyses in a Final EIR document, the SCCRTC elected in December 2004 to revise the Draft EIR and republish it for a 60-day public comment period. SCCRTC made this decision in order to maximize public input on its proposed project pursuant to the California Environmental Quality Act (“CEQA”), and to ensure that all interested members of the public were able to review, and comment in writing upon, modifications to the original Draft EIR made in response to public input and in light of new information not previously available in the spring of 2004.

This revised Draft EIR presents an analysis of both the Original Project (presented in the 2004 Draft EIR) as well as the proposed Business Plan Project Alternative, which is based on the operating plan presented in the Draft Business Plan. Both of the Original Project and a new alternative reflecting the proposed Business Plan are studied at a similar level of analysis and detail, so that SCCRTC could approve either one of them without the need for further environmental analysis beyond this Revised Draft EIR and the Final EIR that will follow. The potential impacts of the Business Plan Project Alternative are called out separately where they differ from the impacts of the Original Project. A complete copy of the proposed Business Plan is available from SCCRTC and is also available at [www.sccrtc.org](http://www.sccrtc.org).

This revised Draft EIR is now available for a 60-day comment period, ending on April 5, 2005. In accordance with CEQA Section 15088.5 (f)(1), the SCCRTC has notified all parties that commented on the previous Draft EIR that the revised Draft EIR is available for review.

***The Revised Draft EIR includes responses to all substantive environmental comments submitted on the previous Draft EIR and as such the SCCRTC encourages all parties to review this revised Draft EIR and provide new comments on the revised analysis and conclusions. In accordance with CEQA, the comments submitted on the previous Draft EIR remain as part of the administrative record; however, these comments do not require a written response in the Final EIR. The Final EIR will only contain***

**responses to new comments received during this 60-day public comment period. This approach is consistent with CEQA Guidelines section 15088..5(f)(1), which provides as follows:**

When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.

SCCRTC has followed the approach described above because it has intended, through revisions to the original Draft EIR, to address the substance of those comments made on the original Draft EIR that SCCRTC staff and consultants believed had merit. Under such circumstances, the process of responding to comments on the original Draft EIR would have diverted scarce financial and human resources away from the process of completing the Revised Draft EIR and from eventual possible expenditures for the mitigation of environmental impacts. (See Pub. Resources Code, § 21003(f) (“[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment”).)

## **B. Purpose and Objectives**

The general purpose of the proposed Capitola to Aptos Recreational Rail Service Project is to provide recreational rail service to tourists and local residents in the Capitola to Seascapes area through construction of necessary passenger platforms and associated infrastructure that would support rail service on a railroad line which has been in operation for over 100 years. More specifically, the project objectives are as follows:

- Provide recreational rail service to tourists and local residents in the Capitola to Seascapes area through construction of necessary passenger station/platforms and associated infrastructure that would support rail service on an existing railroad line.
- Develop a project that will provide access to, and not conflict with, existing land uses.
- Involve the public and in particular nearby residents, to ensure that the design of the station/platforms is compatible with the surrounding communities.
- Minimize impacts such as pollution, noise, traffic and lighting to the maximum extent feasible.

- Provide a low-impact<sup>1</sup> passenger rail service, which would enable the community to access funds to acquire the railroad right-of-way, a cross-county transportation corridor; and
- Provide an alternative mode of transportation for visitors consistent with the following *2001 Regional Transportation Plan* policies:

2.5.2 *Encourage private transit service for visitor-serving trips*

2.5.3 *Use the existing rail line for recreational/coastal access to minimize visitor impact on local streets and highways.*

The proposed project would be located within the jurisdictions of Santa Cruz County and the City of Capitola (See Figure 1 – Project Location) and would include six passenger platforms. Service would run in Santa Cruz County between Capitola and Aptos villages with a proposed extension to Seascapes. The length of the rail service including the extension would be approximately 6 miles. Six passenger platforms would be located along the rail line, as well as two siding (track extension) locations (See Figure 2 – Station and Siding Locations) for train storage and to allow freight train passage.

The setting of the existing branch rail and proposed project includes low/medium and high density residential, commercial and visitor-serving uses, parks and open space, and community facilities. The line also crosses several creeks and drainages. The platforms and siding locations would be constructed within the existing right of way and would not require the demolition of any existing structures and would not require acquisition of additional right-of-way.

The existing rail line is owned by Union Pacific Railroad, which runs freight service on the branch line between the Watsonville Junction in Pajaro, just over the border between Santa Cruz and Monterey Counties, to the RMC Pacific Materials cement plant in Davenport, Santa Cruz County.

For further information about the characteristics of the proposed project, see Chapter II *Project Description*.

## C. The Environmental Review Process

SCCRTC has the legal authority to approve or deny the proposed project. Prior to making a decision, the SCCRTC has decided that it will conduct an environmental review of the proposal, in accordance with CEQA, even though Section 21080 (b)(10) of the Public Resources Code exempts from the requirements of CEQA any “project for the institution of passenger or commuter services on rail . . . rights-of-way already in use, including modernization of existing stations and parking facilities.”

Although SCCRTC opted to prepare an EIR despite the existence of this statutory exemption, some commenters on the original Draft EIR questioned whether the project indeed qualified for this exemption. In response to these comments, SCCRTC staff notes that nothing in these comments changes SCCRTC’s

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<sup>1</sup> The planned recreational rail service is considered to be low impact in comparison to both the existing heavy freight rail service, and to a typical commuter rail service that would run more frequently through the project corridor. Both the Original Project and the Business Plan Project Alternative would utilize a rail car and would operate on a restricted schedule during the summer tourist season.

view that preparation of the EIR was a voluntary effort undertaken in order to maximize public input into the decisionmaking process. The right-of-way at issue here is indeed “already in use,” as has been for over 100 years, with the Union Pacific Railroad being the current operator. Although the above-quoted statutory language, by specifically referring to “modernization of existing facilities,” might be construed by some people not to apply to passenger rail projects involving the construction of new stations, the California Supreme Court, in the only reported court case interpreting the statute, has not imposed any such limitation. In *Napa Wine Train, Inc. v. Public Utilities Commission* (1990) 50 Cal.3d 370, the court held that the exemption applied to a project that instituted passenger service using 21 miles of an existing rail right of way despite the fact that the right of way had not been actively used for a few years before the passenger service commenced. The court reached this conclusion notwithstanding the fact that the project included “500,000 annual passengers, 5 daily round-trip trains, several new passenger stations, shuttle buses, sirens, and over 100 public and private railroad crossings[.]” (*Id.* at p. 386 (Kaufman, J., dissenting) (emphasis added).) In upholding the exemption as applied to the project, the court majority noted that, in creating the statutory exemption, “the Legislature determined that [the class of exempted projects] promoted an interest important enough to justify foregoing the benefits of environmental review.” (*Id.* at p. 382.) The court noted that “the exemption may reflect a desire to divert travelers from automobiles to passenger trains, thereby reducing exhaust emissions.” (*Ibid.*, fn. 18.) The court made it clear, moreover, that “passengers can include tourists.” (*Id.* at p. 383.)

In 2002, the SCCRTC also approved an initial study/negative declaration for the acquisition of the entire 32-mile branch rail line. Thus, the SCCRTC has previously conducted CEQA analysis with respect to the overall impacts associated with purchase of a much larger section of track than is addressed herein. Because the SCCRTC adopted the negative declaration and was subject to litigation challenging its adequacy, that prior document, as a legal matter, is deemed legally sufficient (see Pub. Resources Code, §§ 21167.2, 21167(b)), consistent with SCCRTC’s own evaluation of its work product. The project now before the SCCRTC – the institution of a recreational rail service covering only six miles of the 32 miles of rail purchased previously – is consistent with the policy direction embodied in the decision to acquire the overall 32-mile segment.

In general, CEQA requires public agencies, for those projects subject to CEQA, to consider and disclose to the public the environmental effects of proposed projects and to identify ways to avoid or significantly reduce environmental effects when feasible.<sup>2</sup> Although state law did not require SCCRTC to prepare either the original DEIR or this Revised DEIR, SCCRTC has nevertheless voluntarily chosen to take actions consistent with this general statutory directive.

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<sup>2</sup> Significant environmental effects are defined as substantial or potentially substantial adverse changes in the environment. (Pub. Resources Code, § 21068.) For more discussion on what is considered significant, see Chapter III *Environmental Setting, Impacts and Mitigation*.

## The Initial Study

As part of the environmental review process for the proposed project, the SCCRTC completed an Initial Study in October 2003.<sup>3</sup> The Initial Study assessed the project's potential for adverse significant impacts in the following areas: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Circulation, and Utilities and Service Systems. The Initial Study is attached as Appendix A of this EIR.

Consistent with CEQA Guidelines section 15082, the SCCRTC distributed the Initial Study and Notice of Preparation of an EIR for the project for a 30-day public review. The purpose of this review was to solicit input from the public and Responsible Agencies regarding the scope of the analysis to be contained in the EIR. During this scoping period SCCRTC received comment letters from state, regional and local agencies and members of the public.

## The Environmental Impact Report

Under CEQA Guidelines section 15063(c)(3), an Initial Study can be prepared to determine the scope of the analysis to be contained in the EIR. Based on the Initial Study, the SCCRTC determined that the analysis in the EIR could focus on the issues of air quality, noise, hazardous materials, safety, and traffic.

After receiving input on the notice of preparation and Initial Study, SCCRTC utilized the analysis undertaken in the Initial Study to determine the scope of this EIR. The Initial Study determined that the proposed project may result in significant environmental effects in the following environmental topic areas:

- Air Quality
- Hazards and Hazardous Materials
- Noise
- Transportation and Circulation

Based on the Initial Study and scoping comments, the SCCRTC prepared a focused EIR as allowed under CEQA Section 15063c(3)(A), which analyzes the five environmental topic areas listed above (see Chapter III *Environmental Setting, Impacts, and Mitigation*).

The analysis conducted for the Initial Study determined that with mitigation the proposed project would not have the potential to result in a significant impact in the following areas:

- Aesthetics
- Agricultural Resources

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<sup>3</sup> This evaluation was conducted in accordance with the CEQA Guidelines, which are promulgated by the State of California Resources Agency, with input from the Governor's Office of Planning and Research, in order to provide public agencies with legal context and methods for implementing CEQA in accordance with the law.



- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

Consistent with the mandate of CEQA Guidelines section 15128, the Initial Study, attached as Appendix A to both the original Draft EIR and this Revised Draft EIR, along with the summary of its conclusions found in Chapter 3.E.1, contains information “indicating the reasons that various possible significant effects . . . were determined not to be significant and therefore not discussed in detail in the [text of] the EIR.” (See also Pub. Resources Code, §21002.1(e) (“[t]o provide more meaningful public disclosure, reduce the time and cost required to prepare an [EIR}, and focus on potentially significant effects on the environment of a proposed project, lead agencies shall . . . focus the discussion in the [EIR] on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant”; “[l]ead agencies may limit discussion on other effects to a brief explanation as to why those effects are not potentially significant”).)

The original Draft EIR was circulated for public review for 60 days (May 20 through July 21, 2004) to elicit input from individuals and agencies that may be interested in the environmental effects of the project.

This revised Draft EIR will be circulated for a 60-day public comment period (February 4 to April 5, 2005). The SCCRTC will then prepare a Final EIR. The purpose of this Revised DEIR, like the original DEIR, is to inform the public, responsible and trustee agencies, and other interested parties of potentially significant environmental effects of the project. The EIR also identifies ways to minimize significant impacts and describes reasonable alternatives to the project. Three alternatives were analyzed: No Project, Compressed Natural Gas/Alternative Fuel and Less Frequent Service.

Consistent with CEQA Guidelines section 15132, the Final EIR will contain a copy of each comment letter, responses to those comments, and any necessary revisions to the EIR. When the SCCRTC is satisfied that the Final EIR fully addresses the public comments that were received, it will schedule a public hearing to consider the adequacy and completeness of the Final EIR.

After certification of the Final EIR, the SCCRTC will consider approval or denial of the proposed project and any alternative described herein (including the new alternative based on the proposed Business Plan), as described more fully in Section C below. (See CEQA Guidelines, §§ 15090-15093.) If the SCCRTC approves the project with findings adopting some or all of the mitigation measures proposed herein, the

applicant would be required to adhere to all adopted mitigation measures as set forth in such findings (see CEQA Guidelines, § 15091). Any future changes to the project may be subject to additional environmental and planning review by the SCCRTC. (See *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 357-360; CEQA Guidelines, §§ 15162-15164.)

## D. The Project Approval Process

After the Final EIR has been certified by the SCCRTC as adequate and complete (CEQA Guidelines, § 15090), a number of actions need to occur before the proposed project or an alternative can be formally approved and implemented:

- In taking action on the project, the SCCRTC must address and respond to each significant effect identified in the Final EIR. If the SCCRTC chooses to approve the project or an alternative despite possible significant environmental effects that might occur, the SCCRTC will first adopt findings addressing (i) the feasibility of mitigation measures proposed in the Final EIR, and, if necessary, (ii) the feasibility of any alternative that would substantially lessen or avoid any significant effect that could not be substantially lessened by the adoption of feasible mitigation measures. (CEQA Guidelines, § 15091(a).)
- The SCCRTC must adopt a mitigation monitoring and reporting program (MMRP) to facilitate implementation of the mitigation measures. The MMRP will identify a responsible party for implementation, a party responsible for monitoring, and the required timing (e.g., prior to issuance of grading permits, prior to start of construction, prior to occupancy). (CEQA Guidelines, § 15097.)
- Should any significant environmental effects remain despite the adoption of feasible mitigation measures, SCCRTC would adopt a “Statement of Overriding Considerations” supported by substantial evidence in the public record that indicates why SCCRTC believes that the approved project’s economic, social, or other benefits outweigh such significant environmental effects. (CEQA Guidelines, § 15093.)
- If legally required, SCCRTC will seek the following approvals from the City of Capitola: Planning Commission, Local Coastal Permit, and Architectural Design Review and Building Permits for station construction.
- A Coastal Permit from the California Coastal Commission would not be required unless a station is constructed on County land above Soquel Creek.<sup>4</sup> The SCCRTC does not propose to locate a station in this area.
- The SCCRTC must approve the project and incorporate appropriate feasible mitigation measures into any contracts or agreements for service.
- The SCCRTC will seek approval from the Federal Railroad Administration for the establishment of a quiet zone for the project corridor.

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<sup>4</sup> Susan Craig, California Coastal Commission, *Personal Communication*, April 19, 2004.

## **Format of This EIR**

This Draft EIR comprises six chapters. This chapter (Chapter I) includes an introduction to the project, the environmental review process, the project approval process, and a summary of environmental impacts and mitigation measures. Chapter II provides the project description, including information on the existing site and surrounding area conditions, the details of the proposed project, and the applicant's project objectives. Chapter III discusses the environmental setting, potential impacts (both project-specific and cumulative), and recommended mitigation measures specific to each environmental area addressed in this EIR. Chapter IV describes alternatives to the proposed project. Chapters V and VI list the people and agencies responsible for contributing to the preparation of this EIR, and the people involved in writing it.

## **E. Summary of Environmental Effects**

This EIR includes analyses of the environmental effects of the proposed project and recommends potentially feasible mitigation measures to mitigate such effects to a level that would not be considered significant. All potential project-related impacts identified would be reduced to a less-than-significant level with the implementation of these mitigation measures, should the cooperation necessary from the Federal Railroad Administration (“FRA”) be forthcoming with respect to Mitigation Measure C-3 (see p. III.C..20-21) and should Mitigation Measure E-1 prove successful either because, after completing engineering and design work, SCCRTC determines that it has land available for a new eastbound lane on Park Avenue in Capitola, or because the City of Capitola City Council chooses to amend its general plan to allow the occurrence of level of service (“LOS”) D at the intersection of Monterey Avenue and Park Avenue (see p. III.E.8) . Assuming such cooperation, no significant and unavoidable impacts would result from the project as proposed. Mitigation Measure C-3 would require SCCRTC to try to establish a “quiet zone” as a means of mitigating significant temporary or periodic noise impacts from whistle soundings and warning bells at grade crossings. If FRA approves this request, these impacts would be mitigated to less than significant levels. If the request is denied, the impacts would remain significant and unavoidable. SCCRTC has no way to ensure the cooperation of the FRA. Mitigation Measure E-1 provides for mitigating cumulative traffic impacts at the Monterey and Park Avenue intersection in either one of two ways:

(1) The capacity of the northbound right-turn lane from Monterey to Park Avenue can be improved by providing an additional eastbound lane on Park Avenue so that the northbound right-turns have a separate lane to turn into, essentially providing for a free right turn. This would require eastbound traffic to merge into a single lane further east of the intersection.

Under this scenario, SCCRTC would grant rights to accommodate the right turn lane and merge area along Park Avenue. The grant of rights would most likely be in the form of an access easement across a certain area within the ROW. The exact amount of land would be determined once conceptual designs for the turn lane are complete. Depending upon the design of and access to the rail platform at this location and any other uses or plans the SCCRTC has for the ROW in this area, the proposed widening of Park Avenue may or may not be feasible.

(2) If widening along Park Avenue is found to be infeasible, the City of Capitola may determine that there are valid constraints to improving this intersection. Under this scenario, and pursuant to existing City of Capitola policies, LOS D may be considered acceptable, but would require changes to the City Council resolution.

Table I.1 – Summary of Impacts and Mitigation Measures provides a detailed list of the environmental impacts related to the implementation of the proposed project (including cumulative impacts, mitigation measures, and the significance of each impact after implementation of mitigation). This table includes all of the mitigation measures that were identified in the Initial Study prepared for the project. A full discussion of impacts and mitigation measures can be found in Chapter III *Environmental Setting, Impacts and Mitigation*.

## **G. Environmentally Superior Alternative**

With the implementation of the proposed mitigation measures, the proposed project would not result in any potentially significant and unavoidable impacts, except possibly as described above with respect to Mitigation Measures C-3 and E-1.

The No Project Alternative would avoid any increase in noise and air pollutant emissions that would be associated with the proposed project even though, with the possible exception of temporary or periodic noise increases from whistle soundings and warning bells at at-grade crossings, those impacts are not considered significant. However, the No Project Alternative would not meet any of the project objectives.

Both Alternative 2 (Alternative Fuel) and the Business Plan Project Alternative would provide additional reductions in air pollutant emissions with Alternative 2 providing the most substantial reductions.

Alternative 2 would allow the applicant to meet the project objectives while reducing the environmental effects associated with the proposed project. Of the build alternatives, Alternative 2 would provide the greatest reduction in emissions. Coupled with the establishment of a community quiet zone in which the use of train horns can be discontinued, Alternative 2 utilizing the Business Plan Project Alternative operating schedule would be considered the environmental superior alternative among the alternatives evaluated, and would achieve the project objectives.

**Table I.1 – Summary of Impacts and Mitigation Measures**

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
<b>B. HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>Criterion 1: Significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials:</b> A Preliminary Site Assessment was prepared for the proposed project property in 1997. The report concluded that there is the potential for environmental contamination in the railroad right-of-way based on a review of historical records for the site. A Phase II soil and groundwater investigation should be conducted to determine the extent of any contamination. The Phase II Environmental Site Assessment is contingent upon Union Pacific allowing a Right of Entry to conduct detailed hazardous materials analysis.</p>	<b>Potentially Significant</b>	<p><i>Mitigation Measure B-1:</i> Pursuant to the Federal Railroad Administration (FRA) Passenger Equipment Safety Standards the train operator shall prepare and submit to the SCCRTC and Federal Railroad Administration a train refueling and maintenance plan and safety plan for train operation. The plan(s) shall include measures taken to minimize the potential for spills of hazardous materials during refueling and maintenance operations and safety measures to reduce the likelihood of an accident during operation. The plan(s) shall be prepared in accordance with applicable federal, state and local rules and regulations and shall be reviewed and approved by appropriate agencies prior to operation.</p>	<b>Less Than Significant</b>
<p><b>Criterion 2: Release of Hazardous Materials into the Environment:</b> The proposed project would not involve the use of hazardous materials with the exception of diesel fuel or other fuel used to run the train. Fuel could potentially be released into the environment in the instance of a derailment or refueling or maintenance activities; however, with adequate safety measures and maintenance procedures in place, these impacts would be anticipated to be less than significant.</p>	<b>Potentially Significant</b>	<p><i>Mitigation Measure B-2:</i> As recommended by the Phase I Preliminary Site Assessment, SCCRTC shall perform a Phase II soil and groundwater investigation to determine the extent of any existing contamination on the project site, including creosote residues. The scope of the investigation shall be determined by a qualified environmental professional in accordance with the state of the practice. The analytical testing of the soil samples shall be conducted in accordance with Environmental Protection Agency test methods as codified in EPA document SW846. Consistent with applicable regulatory criteria, SCCRTC shall implement any recommendations identified in the</p>	<b>Less Than Significant</b>

**Table I.1 – Summary of Impacts and Mitigation Measures**

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		Phase II investigation in order to protect public health and ensure the avoidance of any adverse effects from the operation of the Project.	
<b>C. NOISE</b>			
<p><b>Criterion 2 (Federal Regulations):</b> The current hourly average noise level (<math>L_{eq}</math>) without the proposed project is between 42 and 47 dBA at a distance of 25 feet from the rail line for the three measurement sites shown in Figure 3. The future projected <math>L_{eq}</math> when the train is operating would be 53 dBA at 25 feet, representing a 6-11dBA increase over the current <math>L_{eq}</math> of 42 to 47 dBA. FTA considers increases of 10 dBA or more as an impact.</p>	<p><b>Potentially Significant</b></p>	<p><i>Mitigation Measure C-1:</i> To ensure that noise generated by the proposed project is minimized, the specifications for new trains shall require that under cruising conditions at 25 mph, the maximum noise level during a train passby shall not exceed 83 dBA at a distance of 50 feet from the centerline of the track, which would correspond to an <math>L_{eq}</math> of 56 dBA or less.</p> <p>Implementation of this requirement would ensure that operation of the train itself will not result in an increase in sound of more than 8 dB over existing conditions. According to the FTA thresholds outlined in criterion 2, an increase of less than 10 dB is not considered significant. This mitigation measure will insure that the train finally selected will not be noisier than the Budd train and will have the noise characteristics of a self-contained diesel mechanical unit rather than a freight engine.</p>	<p><b>Less Than Significant</b></p>

**Table I.1 – Summary of Impacts and Mitigation Measures**

<b>Environmental Impacts</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
<p><b>Criterion 5 (temporary or periodic increase in ambient noise):</b> The frequency of whistle soundings at at-grade crossings and the sounding of grade crossing warning bells would increase proportionally with the increase in train trips. While the sound level of the whistle itself would not increase, the frequency of whistle soundings would increase during the days of operation, representing a potentially significant temporary or periodic increase in ambient sound during daytime periods when train service would be in operation. Noise levels generated by train whistles within a 700-foot radius of the crossing could be expected to reach over 100 dBA. The periodic increase in whistle soundings would be considered a potentially significant impact.</p> <p>Crossing bells typically generate a sound level of 69 to 71 dBA at a distance of 100 feet. The periodic increase in crossing warning bell soundings would be considered a potentially significant impact.</p>	<p><b>Potentially Significant</b></p>	<p><i><b>Mitigation Measure C-2:</b></i> Pursuant to FTA regulations, the Santa Cruz County Regional Transportation Commission (SCCRTC) shall agree to install for willing homeowners sound attenuation measures for those homes that could experience an increase of 10 dBA in ambient noise during the proposed period of service. With the implementation of Mitigation Measure C-1, homes along the rail line would not experience a significant increase in sound level from the operation of the train itself. However, homes within 700 feet of the train horn and homes within 100 feet of the crossing gates would experience a substantial temporary or periodic increase in ambient sound.</p> <p>Sound attenuation measures could include double-paned windows as well as other sound insulating techniques, such as a sound wall or home insulation appropriate for the location. Implementation of this measure would ensure that the project would not result in a temporary or periodic increase in ambient sound of more than 10 dB over existing conditions.</p> <p><i><b>Mitigation Measure C-3:</b></i> The SCCRTC shall establish a community quiet zone for the proposed project corridor, if the Secretary of Transportation determines that the creation of a community quiet zone and the cessation of the use of train horns at rail crossings</p>	<p style="text-align: center;"><b>Less Than Significant</b></p> <p style="text-align: center;"><b>Less Than Significant if implemented. Otherwise the impact would</b></p>

**Table I.1 – Summary of Impacts and Mitigation Measures**

<b>Environmental Impacts</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		would not present a significant risk with respect to loss of life or serious personal injury.	<b>remain significant and unavoidable</b>
<b>D. TRANSPORTATION AND TRAFFIC</b>			
<p><b>Criterion 1 (Intersection level of service):</b> Although the project would not substantially worsen the level of service at area intersections, queues from the intersection of State Park Drive and Hillcrest could present a potential hazard due to the relatively short distance of approximately 14 car lengths between the intersection and the tracks spacing between intersections.</p> <p><b>Criterion 1 (design features):</b> Maximum speeds of 25 miles per hour could result in hazardous conditions at crossings if adequate safety devices are not in place.</p> <p><b>Criterion 4 (Pedestrian access):</b> The project would result in increased pedestrian activity at and around station platforms and may not provide adequate access for pedestrians and handicapped persons. This would be considered a potentially significant impact.</p>	<p><b>Potentially Significant</b></p> <p><b>Potentially Significant</b></p> <p><b>Potentially Significant</b></p>	<p><i>Mitigation Measure D-1:</i> Railroad crossing signals shall pre-empt traffic signals along State Park Drive to clear the crossing efficiently.</p> <p><i>Mitigation Measure D-2:</i> The SCCRTC shall implement all safety measures required by the Federal Railroad Administration as part of the establishment of a quiet zone within the six 6-mile project corridor. In the event that the Federal Railroad Administration chooses not to approve the establishment of a quiet zone, SCCRTC shall work with the California Public Utilities Commission and/or other public agencies to identify any measures that, in the absence of a quiet zone, may be required at railroad crossings.</p> <p><i>Mitigation Measure D-3:</i> SCCRTC shall review the</p>	<p><b>Less Than Significant</b></p> <p><b>Less than Significant</b></p> <p><b>Less than Significant</b></p>



**Table I.1 – Summary of Impacts and Mitigation Measures**

<b>Environmental Impacts</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		final platform design for consistency with accepted standards, such as the Americans with Disabilities Act (ADA) requirements. SCCRTC shall also improve, as necessary, all crosswalks and sidewalks accessing the station areas to ensure that they meet local standards. SCCRTC shall coordinate with the local (City or County) public works departments, as required to implement these improvements.	
<b>E. CUMULATIVE IMPACTS</b>			
<p><b>Cumulative Traffic Impact:</b> Under the cumulative conditions with and without the project, the intersection of Monterey and Park Avenues would operate at LOS D, which is below the City of Capitola’s Level of Service standard. This would be considered a potentially significant impact. The project would contribute 1.2 seconds per minute of delay to peak hour traffic at this intersection</p>	<b>Potentially Significant</b>	<p><b>Mitigation Measure E-1:</b> Mitigation of the cumulative impact to the Monterey and Park Avenue intersection can be achieved in either of the following two ways:</p> <p>(1) The capacity of the northbound right-turn lane from Monterey to Park Avenue can be improved by providing an additional eastbound lane on Park Avenue so that the northbound right-turns have a separate lane to turn into, essentially providing for a free right turn. This would require eastbound traffic to merge into a single lane further east of the intersection.</p> <p>Under this scenario, SCCRTC would grant rights to accommodate the right turn lane and merge area along Park Avenue. The grant of rights would most likely be in the form of an access easement across a certain area within the ROW. The exact amount of land would be determined once conceptual designs for the turn lane</p>	<p><b>Less Than Significant if implemented. Otherwise the impact would remain significant and unavoidable</b></p>

**Table I.1 – Summary of Impacts and Mitigation Measures**

<b>Environmental Impacts</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		<p>are complete. Depending upon the design of and access to the rail platform at this location and any other uses or plans the SCCRTC has for the ROW in this area, the proposed widening of Park Avenue may or may not be feasible.</p> <p>(2) If widening along Park Avenue is found to be infeasible, the City of Capitola may determine that there are valid constraints to improving this intersection. Under this scenario, and pursuant to existing City of Capitola policies, LOS D may be considered acceptable, but would require changes to the City Council resolution.</p> <p>The implementation of either of the mitigations measures outlined above would improve the intersection Level of Service to acceptable levels under the cumulative condition.</p>	
<b>IMPACTS AND MITIGATION DISCUSSED IN THE INITIAL STUDY</b>			
<p><b>Cultural Resources:</b> Construction activities associated with the proposed project (two sidings, six stations and related improvements) have the potential to disturb unknown prehistoric or historic archaeological resources or paleontological resources. This would be considered a significant impact under CEQA.</p>	<p><b>Potentially Significant</b></p>	<p><b>Mitigation Measure:</b> A qualified archaeologist shall be present on site during all ground-disturbing activities. If previously unidentified archaeological or paleontological resources or human remains are discovered during these activities, the project sponsor shall cease work in the immediate area until the archaeologist can assess the significance of the find and make mitigation recommendations, if warranted.</p>	<p><b>Less Than Significant</b></p>

**Table I.1 – Summary of Impacts and Mitigation Measures**

<b>Environmental Impacts</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		<p>The archaeologist shall make these decisions in consultation with the County of Santa Cruz or the City of Capitola, and with the Coroner in the case of human remains. To achieve this goal, the contractor shall ensure that all construction personnel understand the need for proper and timely reporting of such finds, and the consequence of any failure to report them. Project personnel shall not collect cultural resources.</p> <p>The California Historical Resources Information System (CHRIS) search indicated that there is a high possibility of identifying Native American sites and of identifying additional historic-period archaeological resources in the project area. If additional ground-disturbing activities other than station platforms construction are necessary, further archival and field studies by an archaeologist are recommended.</p>	