

## **Chapter 4**      **Comments and Coordination**

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Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including project development team meetings, outreach, and a public scoping meeting. This chapter summarizes the results of these efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

### **4.1 Scoping Process for the EIR/EA**

#### **4.1.1 Public Outreach**

A virtual open house was held from September 17, 2020 to October 18, 2020, for the project.

Following the release of the draft environmental document for the project, a public hearing would be conducted to receive public comments and answer questions about the project and environmental impacts. During this public review period, members of the public would be able to submit comments regarding the project.

#### **4.1.2 Notice of Preparation and Public Scoping Meetings**

A Notice of Preparation was issued for the project on September 17, 2020, and a 30-day comment period lasted from September 17, 2020 to October 19, 2020. The Notice of Preparation discussed potential environmental effects of the proposed project, based on preliminary information, and requested comments from agencies and interested members of the public regarding the significant environmental issues, reasonable project alternatives, and reasonable mitigation measures to be explored in the Project's draft EIR/EA. Comments received from the public on the Notice of Preparation include:

- **Project Description** – Comments included requests for a full description of all project elements, quantities of materials, measurements of impact areas, including staging and access routes for each alternative
- **Purpose and Need** – Comments included:
  - Suggesting that the project as proposed would not achieve the stated purpose and need;

- Advising the consideration of current trends that may affect the purpose and need such as potential decline in individual car travel and resilience with regard to wildfire and higher intensity storms;
- Statements supporting the project and the proposed improvements.
- Alternatives – Various commenters provided recommendations for alternatives to consider, such as:
  - Trail and transit on the rail corridor without auxiliary lanes and Bus-on-Shoulder improvements;
  - Bus-only lanes instead of auxiliary lanes;
  - Increased frequency of bus service;
  - Construction of a trail without rail service;
  - Trail designs that would preserve trees;
  - Consider each element of the project (auxiliary lanes, Bus-on-Shoulder, and rail trail) separately rather than combining them.
- Special-Status Species – Comments included recommendations such as:
  - Evaluate impacts, including an analysis of light impacts, and include avoidance, minimization and mitigation measures for special-status species including aquatic species, nesting birds, bat species.
  - Avoid all “take” of the State fully protected Santa Cruz long-toed salamander.
- Wetlands and Aquatic Resources – Comments included recommendations such as:
  - Avoid and minimize impacts to wetlands and waters, including areas subject to the Coastal Commission definition of wetland
  - Consider bridge designs that avoid placing piles, foundations, etc., in Aptos Creek
- Sea Level Rise – Comments included recommendations to address potential sea level rise impacts, including risk of future inundation, using guidance prepared by the Ocean Protection Council and Coastal Commission.
- Coastal Access – Comments included recommendations to evaluate opportunities for maximizing coastal access and recreational opportunities along the Santa Cruz Branch railroad.
- Traffic – Comments included recommendations such as:
  - Describe protocols for permitting buses to use highway shoulders and consider whether the proposed transportation improvements would be considered a capacity increasing project.

- Address safety concerns regarding Bus-on-Shoulder improvements, such as the potential for other motorists to begin driving on the shoulder and remove the availability of the shoulder for true emergencies.
  - Use vehicle miles traveled as the primary evaluation factor for potential transportation and traffic impacts.
  - Evaluate induced travel that may result in the event that the auxiliary lanes are converted to through-traffic lanes in the future.
  - Consider vehicle miles traveled reductions that may result from the implementation of high capacity public transit on the new railroad bridges included in the proposed project.
  - Address bicycle safety at transitions from the termini of the proposed Coastal Rail Trail segment.
- Property Acquisitions – Comments included addressing the need to inform property owners of the potential acquisitions of private property.
  - Parking – Comments included recommending the disclosure of potential reductions of existing parking spaces.
  - Construction-phase impacts – Comments included recommending nighttime construction hours to reduce impacts to commuter traffic.
  - Water quality -- Comments included concerns regarding the potential reduction in aquifer recharge resulting from increased impervious surface due to highway widening.
  - Climate change – Comments included concerns regarding potential effects on carbon emissions due to increased vehicle traffic and loss of mature trees.
  - Loss of mature trees – Comments included requesting information on the number, size, and locations of trees to be removed.
  - Noise – Comments included recommending the inclusion of future rail service in the noise analysis.
  - Project Support or Opposition – Various commenters expressed support or opposition to the project or specific elements of the project.

A virtual public scoping open house was held during the comment period from September 17 to October 18, 2020, to present to the public factors to be considered in the draft environmental document for improvements on this segment of State Route Highway 1 and Segment 12 of the Coastal Rail Trail, and to receive comments. The virtual open house included linked webpages (or “stations”) and other materials that provided information about the project background, proposed improvements, anticipated environmental studies, project funding and schedule, as well as an opportunity to submit comments online. The information that was available during the online open house is described below.

- Homepage. The homepage described the purpose of the open house and explained how to navigate the stations/linked webpages.
- Station 1 – Project Background, Purpose and Need. Station 1 described previous studies that informed the development of the proposed project, as well as the project purpose and the need for the project.
- Station 2 – Proposed Improvements. Station 2 provided a description of the improvements that are proposed to be included in the Project, along with a map identifying the project area, and a link to a fact sheet regarding the project.
- Station 3 – Environmental Review Process. Station 3 gave an overview of Caltrans' process for evaluating the project's potential environmental impacts. A preliminary summary of potential impacts of the project based on currently available information was also provided, along with a link to the Notice of Preparation .
- Station 4 – Funding and Schedule. Station 4 presented information regarding the project cost and funding sources, along with a project timeline.
- Station 5 – Comments. A fillable form was available on Station 5, to collect written comments from website visitors. Caltrans contact information was also provided, along with instructions for submitting comments by email or regular mail.
- Resources. Items that were available in the Resources section include:
  - Program. A Program webpage was provided, which included information regarding Santa Cruz County Regional Transportation Commission's Highway 1 Corridor Program and provided links to fact sheets regarding various past, ongoing, and proposed improvements.
  - Title VI. A Title VI webpage was provided, describing Caltrans' commitments to implement Title VI of the Civil Rights Act of 1964, which seeks to prevent discrimination in federally funded programs and activities. An online survey was also available for website visitors to complete, to assist Caltrans in carrying out its Title IV responsibilities.
  - PowerPoint. A PDF file of a PowerPoint presentation was provided, which gave an overview of the topics addressed by each station included in the online open house.

#### **4.1.3 Consultation and Coordination with Public Agencies**

During the preparation of the technical studies for the project, formal and informal coordination was conducted with the federal, state, and local agencies and entities listed below.

### **California Department of Fish and Wildlife**

A query of the California Department of Fish and Wildlife California Natural Diversity Database was conducted using the RareFind 5 internet application tool on March 4, 2021 for the search area encompassing the Soquel and Watsonville West, California U.S. Geological Survey 7.5-minute topographic quadrangles and the surrounding quadrangles (Felton, Laurel, Loma Prieta, Moss Landing, and Santa Cruz) (California Natural Diversity Database 2021).

### **Fish Passage**

On March 9, 2022 SWCA Biologists held a conference call with Larissa Clarke, Meg Perry and Sarah Sandstrom from Caltrans District 5 and Robert Stanley and Serena Stumpf from the California Department of Fish and Wildlife to discuss the issue of fish passage as it pertains to the Valencia Creek culvert under State Route 1 and Senate Bill-857. Representatives from Mark Thomas and ICF were also on the call. Based on this call, it was the opinion of the California Department of Fish and Wildlife that this location represented an opportunity to remediate a known fish passage barrier from the state highway system and benefit salmonid fish passage. It is also the California Department of Fish and Wildlife's opinion that this project falls within the requirements of Senate Bill 857 and SHC section 156.3 and section 156.4, and that remediation of the fish passage barrier is required.

On May 16, 2022, Larissa Clarke, Meg Perry, Sarah Sandstrom, and Executive Staff from Caltrans District 5 held a follow up conference call with Craig Weightman and Wesley Stokes from the California Department of Fish and Wildlife to further discuss the Valencia Creek fish passage barriers. Caltrans summarized two upcoming projects in the vicinity of Valencia Creek fish passage barriers on State Route 1 at post mile 9.97 and post mile 9.88, and previous conversations with the California Department of Fish and Wildlife at the staff level to date. A phased approach to correcting fish passage in Valencia Creek was discussed and the California Department of Fish and Wildlife stated that they would need assurances that commit Caltrans to completing both the short-term improvement and longer-term improvement, including documentation that funding has been secured for the future Caltrans project (EA 05-1N900). Caltrans made a commitment to move forward with a larger fix to the fish passage issues at post mile 9.97 and post mile 9.88 through the state SHOPP program funding. Current time estimates put the fish passage project to construction about two years after the start of construction of the Phase 3 Auxiliary Lanes project (05-0C734).

On May 18, 2022, the California Department of Fish and Wildlife replied via email with a meeting summary and indicated that the California Department of Fish and Wildlife is amenable to this project moving forward with incorporating an improvement to the post mile 9.97 fish passage barrier and 05-1N900 will follow up with long-term remediation to the fish passage barrier. The Caltrans project 05-1N900 is also programmed to address fish passage more

comprehensively to include post mile 9.88. These improvements would meet the requirement of Senate Bill 857.

On November 17, 2022, a field visit with Caltrans staff and the California Department of Fish and Wildlife was conducted to discuss the fish passage barrier and remediation options. After review of the fish passage concept, the California Department of Fish and Wildlife sent a letter on January 12, 2023 with recommendation and comments.

### ***National Oceanic and Atmospheric Administration***

An official list of federally endangered and threatened species under the jurisdiction of NOAA Fisheries that may occur in the Biological Study Area, and/or may be affected by the proposed project was obtained on April 1, 2023 using the California Species List Tool – Google KMZ of National Marine Fisheries Service Resources in California.

### ***U.S. Fish and Wildlife Service***

An official list of federally endangered and threatened species under the jurisdiction of the U.S. Fish and Wildlife Service that may occur in the Biological Study Area, and/or may be affected by the proposed project was obtained from the Ventura U.S. Fish and Wildlife Service Office via the Information of Planning and Consultation website April 1, 2023 (IPac 2023). Inter-agency consultation with the Service under Section 7 of Federal Endangered Species Act is required for potential effects of the proposed project on steelhead and Tidewater Goby. A Biological Assessment is being prepared by Caltrans and will be submitted to the U.S. Fish and Wildlife Service to initiate Federal Endangered Species Act consultation and request a determination on the effects of the project on monarch butterfly, tidewater goby, California red-legged frog, least Bell's vireo, and southwestern willow flycatcher.

### ***California Native Plant Society***

California Native Plant Society's Inventory of Rare and Endangered Plants of California was queried on March 4, 2021 for the Soquel and Watsonville West, California USGS 7.5- minute topographic quadrangles and the surrounding quadrangles (Felton, Laurel, Loma Preta, Moss Landing, and Santa Cruz) (California Native Plant Society Inventory of Rare and Endangered Plants of California, 2021).

### ***U.S. Department of Agriculture***

The U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey database (USDA NRCS 2019) was accessed to identify soil map units in the vicinity of the project site. Soils included on the Hydric Soils List for Santa Cruz County (USCA 2020) were noted where applicable.

General Land Office and Rancho Plat maps were acquired from the Bureau of Land Management, Sacramento.

### ***Natural Resources Conservation Service***

Landform age was assessed based on soil survey data (Natural Resources Conservation Service 2020) in combination with Far Western's extensive radiocarbon database (with dates from both natural and cultural contexts), specifically dates that are associated with those soil units when available, as well as relative degree of soil development as described for the mapped soil unit, cut-and-fill relationships, and geomorphic position.

### ***State Water Resources Control Board***

A search of the State Water Resources Control Board's GeoTracker website was conducted to identify sites that may impact groundwater or have the potential to impact groundwater. The GeoTracker online database contains sites that require groundwater cleanup as well as permitted facilities that could impact groundwater.

### ***Department of Toxic Substances Control***

A search of the Department of Toxic Substances Control's EnviroStor Database was conducted to identify environmental regulatory records associated with the project and nearby properties that would indicate environmental conditions (e.g., reported releases of hazardous substances and/or petroleum products), which may have the potential to adversely impact the project corridor and surrounding vicinity.

### ***Native American Heritage Commission and Coordination with local Native American Tribes***

Caltrans has initiated the tribal consultation and outreach process per the National Historic Preservation Act Section 106 and AB 52. Consultation with the Native American Heritage Commission and local Native American representatives was conducted by Caltrans with assistance from Far Western. Far Western requested a Sacred Lands File search with the Native American Heritage Commission. The following summarizes the results of this outreach.

- A request for a search of the Sacred Lands File and list of tribal representatives was sent to the Native American Heritage Commission on April 28, 2020, by Far Western Staff Archaeologist Nikki Wu. The Native American Heritage Commission responded on April 29, 2020, with positive results for sacred lands within the vicinity of the Area of Potential Effects and suggested coordination with the Costanoan Ohlone Rumsen-Mutsun Tribe for additional information. In addition, the Native American Heritage Commission provided a list of five tribal representatives for Santa Cruz

County. Ms. Wu initiated coordination and sent letters to each of the individuals on the list on May 1, 2020.

- One response, from Valentin Lopez of Amah Mutsun Tribal Band, was received; he requested that a Native American monitor be present for all ground-disturbing activity within 400 feet of known cultural resources sites and waterways. In addition, he requested Far Western reach out to Rob Cuthrell to discuss the project and make arrangements for a monitor. Formal consultation, and follow-up correspondence with Chairman Lopez and the remaining tribal representatives, was conducted by Caltrans District 5 staff. Lastly, Native American representative Esak Ordoñez of the Amah Mutsun Tribal Band participated in the test excavations at CA-SCR-2/H and CA-SCR-222/H.
- On June 13 and 24, 2022, five historical organizations were contacted to notify them of the project and inquire whether they had any special interest in or knowledge of the historic properties within the Area of Potential Effects. To date, no responses have been received.

Far Western facilitated a record search for cultural resources that included the California Historical Resources Information System. In addition to official maps and records on file at the California Historical Resources Information System, the following inventories, publications, and technical studies were consulted as part of the cultural resources record search:

- California Inventory of Historical Resources (1976 and updates)
- Office of Historic Preservation's Historical Property Data File, which includes:
  - National Register of Historic Places
  - California Register of Historical Resources
  - California State Historical Landmarks (1996 and updates)
  - California State Points of Historical Interest (1992 and updates)
- Office of Historic Preservation Archeological Determinations of Eligibility

### ***Paleontological Record Search***

A paleontological record search was conducted for the project using the institutional databases at the University of California Museum of Paleontology and the Santa Cruz Museum of Natural History. The Paleobiology Database was also consulted as part of the paleontological record search for the project.