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# County of Santa Cruz

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## COUNTY ADMINISTRATIVE OFFICE

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SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

July 21, 2004

**AGENDA:** July 27, 2004

BOARD OF SUPERVISORS  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, California 95062

### SALES TAX MEASURE FOR TRANSPORTATION PURPOSES

On June 22, 2004 the Board of Supervisors scheduled a special meeting of the Board of Supervisors for Tuesday, July 27, 2004, at 10:00 a.m., to consider placing a measure on the November 2, 2004, ballot seeking voter approval of a retail transaction and use tax ("Sales Tax") of one-half of one percent for a period of thirty (30) years to fund local transportation projects. To accomplish this end it is the recommendation of this office and County Counsel that your Board conduct a public hearing and take public comment on:

1. the proposed Local Transportation Sales Tax Ballot Measure; and
2. the Certified Environmental Impact Report/Addendum prepared by the Santa Cruz Regional Transportation Commission.

The material which follows provides a summary of the Expenditure Plan for the Sales Tax Measure and a summary of the attachments to this letter which include a Resolution of the Santa Cruz County Regional Transportation Commission which will be considered by the Commission on July 27, 2004 in advance of your Board's Special Meeting and two resolutions of the Board of Supervisors. The Resolutions of the Board of Supervisors make certain findings and take actions required by CEQA with regards to the EIR and place the proposed special tax measure on the November 2, 2004 ballot.

#### Summary of Proposed Expenditures

In summary, the proposed measure will provide needed financing for a broad range of transportation projects. The table below provides a summary of the proposed distribution and estimated amount.

**BOARD OF SUPERVISORS  
SALES TAX MEASURE FOR TRANSPORTATION PURPOSES**

**AGENDA: July 27, 2004  
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Expenditure Plan Summary ( 2003 Dollars)			
	Item	Percentage	Amount In Millions
Highway 1 Projects			
<b>J</b>	Highway 1 Widening/Carpool Lane Project	63.0%	\$363
✓	Highway 1 Bicycle/Pedestrian Crossings	1.0%	6
<b>J</b>	Highway 1 Express Buses	1.0%	6
<b>J</b>	Highway 1 Park and Ride Lots and Carpool Programs	1.5%	9
	Subtotal	66.5%	\$384
Other Transportation Projects			
<b>J</b>	Local City and County Transportation Improvements- Street/Road/Bicycle/Pedestrian/Transit	19.5%	\$112
<b>J</b>	Highway 17 Safety Programs	1.0%	6
<b>J</b>	Senior and Disabled Transportation Services	4.0%	23
<b>J</b>	Watsonville-Pajaro Junction Rail Station	1.0%	6
<b>J</b>	Costal Bicycle/Pedestrian Trail, adjacent to Rail Line	4.0%	23
<b>J</b>	Contingency/Reserve	3.0%	17
<b>J</b>	Administration	1.0%	6
	Subtotal	33.5%	\$193
	<b>TOTAL</b>	<b>100.0%</b>	<b>\$577</b>

**Attachments**

✓ **Attachment 1**

Attachment 1 is copy of the Resolution which will be considered by the Santa Cruz County Regional Transportation Commission at a meeting immediately preceding your Board's Special Meeting. If adopted the Resolution certifies the Final EIR and Addendum for the Local Transportation Expenditure Plan for the Sales Tax Measure and requests that the proposed Local Transportation Sales Tax Measure be placed on the November 2, 2004 ballot for consideration by the voters of the County.

--a

**✓ Attachment 2**

Attachment 2 is a Resolution of the Board of Supervisors making findings and taking actions in compliance with the California Environmental Quality Act ("CEQA) regarding the submission of a ballot measure to the voters. The exhibits and related documents for the Board of Supervisors' Resolution include the following:

1. The ballot language for the proposed Measure
2. The Ordinance text to be included in the voter information pamphlet
3. The Santa Cruz County Regional Transportation Commission 2001 Resolution certifying the Regional Transportation Plan's EIR, including Exhibits A and B and certain related documents which are on file with the Clerk of the Board of Supervisors. The related documents on file with the Clerk of the Board are listed below:
  - 2001 Regional Transportation Plan (December 2001)
  - Draft EIR for the 2001 Regional Transportation Plan (June 2001)
  - Final EIR for the 2001 Regional Transportation Plan (October 2001) including Appendix A
  - Notice of Determination (October 9, 2001)
4. The EIR Addendum (June 2004)

**✓ Attachment 3**

Attachment 3 is a Resolution of the Board of Supervisors calling for a Special Election to be held on Tuesday, November 2, 2004 for the purpose of submitting the Local Transportation Sales Tax Ballot Measure to the voters. This Resolution includes the language of the ballot measure and the text of the ordinance and expenditure plan. It should be noted that County Counsel has indicated that a minimum two thirds vote of the Board of Supervisors is required to place this matter on the November 2, 2004 ballot. A two thirds vote of the Board of Supervisors is four votes.

It is the practice of the County to publish the text of the ordinance which is being submitted to the voters in the *Voter Information Pamphlet* prepared by the Elections Department and mailed to each registered voter.

**BOARD OF SUPERVISORS**  
**SALES TAX MEASURE FOR TRANSPORTATION PURPOSES**

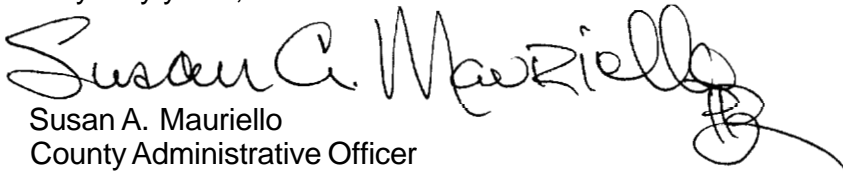
**AGENDA: July 27, 2004**  
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**Conclusion**

In conclusion, it is RECOMMENDED that your Board hold a public hearing and take public comment on the proposed Local Transportation Sales Tax Ballot Measure and the Certified Environmental Impact Report /Addendum prepared by the Santa Cruz Regional Transportation Commission and at the conclusion of the public hearing that your Board:

1. Adopt the Resolution in Attachment 2 making findings and taking actions in compliance with the CEQA, regarding the submission of the Local Transportation Sales Tax Ballot Measure to the voters; and
2. Adopt the Resolution in Attachment 3 Calling for a Special Election to be held on Tuesday November 2, 2004, for the purpose of submitting the Local Transportation Sales Tax Ballot Measure to the voters; and directing County Elections to consolidate and conduct the election.

Very truly yours,

  
Susan A. Mauriello  
County Administrative Officer

Attachments

cc: Santa Cruz County Regional Transportation Commission  
County Counsel  
Auditor-Controller

**Attachment ■**

Resolution of the Santa Cruz County Regional Transportation Commission which will be considered at a July 27, 2004 meeting immediately preceding the Board of Supervisors' Special Meeting of July 27, 2004.

## RESOLUTION NO. \_\_\_\_\_

## BEFORE THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION

on the date of July 27, 2004  
 on the motion of Commissioner  
 duly seconded by Commissioner  
 the following resolution is adopted

**A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND  
 ADDENDUM FOR THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION PLAN AS  
 THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED  
 SANTA CRUZ COUNTY LOCAL TRANSPORTATION EXPENDITURE PLAN AND  
 LOCAL TRANSPORTATION SALES TAX MEASURE**

WHEREAS, the Expenditure Plan and Ordinance for the proposed Local Transportation Sales Tax Measure would fund projects that were subject to program-level environmental review through the Final Environmental Impact Report ("Final EIR") for the *2001 Regional Transportation Plan for Santa Cruz County* ("RTP") prepared in accordance with the California Environmental Quality Act ("CEQA") as described more particularly in Resolution 13-02, adopted by the Santa Cruz County Regional Transportation Commission ("Commission") on October 4, 2001; and

WHEREAS, the Commission has reviewed the Final EIR for the 2001 RTP to determine whether the Final EIR adequately evaluates the projects listed in the Expenditure Plan and Ordinance; and

WHEREAS, once an EIR has been certified, CEQA Section 21166 and CEQA Guidelines Section 15162 provide the rules for determining whether the certified EIR provides a sufficient analysis of modifications to the project addressed in the Final EIR or if subsequent assessment is required; and

WHEREAS, if changes to a certified EIR are needed, CEQA provides that the changes may be in the form of an addendum to the certified EIR or, if certain criteria are met, a supplement to the certified EIR or a subsequent EIR; and

WHEREAS, a supplement or subsequent EIR may only be prepared when (1) substantial changes are proposed in the project or in the circumstances under which the project is undertaken that will require major revisions of the EIR due to the involvement of one or more new significant environmental effects not discussed in the previous EIR, or (2) new information of substantial importance shows that the project will have significant environmental effects not previously examined; or that significant effects previously examined will be substantially more severe than shown in the prior EIR; mitigation

measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project but the project proponents decline to adopt the mitigation measure or alternatives; or mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

BE IT RESOLVED **AND** ORDERED **BY** THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION that:

1. The circumstances requiring preparation of a subsequent or supplemental EIR established by Public Resources Code Section **21166** and CEQA Guidelines Section **15162** are not present for the reasons set forth more particularly in the Addendum. The analysis conducted in the Addendum establishes that the change in the project, involving identification of funding for transportation projects in the RTP, does not involve **new** significant environmental effects or a substantial increase in the severity of previously identified environmental effects.
2. Though the EIR Addendum identifies some of the possible impacts of individual projects, consistent with the **2001** RTP Final EIR, it does not evaluate site-specific impacts of individual projects. Specific project design efforts and subsequent environmental review for individual projects identified in this program EIR Addendum would be the subject of future technical study and review by the lead implementing agency sponsoring the transportation system modification.
3. The Final EIR and the Addendum have been presented to the Commission, and the Commission has reviewed and considered the information contained therein;
4. That Final EIR, previously certified with findings adopted on October **4, 2001**, and the Addendum are determined adequate to serve as a program-level EIR for this project and satisfy all the requirements of CEQA. The Addendum does not raise important new issues about the significant effects on the environment but rather updates the information considered in the original EIR for those projects and programs carried forward into the Expenditure Plan. The findings adopted on October **2, 2001**, for the Final EIR are hereby readopted for the purposes of the Addendum.
5. The Final EIR, as modified and supplemented by the Addendum, constitutes the "EIR" for the RTP and Expenditure Plan and Ordinance;

- 6. The EIR, consisting of the Final EIR and the Addendum, has been completed in compliance with CEQA; and
- 7. The EIR, consisting of the Final EIR and the Addendum, reflects the Commission's independent judgment and analysis.

BE IT FURTHER RESOLVED AND ORDERED that the Expenditure Plan and Ordinance for the proposed Local Transportation Sales Tax Measure be conveyed to the Santa Cruz County Board of Supervisors with the recommendation that said Measure be placed on the November 2, 2004, ballot for consideration by the voters of the County.

PASSED AND ADOPTED by the Santa Cruz County Regional Transportation Commission this 27<sup>th</sup> day of July, 2004, by the following vote:

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

\_\_\_\_\_  
Jan Beutz, Chair

ATTEST :

\_\_\_\_\_  
Linda Wilshusen, Secretary

Approved as to form:

\_\_\_\_\_  
County Counsel

Distribution:  
County Counsel, RTP and Expenditure Plan Files  
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### **Attachment 2**

Attachment 2 is a Resolution of the Board of Supervisors making findings and taking actions in compliance with the California Environmental Quality Act regarding the submission of a ballot measure to the voters. The exhibits and related documents for the Board of Supervisors Resolution include the following:

1. The ballot language for the proposed Measure
2. The Ordinance text to be included in the voter information pamphlet
3. The Santa Cruz County Regional Transportation Commission 2001 Resolution certifying the Regional Transportation Plan's EIR, including Exhibits A and B and certain related documents which are on file with the Clerk of the Board of Supervisors.
4. The EIR Addendum (June 2004)

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA**

**RESOLUTION NO. \_\_\_\_\_**

**On the motion of Supervisor  
Duly seconded by Supervisor  
The following resolution is adopted.**

**RESOLUTION MAKING FINDINGS AND TAKING ACTIONS IN  
COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,  
REGARDING THE SUBMISSION OF A BALLOT MEASURE SEEKING VOTER  
AUTHORIZATION FOR A ONE-HALF OF ONE PERCENT TRANSACTIONS  
AND USE TAX, THE PROCEEDS OF WHICH SHALL PROVIDE FUNDING  
FOR LOCAL TRANSPORTATION IMPROVEMENT PROJECTS.**

WHEREAS, the Santa Cruz County Regional Transportation Commission (the “Commission”) has recommended that the Board of Supervisors of the County of Santa Cruz seek voter approval of an ordinance authorizing the levy of a one-half of one percent transactions and use (“sales”) tax for a period of thirty years to fund certain transportation improvements (the “Ballot Measure”); and

WHEREAS, the Board of Supervisors is authorized under the provisions of Section 7285.5 of the Revenue and Taxation Code to levy said sales tax if the ordinance proposing that tax includes an Expenditure Plan describing the specific projects for which the revenues would be expended, and if the ordinance is approved by at-least a two-thirds vote of all members of the Board of Supervisors and by at-least a two-thirds vote of the qualified voters of the County voting in an election on the measure; and

WHEREAS, the Board of Supervisors has determined that it is in the best interests of the County and its residents to submit to the voters a proposed ordinance authorizing the levy of a one-half of one percent transactions and use (sales) tax for a period of thirty years to fund the transportation improvements set forth in the Expenditure Plan included as part of the ordinance; and

WHEREAS, the purpose of the Expenditure Plan is to implement certain goals and priorities of the *2001 Santa Cruz County Regional Transportation Plan* (the “2001 RTP”) through investment in a set of projects and programs contained in the 2001 RTP that include planning, maintenance and rehabilitation of, and improvement to the County’s multi-modal transportation system; and

WHEREAS, in considering adoption of the 2001 RTP, the Commission was required to prepare a program level Environmental Impact Report (“EIR”) in compliance with the requirements of the California Environmental Quality Act (“CEQA”); and

WHEREAS, on October 4, 2001, the Commission adopted Resolution 12-02, a copy of which is attached, that certified the Final EIR, which included the statutorily required findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and thereafter adopted the 2001 RTP; and

WHEREAS, pursuant to authority of Section 15164 of the CEQA Guidelines, the Commission prepared a program-level addendum to the previously certified EIR for the 2001 RTP for the purpose of evaluating the possible environmental effects associated with the proposed Ballot Measure, and in particular, the Expenditure Plan; and

WHEREAS, said addendum, a copy of which is attached, was considered by the Commission at a special meeting held on July 27, 2004, and the Commission acted to accept the addendum and add it to the previously certified EIR for the 2001 RTP for the purpose of evaluating the possible environmental effects associated with the proposed Ballot Measure; and

WHEREAS, the County is a responsible agency, as defined in Section 21069 of the Public Resources Code, with respect to its role in placing the Ballot Measure before the voters to authorize a new funding source to implement some of the transportation projects previously identified in the approved 2001 RTP; and

WHEREAS, a responsible agency complies with CEQA by considering the EIR prepared by the lead agency and by reaching its own conclusions on whether and how to approve the project involved; and

WHEREAS, it is a requirement of each responsible agency to adopt those findings required by subdivision (h) of Section 15164 of the CEQA Guidelines; and

WHEREAS, a public hearing was held by the Board of Supervisors on July, 27, 2004, following notice duly given as required by law, to consider the Commission's request that the Ballot Measure be placed on the November 2, 2004 ballot; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Santa Cruz finds, determines and orders as follows:

1. The Board of Supervisors of the County of Santa Cruz has reviewed and considered the Final EIR for the 2001 RTP, prepared and certified by the Commission on October 4, 2001.
2. The Final EIR considered by the Board of Supervisors includes an addendum, certified by the Commission on July 27, 2004, which evaluates possible environmental effects associated with the proposed Ballot Measure.
3. The Final EIR/Addendum discloses certain significant or potentially significant environmental impacts, which could be mitigated to less than significant levels. Findings and supporting analysis concerning these effects

and their respective mitigation measures are more fully set forth in Exhibit “A” of the Commission’s Resolution No. 13-02, which is incorporated herein by this reference. Those RTP projects and programs incorporated into the Ballot Measure Expenditure Plan are also described in the Addendum. The mitigation measures set forth in Exhibit “A”, in so far as they are applicable to any activity that will be undertaken by the County of Santa Cruz in furtherance of the Expenditure Plan’s projects and programs, are approved as adopted as part of any such activity to which they are applicable.

4. The Final EIR/Addendum describe a range of alternatives to the 2001 RTP. These alternatives and the reasons each was in conflict with one or more of the goals and objectives of the 2001 RTP are more fully set forth in Section III of Exhibit “A” of the Commission’s Resolution No. 13-02, which the Board of Supervisors hereby adopts and incorporates as its own by this reference.
5. The Final EIR/Addendum discloses certain significant or potentially significant environmental impacts that may not or cannot be avoided if the projects and programs of the Ballot Measure Expenditure Plan are implemented. These impacts are set forth in subdivision B. of Section IV of Exhibit “A” of the Commission’s Resolution No. 13-02. The Board of Supervisors hereby adopts and incorporates as its own the Statement of Overriding Considerations set forth in subdivision C. of Section IV of Exhibit “A”.
6. The Board of Supervisors hereby adopts and incorporates as its own, the Mitigation Monitoring and Reporting Program in so far as it is applicable to any activity that will be undertaken by the County of Santa Cruz in furtherance of the Expenditure Plan’s projects and programs.
7. Based on these herein stated Facts, Findings and Statement of Overriding Consideration, the Board of Supervisors hereby finds that for those projects and programs described in the Ballot Measure Expenditure Plan, all significant environmental effects have been eliminated or substantially lessened except for those unavoidable impacts set forth in the Statement of Overriding Considerations.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Santa Cruz hereby adopts and incorporates as its own, the determination set forth in the EIR Addendum for the 2001 RTP, and that a program-level addendum to the previously certified Final EIR for the 2001 RTP is the appropriate environmental document under CEQA for consideration of the proposed Ballot Measure, in that the change being contemplated involves an expenditure plan that identifies funding for transportation projects in a manner that is substantially conformant with the 2001 RTP, with no increase in the intensity of planned transportation and circulation improvements, and with no new significant environmental effects.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Santa Cruz, pursuant to the recommendation of the Santa Cruz County Regional Transportation Commission, and based on the foregoing findings, determinations, approvals and adoptions, hereby approves the submission to the voters of an ordinance authorizing the levy of a one-half of one percent transactions and use (sales) tax for a period of thirty years to fund the transportation improvements set forth in the Expenditure Plan included as part of the ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 27\* day of July, 2004, by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Chair of the Board of Supervisors

ATTEST: \_\_\_\_\_  
Clerk of the Board

Approved as to Form,

  
\_\_\_\_\_  
Office of the County Counsel

Attachments: Santa Cruz County Regional Transportation Commission Resolution  
No. 12-02

Environmental Impact Report Addendum for the 2001 Santa Cruz County  
Regional Transportation Plan regarding the Sales Tax Measure Expenditure  
Plan

DISTRIBUTION: CAO, Santa Cruz County Regional Transportation Commission

Ballot Language

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## Ballot Language

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### Measure \_\_\_\_ Local Transportation Improvement Act

Shall a half-cent sales tax be adopted to improve transportation in Santa Cruz County? Improvements will include: widening Highway 1 with carpool/bus/emergency lanes; improving local streets, sidewalks and bike paths, safety on Highway 17, elderly/disabled transportation; building a Coastal bike/walking path next to the rail line; and a Pajaro train station. This 30-year measure will be monitored by an independent oversight committee.

Ordinance Text

## ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE COUNTY OF SANTA CRUZ IMPOSING  
A ONE-HALF OF ONE PERCENT TRANSACTIONS AND USE TAX  
TO BE ADMINISTERED BY STATE BOARD OF EQUALIZATION  
FOR TRANSPORTATION IMPROVEMENTS INCLUDED IN THE  
SANTA CRUZ COUNTY LOCAL TRANSPORTATION EXPENDITURE PLAN

## ORDINANCE

The people of the County of Santa Cruz ordain as follows:

## SECTION I

The Santa Cruz County Code is hereby amended by adding Chapter 4.22 to read as follows:

Chapter **4.22**

TRANSPORTATION IMPROVEMENT  
TRANSACTIONS AND USE TAX

## Sections:

<b>4.22.010</b>	Summary.
<b>4.22.020</b>	Definitions.
<b>4.22.030</b>	Purposes.
<b>4.22.040</b>	Imposition of transactions and use tax.
<b>4.22.050</b>	Transactions tax rate.
<b>4.22.060</b>	Place of sale.
<b>4.22.070</b>	Use tax rate.
<b>4.22.080</b>	Adoption <b>of</b> provisions of state law.
<b>4.22.090</b>	Limitations <b>on</b> adoption of state law and collection <b>of</b> use tax.
<b>4.22.100</b>	Permit not required.
<b>4.22.110</b>	Exemptions and exclusions.
<b>4.22.120</b>	Conformance with statutory amendments.
<b>4.22.130</b>	Enjoining collection forbidden.
<b>4.22.140</b>	Bonding authority.
<b>4.22.150</b>	Maintenance of effort.
<b>4.22.160</b>	Matching funds.
<b>4.22.170</b>	Collection and administration of funds.
<b>4.22.180</b>	Administrative costs.
<b>4.22.190</b>	Effective date.
<b>4.22.200</b>	Election.
<b>4.22.210</b>	Implementing policies and regulations.
<b>4.22.220</b>	Independent audit committee.
<b>4.22.230</b>	Contract with state.
<b>4.22.240</b>	Expenditure plan amendment.
<b>4.22.250</b>	Termination date.

**4.22.010 Summary.**

Pursuant to Revenue and Taxation Code Section 7285.5, this Chapter provides for the imposition of a retail transactions and use tax (commonly known as a “sales tax”) of one-half of one percent for a period of thirty (30) years, the authority to issue notes, bonds, certificates of participation, or other forms of indebtedness secured by such taxes, the administration of the tax proceeds, and a Local Transportation Expenditure Plan. The transactions and use tax provisions of this Chapter shall be applicable in the incorporated and unincorporated territory of Santa Cruz County, which territory shall be referred to herein as “District”. This tax shall be in addition to any other taxes authorized by law, including any existing or future state or local sales and use tax or transactions and use tax.

**4.22.020 Definitions.** The following definitions shall apply in this Chapter and Expenditure Plan:

- A. “Auditor-Controller” means the elected Auditor-Controller of the County of Santa Cruz.
- B. “Commission” means the Santa Cruz County Regional Transportation Commission, the local area transportation planning agency created by Government Code Section, 67940.
- C. “County” means the County of Santa Cruz, governed by the Board of Supervisors.
- D. “Expenditure Plan” or “Plan” means the Santa Cruz County Local Transportation Expenditure Plan adopted as part of the Ordinance enacting this Chapter, including any future amendments thereto.
- E. “Fund” means the Regional Transportation Fund established by this Chapter and as set forth in Government Code Section 29532(a).
- F. “Highway Authority” means the Highway 1 Construction Authority, the joint exercise of powers agency created pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500, et seq.) of the California Government Code, committed exclusively to delivering the Highway 1 Widening/Carpool lane project.
- G. “Local jurisdictions” means the County of Santa Cruz, the City of Capitola, the City of Santa Cruz, the City of Scotts Valley and the City of Watsonville.
- H. “Sales Tax” or “Sales and Use Tax” means the retail transactions and use tax established by this Chapter.

**4.22.030 Purposes.**

The Commission has recommended that the County submit to the voters of Santa Cruz County for their approval an ordinance which would, if so approved, authorize the County to impose a one-half of one percent transactions and use tax for a period of thirty years to fund the transportation improvements set forth in the Expenditure Plan, and authorizes the public entities designated in the Expenditure Plan to issue notes, bonds, certificates of participation, or other forms of indebtedness served by said tax. Measure “X” funds may only be used for the transportation projects and programs outlined in the Expenditure Plan, including the administration of this Chapter, and legal actions related thereto, and the construction, capital, acquisition, maintenance, and operation of streets, roads, highways, including state highways and public transit systems, and for related purposes including financing costs and costs of issuance of any debt relating thereto. These purposes include expenditures for planning, environmental reviews, engineering and design costs, and related right-of-way acquisition. Expenditures for administration are subject to the limitations specified in Section 4.22.180 and in the Expenditure Plan.

**4.22.040 Imposition of transactions and use tax.**

This Chapter is enacted to achieve the following, among other, purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes.

A. To impose a one-half of one percent transactions and use tax for a thirty (30) year period in accordance with the provisions of Revenue and Taxation Code Section 7285.5;

B. To adopt a one-half of one percent transactions and use tax ordinance which incorporates provisions identical to those of the Sales and Use Tax Law of the State of California, insofar as those provisions are not inconsistent with the requirements and limitations set forth in Part 1.6 (commencing with Section 7251 and following) of Division 2 of the Revenue and Taxation Code;

C. To adopt a one-half of one percent transactions and use tax ordinance which imposes a tax that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting sales and use taxes;

D. To adopt a one-half of one percent transactions and use tax ordinance which can be administered in a manner which will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code (commencing with Section 7251 and following), minimize the cost of collecting this transactions and use tax and at the same time minimize the burden of record keeping upon persons subject to taxation under the provisions of this Chapter; and

E. Consistent with the amendment process specified in Section 4.22.240, the tax to be imposed by this Chapter may be retired earlier than the full 30-year term if funds are no longer needed for debt service and if all projects and commitments in the Expenditure Plan have been fulfilled.

**4.22.050 Transactions tax rate.**

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the District at the rate of one-half of one percent (0.50%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of the tax established by this Chapter.

**4.22.060 Place of sale.**

For the purposes of this Chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

**4.22.070 Use tax rate.**

An excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of the tax established by this Chapter for storage, use or other consumption in said territory at the rate of one-half of one percent (0.50 %) of the sales price of the property. The sales price shall include delivery

charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

**4.22.080 Adoption of provisions of state law.**

Except as otherwise provided in this Chapter and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Chapter as though fully set forth herein.

**4.22.090 Limitations on adoption of state law and collection of use tax.**

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

**A.** Wherever the State of California is named or referred to as the taxing agency, the name of this County shall be substituted therefore. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this County or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Chapter.

**3.** In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

**4.** In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

**B.** The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

**4.22.100 Permit not required.**

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Chapter.

**4.22.110 Exemptions and exclusions.**

**A.** There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

**B.** There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and

directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the county which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Chapter, the storage, use or other consumption in this District of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Chapter.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Chapter.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the

retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

7. "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 2141.1 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

D. Any person subject to use tax under this Chapter may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale of the property the storage, use or other consumption of which is subject to the use tax.

#### **4.22.120 Conformance with statutory amendments.**

All amendments subsequent to the effective date of this Chapter, to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Chapter, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Chapter.

#### **4.22.130 Enjoining collection forbidden.**

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the County, or against any officer of the State or the County, to prevent or enjoin the collection under this Chapter, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

#### **4.22.140 Bonding authority.**

Upon voter approval of Measure "X", the designated public entities shall have the power to sell, issue or incur, from time to time, on or before the collection of taxes, notes, bonds, certificates of participation, or other evidence of indebtedness, including, but not limited to, capital appreciation bonds, and to secure such indebtedness solely by way of a pledge of the present and future collection of taxes, for financing capital outlay expenditures described in the Expenditure Plan and this Chapter. Pursuant to this Chapter, the maximum bonded indebtedness which may be outstanding at any one time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but not to exceed the estimated proceeds of the tax as determined by the Expenditure Plan. The amount of bonds outstanding at any one time does not include the amount of bonds, refunding bonds or bond anticipation notes for which funds necessary for the payment thereof have been set aside for that purpose in a trust or escrow account.

#### **4.22.150 Maintenance of effort.**

By the enactment of this Chapter, it is intended that the additional funds to be provided to from the imposition of this transactions (sales) and use tax shall be used to supplement statutory commitments and required developer fees being used for transportation purposes.

**4.22.160 Matching funds.**

Notwithstanding the maintenance of effort requirements of Section 4.22.150, funds from Measure "X" may and are expected to be used as matching funds in order to leverage other federal, state, local or private transportation or other funds for applicable transportation projects and programs.

**4.22.170 Collection and administration of funds.**

The County shall impose and collect Measure "X" funds, and the Auditor-Controller shall establish and maintain a Regional Transportation Fund and allocate revenues derived from Measure "X" consistent with the Expenditure Plan authority cited herein. The Commission will administer the Expenditure Plan except for those funds allocated to the Highway Authority or local jurisdictions pursuant to the Expenditure Plan.

**4.22.180 Administrative costs.**

The Auditor-Controller shall be authorized to expend up to one percent (1%) of the annual net amount of revenue raised by Measure "X" for administrative expenses, audits, programming processes, reporting, financing costs, and other implementation and oversight responsibilities as may be necessary to administer the Expenditure Plan. The Commission shall be authorized to annually invoice the Auditor-Controller for the cost of compiling and publishing an annual report, providing public information concerning Measure "X" and other administrative responsibilities.

**4.22.190 Effective and operative dates.**

The Ordinance enacting this Chapter shall become effective according to law only if at least two-thirds of the electors voting on the Measure at the election on November 2, 2004, vote to approve its enactment. Pursuant to Revenue and Taxation Code Section 7265, this Chapter shall become operative on the first day of the first calendar quarter, commencing more than 110 days after the enactment of the Ordinance or as soon thereafter as applicable law permits.

**4.22.200 Election.**

The County shall call an election for voter approval of Measure "X", which election shall be held on November 2, 2004. The election shall be called and conducted in the same manner as provided by law for the conduct of elections by a county. Approval of Measure "X", and the imposition of the Measure "X" transactions and use tax described herein, shall require the affirmative vote of at least two-thirds of the electors voting on the Measure.

**4.22.210 Implementing policies and regulations.**

Upon approval of Measure "X" by two-thirds of the electors voting on the Measure, the Commission, the Highway Authority, and the local jurisdictions may each adopt policies and procedures and take such other action as may be necessary for the implementation of the Expenditure Plan authorized by this Chapter.

**4.22.220 Independent audit committee.**

A. An independent audit committee shall be established to oversee annual financial audits of the Fund, allocations, and expenditures of revenues from the Fund. Annual audits shall be published in at least two local newspapers of general circulation and shall otherwise be made fully available to the public.

B. The independent audit committee shall consist of of five members. The following named entities, its successor entity, or if the entity ceases to exist, a comparable entity designated by the Commission, shall each appoint one person as follows:

1. A person appointed by the League of Women Voters.
2. A person appointed by the Santa Cruz County Grand Jury sitting at the time a vacancy arises. This person shall not be a current member of the Grand Jury.
3. A person appointed by the Presiding Judge of the Santa Cruz County courts.
4. A person appointed by the local chapter of the Society of Certified Public Accountants (CPAs)
5. A person appointed by the Cabrillo College Board of Trustees.

C. Each committee member appointed shall serve a four year term, and may serve for more than one term.

D. Appointees do not need to be members of their appointing entities. No elected officials or Board members or alternates of any agency that is a recipient of Measure "X" funds shall be appointed to the Independent Audit Committee.

E. The committee shall adopt a conflict of interest code in accordance with the Political Reform Act of 1974.

#### **4.22.230 Contact with state.**

Prior to the operative date, the County shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the County shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

#### **4.22.240 Expenditure plan amendments.**

Amendments to this Chapter or the Expenditure Plan for Measure "X", may only be made by an affirmative vote of the electors voting on the amendment. Until any such amendments are approved, the then existing Expenditure Plan shall remain in full force and effect.

#### **4.22.250 Termination date.**

This Chapter shall terminate and shall be of no further force and effect on that date that is thirty years after the operative date provided in Section 4.22.190.

## SECTION II

In accordance with the requirements of Revenue and Taxation Code § 7285.5, the following expenditure plan describes those specific projects for which the revenues from the transactions and use tax established by Chapter 4.22 of the Santa Cruz County may be expended:

### SANTA CRUZ COUNTY LOCAL TRANSPORTATION EXPENDITURE PLAN

#### 1. INTRODUCTION

##### 1A. SUMMARY

The Santa Cruz County Local Transportation Expenditure Plan (“Expenditure Plan” or “Plan”), presented by the Santa **Cruz** County Regional Transportation Commission (“Commission”), identifies transportation improvements to be funded from a new one-half of one percent transactions and use tax, if two-thirds of the electors voting on November 2, 2004 approve Measure “X”.

The major projects to be funded by the Expenditure Plan are:

- Highway 1 Widening to add new carpool/bus lanes between Santa Cruz and Aptos
  - New Bicycle/Pedestrian crossings over Highway 1
  - Highway 1 Express Buses
  - Highway 1 Park and Ride Lots and Carpool Programs
- Local Transportation Improvements for Streets/Roads/Bicycles/Pedestrians/Transit
- Highway 17 Safety Programs
- Senior and Disabled Transportation Services
- A Coastal Bicycle and Pedestrian Trail next to the rail line between Santa Cruz and Watsonville
- A Train Station at the Watsonville-Pajaro Junction in Monterey County that links with trains to the Bay Area and the rest of California

The projects and programs included in the Expenditure Plan are designed to be implemented over the next 30 years. This Expenditure Plan is presented to the voters of Santa Cruz County as a means to fill the funding shortfall to: implement necessary highway, local street and road, transit, rail, bicycle, and pedestrian projects; provide adequate maintenance and improvements on the local street and road system; accommodate and promote economic growth throughout the county; and provide specialized programs to meet the needs of commuters, youth and the growing senior and disabled population.

##### 1B. GOALS AND OBJECTIVES

The purpose of the Expenditure Plan is to implement the goals and priorities of the 2001 *Santa Cruz County Regional Transportation Plan* through investment in a set of projects and programs contained in the *Regional Transportation Plan* that include planning, maintenance and rehabilitation of, **and** improvements to the county’s multi-modal transportation system.

1C. STRUCTURE

This Expenditure Plan is organized into six sections:

- Section 1: Introduction provides a *summary* of the purpose and goals of the Plan.
- Section 2: General Provisions provides further context on the Plan’s policies and administration.
- Section 3: Plan Summary provides the Plan’s investment detail by category.
- Section 4: Description of Proiects and Programs contains detailed descriptions of the projects and programs (by category and subcategory), and the types of items that are eligible for funding under each of them.
- Section 5: Implementation Provisions describes the process for prioritizing and allocating funds following adoption of the Plan.
- Section 6: Severance Provisions

2. GENERAL PROVISIONS

2A. BASIS FOR REVENUE AND COST ESTIMATES

2A1. SALES TAX REVENUES:

Revenues are estimated using economic projections that real growth in taxable sales will be 1.5% over the 30-year period of the Plan. The projection estimates the total revenue level at \$577 million (in 2003 dollars). This estimate is based on historical trends in sales and use tax receipts in Santa Cruz County, and was developed by the County of Santa Cruz (“County”) in collaboration with the Regional Transportation Commission.

Measure “X” revenue estimates have not been adjusted to reflect inflation. It is assumed that inflation revenue increases will be offset by inflation costs to deliver the projects.

2A2. OTHER REVENUES

Based on historical trends, Federal and State participation in highway, transit, and non-highway roadway improvements in Santa Cruz County is assumed to be an average of \$5 million per year, programmed biannually by the California Transportation Commission through the State Transportation Improvement Program (STIP) process. An additional \$4 million in federal funds are allocated to the region annually through the Federal Surface Transportation Act (currently TEA-21). The Santa Cruz County Regional Transportation Commission currently programs all of these funds on a discretionary basis consistent with state and federal law and regional and local policy. Additional revenues are allocated directly to cities and counties for transportation projects.

Revenues generated through the transactions (sales) and use tax measure will supplement the traditional transportation revenue sources identified above to complete implementation of the projects and programs identified in this Expenditure Plan. It is expected that the availability of locally-generated transportation revenues through the transactions (sales) and use tax measure will increase the potential to attract additional state and federal discretionary funds.

## **2A3. BASIS FOR COST ESTIMATES**

0027

All cost estimates used in this plan are based on preliminary engineering studies or program needs and expressed in 2003 dollars. Future costs may increase due to inflation or other factors. The 2003 cost estimates are to be used to determine the proportionate distribution of funds to the categories of projects and programs identified in the Plan.

## **2B. ADMINISTRATION OF THE SALES AND USE TAX MEASURE**

All sales and use tax measure funds shall be collected by and distributed through the County Auditor Controller. The Auditor-Controller shall establish a new fund in the County Treasury entitled "Measure "X" Regional Transportation Fund". The Auditor-Controller shall allocate Measure "X" funds consistent with Section 4 of this Plan to the Highway 1 Construction Authority ("Highway Authority"), to local jurisdictions, and to the Commission. In order to maximize efficient and cost-effective use of Measure "X" funds and reduce debt service, the Auditor-Controller is authorized, upon request of the Commission and Highway Authority and in consultation with other fund recipients, to modify annual allocations consistent with Section 5B, as long as overall Plan allocation levels are met.

The Commission, which currently allocates, administers and oversees the expenditure of federal and state funding for local and regional transportation projects and programs, shall allocate, administer and oversee the expenditure of all Measure "X" funds which are not directly allocated to the Highway Authority or to local jurisdictions.

## **2c. RESTRICTION OF FUNDS**

Sales and use tax revenues shall be spent on capital projects rather than to fund administration, operations and maintenance of existing transportation services, unless otherwise explicitly specified in the Plan Description in Section 4 as eligible non-capital expenses. In accordance with enabling legislation and adopted principles, transactions (sales) and use tax revenues generated pursuant to this plan shall be subject to the following restrictions:

- a. Sales and use tax revenues shall be used to supplement and under no circumstances replace existing local revenues used for transportation purposes.
- b. Proceeds from the sale or liquidation of capital assets funded with transactions (sales) and use tax revenues shall be returned to the Auditor-Controller (in proportion to the contribution of transactions (sales) and use tax revenues to the total original cost of the asset), for re-allocation to eligible expenses within the categories from which funds were originally expended
- c. Measure "X" funds may be used as matching funds to leverage other funding sources.
- d. Upon joint request by the Commission and Highway Authority, the Auditor Controller may make loans to other transportation projects from the Measure "X" Regional Transportation Fund if allowed for by cash flow, debt service, and prudent management of other demands on the fund by Plan projects. This will not affect the funding percentage to the local jurisdictions.

**2D. BONDING AUTHORITY**

0028

The Highway Authority and the Commission shall be authorized to request the County and its related entities to issue, from time to time, limited notes, bonds, certificates of participation, or other forms of indebtedness, payable from Measure "X" sales and use tax revenues.

It shall be the priority of this Plan that the issuance of bonds, certificates of participation, or other form of indebtedness for the Highway 1 Widening/Carpool Lane project, as necessary, shall take precedence over the issuance of bonds, certificates of participation, or other forms of indebtedness for other Plan projects. Debt Service on any Highway 1 Widening/Carpool Lane project financing shall have priority over other distributions.

**2E. ENVIRONMENTAL REVIEW**

Environmental reporting, review and approval procedures as provided for under the California Environmental Quality Act (CEQA), and/or the National Environmental Policy Act (NEPA), and other applicable laws shall be carried out as a prerequisite to the construction of any project to be funded partially or entirely with Measure "X" funds. Final design and alignment of specific projects may change in order to mitigate environmental impacts.

Program-level environmental review of the projects included in this Expenditure Plan has been conducted as part of adoption of the *2001 Santa Cruz County Regional Transportation Plan* and an addendum to that plan has been prepared which specifically addresses this ordinance and Expenditure Plan.

**3. PLAN SUMMARY**

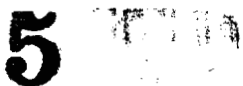
Table 1 summarizes the one-half of one percent transactions (sales) and use tax revenue allocations by project category and subcategory in constant 2003 dollars. The Local Transportation Expenditure Plan is fiscally constrained to the total funding expected to be available for each category.

Adoption of an ordinance to implement a new one-half of one percent transactions (sales) and use tax is necessary in order to fund the projects and programs listed in Table 1; this Plan is included as part of that ordinance. The tax shall be continued for the period of implementation of the Expenditure Plan and its updates, which is 30 years.

**TABLE 1: Santa Cruz County Expenditure Plan Summary**  
(\$ millions, shown in 2003 dollars -  
assumes 1.5% real growth in taxable sales)

**Highway 1 Projects:**

	<u>Percentage</u>	<u>Total Est. Revenues</u>
Highway 1 Widening/Carpool Lane Project	63.0%	\$363M
Highway 1 Bicycle/Pedestrian Crossings	1.0%	\$6M
Highway 1 Express Buses	1.0%	\$6M
Highway 1 Park and Ride Lots and Carpool Programs	1.5%	\$9M



**Subtotal      66.5%    \$384M    0029**

**Allocation of Remaining Revenues to Other Projects:**

Local City & County Transportation Improvements - <b>Street/Road/Bicycle/Pedestrian/Transit</b>	19.5%	\$1 12M
Highway 17 Safety Programs	1.0%	\$6M
Senior & Disabled Transportation Services	4.0%	\$23M
Watsonville-Pajaro Junction Rail Station	1.0%	\$6M
Coastal BicyclePedestrian Trail, adjacent to Rail Line	4.0%	\$23M
Contingency/Reserve	3.0%	\$17M
Administration	1.0%	\$6M

**Subtotal      33.5%    \$193M**

**TOTAL:      100%    \$577 million**

***NOTE:** Measure "X" estimates have not been adjusted to reflect inflation. It is assumed that inflation revenue increases will be offset by inflation costs to deliver the projects. All dollar amounts are approximate and have been rounded to the nearest million; see text for allocation instruction details.*

**4. DESCRIPTION OF PROJECTS AND PROGRAMS TO BE FUNDED**

This section contains general descriptions of the projects, categories and subcategories in the Plan, the types of projects or programs that are eligible for funding under each category, and allocation procedures. The final scope, cost, and project limits of all improvements will be determined through noticed public hearings, and environmental review processes.

**4A. HIGHWAY 1 PROJECTS**

State highways provide essential regional and local mobility for Santa Cruz County residents, businesses, and visitors. State highway improvement projects are needed to address local congestion and safety problems beyond those which can be funded with existing state and federal revenues. Projected state and federal formula funds are inadequate to fund most major highway improvements in Santa Cruz County. Measure "X" funds will supplement those funding sources and will cover the remaining costs estimated to accomplish the following highway improvements:

**4A1. HIGHWAY 1 WIDENING/CARPOOL LANES PROJECT - 63% per year (\$363 million)**

- x Widen Highway 1 from Morrissey Boulevard south to Aptos with one additional High Occupancy Vehicle (HOV) lane in each direction, for use by carpools, buses, and emergency vehicles
- x Add auxiliary lanes to improve merging of traffic at specific freeway interchanges
- x Add metering lights at on-ramps where appropriate/feasible

- x Add soundwalls and landscaping where appropriate
- x Modify interchanges and over-crossings as needed and improve bicycle/pedestrian facilities on those over-crossings
- x Use notes, bonds, certificates of finance, or other forms of indebtedness to finance construction of the project as soon as possible.

Allocation Instructions: Sixty-three percent (63%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Highway Authority for the Highway 1 Widening/Carpool Lane project. The total anticipated cost is \$491 million (including bicycle/pedestrian crossings listed below and anticipated interest payments on bonds). It is anticipated that a portion (\$101 million) of the total project cost will be funded from federal and state funding sources, as well as interest earned on the Measure “X” funds.

**4A2. HIGHWAY 1 BICYCLE/PEDESTRIAN CROSSINGS - 1% per year (\$6 million)**

In order to improve bicycle and pedestrian movement between communities on either side of Highway 1, funds will be used to construct bicycle/pedestrian bridges crossing over Highway 1 generally in the areas of Live Oak, and Aptos, and improve bicycle and pedestrian facilities on existing crossings. Exact locations will be determined during the project development phase of the Highway 1 Widening/Carpool Lane project.

Allocation Instructions: One percent (1%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Highway Authority for construction of the crossings as part of the Highway 1 Widening/Carpool Lane project.

**4A3. HIGHWAY 1 EXPRESS BUSES - 1% per year (\$6 million)**

Provide additional express bus service on Highway 1 between Santa Cruz and Watsonville, and major destinations within the county, including UCSC and Cabrillo College, in order to provide a reasonable alternative to the automobile for daily commuters who travel within the region. Measure “X” funds will be made available for operation of these services (eligible non-capital expense) and to match federal funds for capital bus purchases.

Public transportation offers communities many benefits – reduced traffic congestion and lower emissions, reduced wear and tear on roads, reduced parking demand, and essential access for non-drivers and those unable to afford automobiles. By providing access to schools, jobs, visitor attractions, and shopping, public transportation is a vital force in the local economy.

Allocation Instructions: One percent (1%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for Highway 1 Express Buses.

**4A4. HIGHWAY 1 PARK AND RIDE LOTS and CARPOOL/ALTERNATIVE TRANSPORTATION PROGRAMS - 1.5% per year (\$9 million)**

Commuter traffic created by Santa Cruz County residents traveling between, north, mid, and south County and traveling to jobs in neighboring Santa Clara and Monterey counties adds

significantly to the peak hour congestion on the local streets and the highway system. A number of programs have been implemented to maximize the number of people using the transportation network by encouraging commuters to share rides, reduce congestion, and take advantage of travel in the “carpool” lanes proposed in the Highway 1 Widening project. These programs may include: rideshare matching services; incentive programs; vanpool “seed money”; buspool subsidies; and park and ride lot leases. These programs will encourage maximum use of new highway lanes and will become even more essential in the future as traffic growth increases (eligible non-capital expense).

Allocation Instructions: One and one-half of one percent (1.5%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for Highway 1 park and ride lots and carpool/alternative transportation programs.

**4B. LOCAL CITY AND COUNTY TRANSPORTATION IMPROVEMENTS – STREET RESURFACING/MAINTENANCE, BICYCLE, PEDESTRIAN, AND TRANSIT - 19.5% per year (\$112 M)**

The existing local street/road, bicycle, and pedestrian systems are critical to the every day movement of people within the county. Much of the local street system has reached its expected life-cycle and years of deferred maintenance have resulted in an accelerated rate of pavement deterioration. Continued deferred maintenance will result in an exponential increase in the cost of roadway rehabilitation and reconstruction. Additionally, many sections of the county currently have inadequate bicycle and pedestrian facilities and programs. Current resources, without generation of new transactions (sales) and use tax revenues for transportation cannot provide adequate funding to maintain the local street and road system nor expand the bicycle and pedestrian system at the level necessary to adequately serve the public.

Projects that could be funded using revenues from Measure “X” may include:

- Fixing pot holes on local streets and roads, roadway repairs, rehabilitation and reconstruction
- Improvements to the Highway 1/9 intersection in the City of Santa Cruz
- New and improved sidewalks, especially near schools
- New and improved bicycle facilities, consistent with local agency bicycle plans
- Crossing guards (eligible non-capital expense)
- Improvements to transit facilities/service/park and ride lots

These funds will supplement existing federal, state, and local funds. Local transportation improvements adjacent to new residential and business developments will continue to be funded by local development fees. In order to be eligible for these funds, each agency will be required to adopt a Five-Year Capital Improvement Program, updated annually and adopted following a public hearing.

Allocation Instructions: Nineteen and one-half of a percent (19.5%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville and to the County for local street and road maintenance and improvements by a formula calculated annually based on proportionate population as reported annually by the State Department of Finance (DOF).

**4C. HIGHWAY 17 SAFETY PROGRAMS - 1% (\$6 million)**

- x Continue extra California Highway Patrol (CHP) enforcement (eligible non-capital expense)
- x Widen shoulders where feasible
- x Install traffic message signs and automated traffic monitoring stations
- x** Other Safety measures

Allocation Instructions: One percent (1%) of the annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for Highway 17 safety projects.

**4D. TRANSPORTATION FOR SENIORS AND PERSONS WITH DISABILITIES – 4% per year (\$23 million)****4D1. Expanded Transportation Services for Seniors and Persons with Disabilities**

Seniors and disabled persons are becoming an increasing percentage of the population each year. For seniors (age **60** and older) and persons with disabilities, access to healthcare, social services, shopping, and recreation is a key to quality of life. In addition, a number of specialized transportation programs have been implemented which meet specialized needs for transportation to medical services, social service agencies and programs, shopping and other purposes that cannot be met by conventional transit. **An** aging population will require expanded and enhanced specialized transportation services for the elderly and disabled in the future (eligible non-capital expense). To allow transit access, construction of new wheelchair curb ramps, reconstruction of existing ramps, and related roadway work will permit ease of movement for the mobility impaired, with an emphasis on areas near fixed route transit.

Allocation Instructions: Four percent (**4%**) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for transportation projects and services for seniors and persons with disabilities.

**4E. WATSONVILLE-PAJARO JUNCTION RAIL STATION FOR PASSENGER RAIL SERVICE TO THE BAY AREA AND THE REST OF CALIFORNIA - 1% (\$6 million)**

In order to enhance regional access for local residents and visitors, funds will be used to build a passenger rail station just south of Watsonville in Monterey County at Pajaro Station. This station will be served by Caltrain and Amtrak service to the San Francisco Bay Area and the rest of California. It is projected that 90% of the users of this station will be Santa Cruz County residents.

Allocation Instructions: One percent (1%) of the annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for the Watsonville-Pajaro Rail Station project. The project will be implemented by the Transportation Agency for Monterey County in coordination with the Commission.

**4F. COASTAL BICYCLE/PEDESTRIAN TRAIL - 4% (\$23 million)**

The Coastal BicyclePedestrian Trail, a path or “Rail Trail” adjacent to (not in place of) the Santa Cruz Branch Rail Line, will extend between Davenport and Watsonville. The rail corridor offers spectacular views of the Monterey Bay, historic trestles, and a flat surface free of automobile traffic. This trail will offer both commuter and recreational bicyclists and walkers a safe and enjoyable way to travel. Due to limited right-of-way in some sections of the rail right-of-way, portions of the trail may be designated on adjacent streets and roads.

Allocation Instructions: Four percent of the annual Measure “X” revenues shall be allocated by the Auditor-Controllerto the Commission for the Coastal BicyclePedestrian Trail.

**4G. CONTINGENCY RESERVE - 3% per year (\$17 million)**

In anticipation of possible cost overruns or project modifications that may arise for any of the specific projects listed herein, a 3% contingency is included in the Plan.

Allocation Instructions: Three percent (3%) of annual Measure “X” revenues shall be retained by the Auditor-Controllerfor this purpose, to be allocated by agreement of the Commission, the Highway Authority and the local jurisdictions for projects identified in the Plan as deemed to be necessary. If there are any funds remaining in the Contingency Reserve at the end of the term of the tax, those finds shall be allocated by the Auditor-Controller to the projects by the relative percentages in the Expenditure Plan.

**4H. ADMINISTRATION - 1% per year (\$6 million)**

Annual funds are needed by the Auditor-Controllerand the Commission to administer and oversee implementation of this Plan (eligible non-capital expense).

Allocation Instructions: The Auditor-Controllershall be authorized to collect up to one percent (1%) of the annual net amount of revenue raised by Measure “X” for administrative expenses, audits, programming processes, reporting, financial costs, and other implementation and oversight responsibilities as may be necessary to administer the Expenditure Plan. The Commission shall be authorized to annually invoice the Auditor-Controller for the cost of compiling and publishing an annual report, providing public information concerning Measure “X” and other administrative responsibilities. Any excess administration funds may be redistributed by the Auditor-Controller according to the percentages for projects included in this Expenditure Plan.

**5. IMPLEMENTATION PROVISIONS****5A. TAXPAYER ACCOUNTABILITY SAFEGUARDS****5A1. Legal Dedication of Funds**

Measure “X” funds may only be used for transportation purposes and as described in the Ordinance and Plan governing this program, including the construction, environmental mitigation of transportation projects, capital activities, acquisition, maintenance, and

operation of streets, roads, highways, including state highways and public transit systems and for related purposes. These purposes include but are not limited to expenditures for planning, environmental reviews, engineering and design, related right-of-way acquisition, construction, and payment of principal and interest on notes, bonds, certificates of participation, or other forms of indebtedness.

#### **5A2. Independent Audit Committee**

**An** Independent Audit Committee shall be established to oversee annual independent fiscal audits of the expenditure of tax revenues raised by Measure "X". The audits, which shall be published in local newspapers, posted on the web, and otherwise made available to the public, shall include the Independent Audit Committee's conclusions as to whether the expenditure of Measure "X" tax revenues is or is not in accordance with the Santa Cruz County Local Transportation Expenditure Plan as adopted by the voters in approving the transactions (sales) and use tax measure on November 2, 2004, and as may be amended consistent with the Ordinance and Plan. The audits shall report on whether requirements of this Ordinance and Plan have been met and that no more than one percent (1%) of total transactions (sales) and use tax revenues are used to administer this Plan, consistent with Section 4H.

The Independent Audit Committee shall be appointed as set forth in Section 4.22.220.

#### **5B. FUNDING FLEXIBILITY AND BONDING TO EXPEDITE PROJECTS**

The Auditor-Controller and Commission are authorized to make maximum use of available funds by temporarily shifting allocations between projects and programs which are included in the Plan, so long as no project included herein is deprived of needed funding. However, the proportionate shares for areas and purposes over the 30-year period may not be changed without an amendment of the Plan, as approved by the voters.

Designated entities may also use bonds to speed implementation of some projects.

#### **5C. INFORMING THE PUBLIC OF MEASURE "X" FUNDING SUPPORT**

All state highway, transit, and local arterial projects and programs using Measure "X" transactions (sales) and use tax revenues shall be signed or otherwise noted to inform the public that voter approved Measure "X" revenues are being used to support the project.

#### **5D. TERMINATION OF THE TAX**

The transactions (sales) and use tax authorized to be collected by the voters shall terminate on that date that is thirty years after the operative date provided in Section 4.22.190 of the Santa Cruz County Code. This tax may be retired early if funds are no longer needed for debt service and if all projects and commitments in the Expenditure Plan have been fulfilled.

**SECTION III**

If any provision of this Ordinance, including, but not limited to, any tax or other matter contained in the Santa Cruz County Local Transportation Expenditure Plan or Chapter 4.22 of the Santa **Cruz** County Code, is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining provisions of this Ordinance, and the people of the County of Santa Cruz declare that it would have passed each part **of** this Ordinance irrespective of the validity of any other part.

The Santa Cruz County Regional Transportation Commission 2001 Resolution certifying the Regional Transportation Plan's EIR, and the following Exhibits A and B and Related Documents which are on file with the Clerk of the Board of Supervisors.

## RESOLUTION NO. 13-02

Adopted by the Santa Cruz County Regional Transportation Commission  
on the date of October 4, 2001  
on the motion of Commissioner Beautz  
duly seconded by Commissioner Pirie

A RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE  
2001 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION PLAN  
AND ADOPTING THE 2001 PLAN

WHEREAS, the Santa Cruz County Regional Transportation Commission, in compliance with state law, is required to prepare and periodically update a Regional Transportation Plan (RTP) for Santa Cruz County;

WHEREAS, the Santa Cruz County Regional Transportation Commission, in compliance with the California Environmental Quality Act (CEQA), is required to evaluate the environmental consequences of the proposed Regional Transportation Plan;

WHEREAS, the Commission, has prepared, read, and considered the findings of the Program Environmental Impact Report (EIR) for the RTP;

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

1. The 2001 Santa Cruz County Regional Transportation Plan describes financial projections and the policies, programs and projects to be implemented by the Commission, local jurisdictions, and local, state and regional agencies through 2025;
2. These policies, financial projections, and actions have been developed consistent with state guidelines and in cooperation with local, regional, state and federal agencies and jurisdictions, and with members of the public participating in the planning process;
3. Response has been made to all comments received during the public review process;
4. The Commission hereby certifies that:
  - a. The Final EIR for the 2001 Santa Cruz County Regional Transportation Plan has been completed in compliance with CEQA;

- b. The Final EIR was reviewed and considered by the Commission, as the decision-making body;
- c. The Final EIR represents the Commission's independent judgment and analysis;

5. The Statement of Overriding Consideration (Exhibit A) is hereby adopted;

6. The Mitigation Monitoring and Reporting Program (Exhibit B) is hereby adopted; and

\*\*\*\* 7. Consistent with the above certification of the Final EIR, statement of overriding consideration, and mitigation monitoring program, the 2001 Santa Cruz County Regional Transportation Plan is hereby adopted.

AYES: COMMISSIONERS Beautz, Fitzmaurice, Gabriel, Johnson, Keogh, Lopez, Norton, Pirie, Wormhoudt and Almquist

NOES: COMMISSIONERS \*\*\*\*Fitzmaurice, Wormhoudt (No on #7)

ABSTAIN: COMMISSIONERS

ABSENT: COMMISSIONERS



Jeff Almquist, Chair

ATTEST:



Linda Wilshusen, Secretary

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

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

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**EXHIBIT A**  
**TO SCCRTC RESOLUTION NO. 13-02**

**FINDINGS**  
**UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**AND STATEMENT OF OVERRIDING CONSIDERATIONS**  
**for the**  
**2001 REGIONAL TRANSPORTATION PLAN**

**SECTION I**

**INTRODUCTION AND PROJECT BACKGROUND**

**A. Introduction**

This attachment contains findings and other information adopted by the Santa Cruz County Regional Transportation Commission ("Commission") in accordance with the California Environmental Quality Act ("CEQA") and the *State CEQA Guidelines* in approving 2001 Regional Transportation Plan ("project").

Documents referred to in the following sections are available for public review at the Santa Cruz County Regional Transportation Commission, 1523 Pacific Avenue, Santa Cruz, California 95060. Questions regarding this attachment should be addressed to Linda Wilshusen, Executive Director.

**B. Proposed Project**

The proposed project is an update of the County's existing 1994 Regional Transportation Plan. The Regional Transportation Plan (RTP) is a State-mandated comprehensive long-range (20-year) regional planning document that is used to guide the development of the Regional and Federal Transportation Improvement Program as well as other transportation programming efforts. The RTP identifies the region's transportation needs and issues, sets forth an action plan of projects, determines actions and programs to address the needs, and documents the financial resources needed to implement the Plan. The RTP establishes a clear vision of Santa Cruz County's regional transportation goals, policies, objectives, and strategies. The action element of the RTP includes all the major physical transportation planning projects being considered by the various agencies within the County. Such projects include road widenings and extensions, bicycle lanes and paths, transit projects, and other infrastructure related to transportation activities.

The RTP reflects all recent changes in legislative requirements, local land use policies, and resource constraints. The RTP is developed within the framework of the California Transportation Commission's Regional Transportation Plan Guidelines.



Upon adoption by the Santa Cruz County Regional Transportation Commission (SCCRTC), the plan will become the basis for future programming decisions regarding local, state, and federal transportation funds. Because the RTP is a long-range planning/programming document, it does not include specific project designs or construction schedules for any of the actions identified in the action element. Specific project design efforts and subsequent environmental review would be the subject of future technical study by the lead implementing agency sponsoring the proposed transportation system modification. In this regard, specific projects identified in the RTP may be substantially modified from their initial descriptions in the RTP.

## SECTION II

### CEQA FINDINGS FOR THE PROPOSED PROJECT

#### A. Introduction

The California Environmental Quality Act ("CEQA") (Public Resources Code Sections 21000-21177) and the *State CEQA Guidelines* (Cal. Code of Regulations, Title 14, Sections 15000-15387) require that specific findings be made if a lead agency decides to approve a project that will have significant impacts. Pursuant to State CEQA Guidelines Section 15091 (and PRC Section 21081), the Commission shall not approve or carry out the project unless the Commission makes one or more written findings for each significant effect identified in the certified EIR. The possible findings are:

- (1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant 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.*

When making findings pursuant to item (1) above, the agency must adopt a program for reporting on and monitoring the changes it has either required or made a condition of the project's approval. The Mitigation Monitoring and Reporting Program for this project has been prepared and is on file with the RTC's office.

With respect to significant effects which are subject to a finding under item (3), the public agency must find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. This statement of overriding considerations is included as Section IV of this attachment.

## B. Findings

The Commission determines that findings pursuant to *State CEQA Guidelines* Section 15091 can be made for the significant effects identified in the Final EIR. Furthermore, the Commission determines that findings may be made for the proposed project, as described in Section LB. above, and more fully detailed in Section 2.0 of the Final EIR Project *Description*. Appendix A (attached) lists the specific finding(s) that is (are) applicable to each significant effect. Appendix A also includes a reference to the primary source of information that supports or provides the rationale for each finding. Additional information supporting and providing a rationale for the findings may be included in other sources in the record. The primary and additional information sources are hereby incorporated in the findings by reference.

## C. The Record

The California Code of Regulations, Title 14, Section 15091(b) requires that the Commission's findings be supported by substantial evidence in the record. Accordingly, the Commission's record consists of the following:

1. Documentary and oral evidence, testimony, and public comments and responses received and reviewed by the Commission during public meetings on the project. The Commission took several steps to ensure that all interested parties had an opportunity to comment on the Draft EIR. The EIR public review process for this project is outlined in the table below:

Date	Public Review Opportunity
December 8, 2000 to January 19, 2001	30-day circulation period for Notice of Preparation (NOP)
January 4, 2001	Public Scoping Meeting for EIR
June 7, 2001 to August 6, 2001	60-day public review period for the Draft EIR
July 16, 2001	Public hearing before the Commission on the Draft EIR
August 2, 2001	Public hearing before the Commission on the Draft EIR
August 31, 2001	Responses to Comments sent to commentors
September 6, 2001	Public meeting on the Responses to Comments
September 20, 2001	Public workshop on the RTP and Final EIR
October 4, 2001	Public hearing before the Commission on the Final EIR and Final EIR Certification and project adoption

2. The Final Environmental Impact Report with Appendices, as certified on October 4, 2001.
3. All supporting materials related to the development of the 2001 Regional Transportation Plan.
4. Matters of common knowledge to the Commission which it considers, including but not limited to:
  - ◆ Formally adopted policies of the Santa Cruz County Regional Transportation Commission; and
  - ◆ The California Environmental Quality Act (CEQA) and the State *CEQA Guidelines* implementing the act.



## SECTION III

### CEQA FINDINGS FOR PROJECT ALTERNATIVES

#### A. Introduction

Pursuant to State CEQA Guidelines section 15091(a)(3), this section presents specific economic, legal, social, technological, or other considerations identified by the Commission which make infeasible the project alternatives identified in the Final EIR. Four alternatives were considered in the Final EIR. These alternatives and the considerations that make them infeasible are described in the following subsections.

#### B. Alternative 1: Agency Preferred Alternative

*Description.* This alternative assumes that only the projects planned "within projected funds" (constrained projects) identified in the 2001 RTP are implemented. These projects are shown in Table 2-1 in Section 2.0 of the Final EIR, *Project Description*. This list includes all those projects that currently have funding (as shown in Alternative 3 below) as well as those projects for which funding is likely to be available by 2025. As with Alternative 3, none of the projects needing new funding (new state, federal, or regional funding sources; new taxes, for example) would be constructed. The projects included in this scenario have the highest funding priorities, because the RTC has determined they are the most immediately important projects to help achieve the regional transportation goals identified in the RTP update.

*Findings.* Specific considerations, including the need to achieve regional transportation and air quality goals, and the need for public safety, make infeasible this alternative identified in the Final EIR.

*Facts in Support of Findings.* The Commission finds that this alternative is infeasible based on the following considerations:

1. By limiting the RTP to include only those projects within projected funding, long-term regional transportation goals may not be achieved, particularly those with regard to achieving a multi-modal transportation system in the region. This alternative would not include many of capital improvements, including road and bikeway improvements. These projects were intended to address traffic congestion identified by local agencies, and in many cases were intended as mitigation measures to reduce potential impacts associated with planned long-term development.
2. Under this alternative, key transportation control measures required by the AQMP and included in the 2001 RTP (ITS technologies, alternative fuel vehicles) would not be readily implemented and attainment of state and federal standards could be delayed.

3. This alternative would not include some of the roadway improvements intended to improve facility safety. The resulting traffic increases could adversely affect transport safety, which may increase the potential for accidents.

As such, the Commission will pursue new funding sources to implement regionally significant projects that need new funds.

### **C. Alternative 2: Modified Project Alternative**

*Description.* This alternative assumes that the RTP is implemented (both constrained and unconstrained projects), but that certain projects with the potential to create Class I (significant and unavoidable) impacts are eliminated, particularly with regard to biological and agricultural resources. This alternative would also eliminate projects that are potentially infeasible without substantial displacement of existing land development. Specific projects that would be eliminated under this alternative are described in Table 6-1 of the Final EIR, which also illustrates how their elimination would reduce potential impacts.

*Findings.* Specific considerations, including the need to achieve regional transportation, air quality goals, and the need for public safety, make infeasible this alternative identified in the Final EIR.

*Facts in Support of Findings.* The Commission finds that this alternative is infeasible based on the following considerations:

1. By excluding many planned projects, long-term regional transportation goals may not be achieved, particularly those with regard to achieving a multi-modal transportation system in the region. This alternative would not include many of capital improvements, including road and bikeway improvements. These projects were intended to address traffic congestion identified by local agencies, and in many cases were intended as mitigation measures to reduce potential impacts associated with planned long-term development.
2. Under this alternative, key transportation control measures required by the AQMP and included in the 2001 RTP (ITS technologies, alternative fuel vehicles) would not be readily implemented and attainment of state and federal standards could be delayed.
3. This alternative would not include some of the roadway improvements intended to improve facility safety. The resulting traffic increases could adversely affect transport safety, which may increase the potential for accidents.

### **D. Alternative 3: Programmed Project Alternative**

*Description.* This alternative assumes that the existing RTP is updated, but that only projects currently programmed in the Regional Transportation Improvement Program (RTIP) and funded as part of regular local agency operations would be implemented. None of the planned (non-funded or unconstrained) projects would be constructed. The projects that would be



implemented under this alternative are generally described in Table 6-2 of the Final EIR. Most of these projects do not have a "P" within the project number. It should be noted that this alternative is essentially a reflection of what could already happen through 2004, even if the RTP were not updated. This alternative assumes that no new capital improvement projects are funded after 2001.

*Findings.* Specific economic, social, and other considerations, including the need to achieve regional transportation, air quality goals, and the need for public safety, make infeasible this alternative identified in the Final EIR.

*Facts in Support of Findings.* The Commission finds that this alternative is infeasible based on the following considerations:

1. By eliminating many planned projects, long-term regional transportation goals may not be achieved, particularly those with regard to achieving a multi-modal transportation system in the region. This alternative would not include many of capital improvements, including road and bikeway improvements. These projects were intended to address traffic congestion identified by local agencies, and in many cases were intended as mitigation measures to reduce potential impacts associated with planned long-term development.
2. Under this alternative, key transportation control measures required by the AQMP and included in the 2001 RTP (ITS technologies, alternative fuel vehicles) would not be readily implemented and attainment of state and federal standards could be delayed.
3. This alternative would not include some of the roadway improvements intended to improve facility safety. The resulting traffic increases could adversely affect transport safety, which may increase the potential for accidents.

#### **E. Alternative 4: No Project Alternative—No New Development**

*Description.* This alternative assumes that no capital improvement projects are funded, implemented or constructed after 2001. Consequently, no change to the countywide transportation system would occur after this year.

*Findings.* Specific economic, social, and other considerations, including the need to achieve regional transportation, air quality goals, and the need for public safety, make infeasible this alternative identified in the Final EIR.

*Facts in Support of Findings.* The Commission finds that this alternative is infeasible based on the following considerations:

1. This alternative would not fulfill the RTC's general goals and objectives related to a multi-modal transportation system, as outlined in either the existing 1994 RTP or the 2001 RTP. For this reason, this alternative would also result in substantial inconsistencies with general plan goals and objectives of the various jurisdictions in

the county. This alternative would make it difficult for any of these jurisdictions to fully implement the Circulation Elements of their general plans.

2. By eliminating future transportation projects after 2001, long-term regional transportation goals would not be achieved.
3. Under this alternative, key transportation control measures required by the AQMP and included in the 2001 RTP (ITS technologies, alternative fuel vehicles) would not be readily implemented and attainment of state and federal standards would not occur.
4. This alternative would not include roadway improvements intended to improve facility safety. The resulting traffic increases could adversely affect transport safety, which may increase the potential for accidents.

## SECTION IV

### STATEMENT OF OVERRIDING CONSIDERATIONS

#### A. Introduction

CEQA requires the Commission to balance the economic, legal, social, technological or other benefits of the proposed project against its unavoidable environmental risks in determining whether to approve the project (*State CEQA Guidelines* Section 15093). If the benefits of the project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.

#### B. Significant Unavoidable Impacts of the Proposed Project

The Final EIR identified the following significant unavoidable impacts associated with development, both from a project-specific and cumulative perspective, for which a statement of overriding considerations must be made:

1. Implementation of some RTP airport, rail station and park and ride lot projects could result in localized traffic congestion (see Draft EIR, Section 4.1 Impact T-3).
2. Conversion of state-defined prime soils to transportation development for some projects (see Draft EIR, Section 4.2, Impact LU-4)
3. Various projects (road, rail and other transportation facilities) could potentially expose sensitive receptors to noise in excess of normally acceptable levels (see Draft EIR, Section 4.4, Impact N-2).
4. Development of some RTP roadway and airport projects could contribute to the alteration of the county's rural (or semi-rural) areas to a somewhat more suburban or urban condition, through the addition of lighting, glare, and urban features. In addition, implementation of some rail station, and ferry station projects could result

in deterioration of the urban visual environment (see Draft EIR, Section 4.5, Impact AES-2).

5. Some transportation projects could permanently alter natural habitat areas and/or affect sensitive species (see Draft EIR, Section 4.11, Impact B-2).

### **C. Statement of Overriding Considerations**

The Commission finds that the benefits of the proposed project outweigh the unavoidable adverse environmental effects described in Subsection B above, for the following reasons:

1. The Regional Transportation Plan update is required by state law.
2. The RTP is needed to preserve and maintain the existing transportation system.
3. Transportation projects included in the RTP are needed for the purpose of increasing public safety and efficiency of moving people and goods.
4. Transportation projects included in the RTP are needed to increase mobility by providing an improved and integrated multi-modal transportation system.
5. The RTP is needed to coordinate land use and transportation decisions to ensure that the region's social, cultural, and economic vitality is sustained for current and future generations.
6. The RTP is needed to make the most efficient use of limited transportation funds.
7. The RTP is needed as the appropriate forum to coordinate local and regional transportation plans, projects and funding.
8. The RTP update reflects extensive public input supporting the need for various transportation facilities.
9. The transportation projects included in the RTP, as a whole, are needed to reduce severe traffic congestion and the detrimental environmental impacts it causes.
10. The transportation projects as a whole are needed to protect public safety, the economic base of Santa Cruz County, the educational system of Santa Cruz County, and family lives of our residents.

In evaluating each of the overriding considerations and comparing them to the unavoidably significant impacts, the Commission has considered all of the information contained in the Final EIR, public comments, and other documents, testimony and proceedings in connection with this matter.

## APPENDIX A to Exhibit A

# CEQA FINDINGS FOR IMPACTS ASSOCIATED WITH THE PROPOSED PROJECT

This appendix contains findings and supporting analysis concerning effects on the environment which have been determined to be not significant or which have been mitigated to a less than significant level. Impacts that could remain significant even with implementation of all feasible mitigation measures and feasible alternatives are discussed in detail in Section IV (Statement of Overriding Considerations) of the document to which this appendix is attached.

Except as expressly provided to the contrary in this document, all environmental effects of implementation of the proposed project are hereby found to be not significant, both alone and in combination with the effects of other related projects.

### 1. TRANSPORTATION AND CIRCULATION

*Impact T-1: RTP roadway, transit, Intelligent Transportation System (ITS), and alternative fuel projects would address potential traffic congestion on existing roadways, and would implement regional circulation improvement projects contemplated in the General Plans of local jurisdictions. This is a beneficial impact.*

Mitigation Measures. None required.

Findings. Impacts would be beneficial, so no finding is required.

*Reference to Record:* Draft EIR (pages 4.1-18 and 4.1-19).

*Impact T-2: RTP projects that increase roadway capacity could redistribute vehicle travel from other travel modes, times or routes. However, this effect would not increase traffic volumes beyond pre-project conditions. This is a less than significant impact.*

Mitigation Measures. No mitigation measures are required.

Findings. Impacts would be less than significant, so no finding is required.

*Reference to Record:* Draft EIR (pages 4.1-19)

*Impact T-3: Although they would likely reduce regional traffic congestion, implementation of some RTP projects could result in localized traffic congestion that would be considered a significant and unavoidable impact.*

Mitigation Measures. RTP Goal 1, "Preserve and maintain the existing transportation system, emphasizing safety and efficiency," and its associated policies that encourage vehicle



occupancy, use of transit, and use of new technologies to reduce travel demand, would reduce project impacts related to localized traffic congestion. In addition, the following measures would reduce airport, rail, and park and ride lot project impacts on local circulation systems.

**T-3(a)** The agencies that propose an airport, rail, and park and ride lot project that is demonstrated to significantly impact local roadways shall design the project so that impacts are reduced or eliminated. This may involve a reduction in the size of the project, relocation of the project, or reconfiguration of project facilities. If physical changes to an impacting project are not feasible due to physical, economic, technological, or other constraints, the project proponent may be required to pay in lieu traffic mitigation fees such that roadways and/or intersections affected by the project maintain an acceptable level of service.

**T-3(b)** The jurisdictions that propose an airport, rail, and park and ride lot that is demonstrated to significantly impact local roadways shall incorporate into the design of the project facilities that encourage the use of alternative forms of transportation (e.g., provision of bike storage facilities, pedestrian facilities, etc.), as feasible. In addition, the facility shall provide additional carpool or vanpool incentives, as feasible.

**Findings.** The finding is made that considerations concerning the project outweigh potential impacts with respect to localized traffic congestion. Further, alternatives to the project are considered infeasible.

*Facts in Support of Findings:* Please refer to Section III and Section IV of the Findings and Statement of Overriding Considerations for the RTP. These sections describe the findings for the project alternatives, and the statement of overriding considerations for the proposed RTP.

*Reference to Record:* Draft EIR (pages 4.1-20 and 4.1-21).

## 2. LAND USE AND AGRICULTURE

**Impact LU-1:** *Some RTP projects may create land use conflicts with existing sensitive land uses and/or residential development. This is considered a significant but mitigable impact.*

**Mitigation Measures.** RTP Goal 3, to "Coordinate land use and transportation decisions to ensure that the region's social, cultural, and economic vitality is sustained for current and future generations", and its associated policies, would reduce RTP impacts related to land use compatibility. In addition, the following mitigation measures are required to reduce potential impacts related to conflicts with adjacent existing and planned residential uses:

**LU-1(a)** Setbacks, fences, or other appropriate means shall be used to separate transportation facilities with the potential to generate land use conflicts from adjacent sensitive land uses. Roadways shall be designed to minimize potential impacts to pedestrians and bicyclists, particularly those living in adjacent residential areas, or attending nearby schools.

Adequate striping, signs and signalization shall be installed to slow traffic where appropriate, and to reduce safety and noise impacts. The jurisdiction through which the impacting project traverses would be responsible for implementing this measure, which may in part be based on project-specific noise and safety studies required by the local agency.

- LU-1(b)** Street lighting, where necessary, shall be minimized to the extent possible in areas adjacent to sensitive land uses. Street lights shall be shielded, and oriented away from residential development. No street light shall exceed the minimum height requirement as dictated by Caltrans or local ordinance, as applicable.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures LU-1(a) and LU-1(b) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (page 4.2-3 and 4.24)

**Impact LU-2:** *During construction, many RTP projects would result in temporarily lane closures or other access restrictions that would disrupt existing homes, businesses, and pedestrian, bicycle, and transit routes. This is considered a significant but mitigable impact.*

Mitigation Measures. RTP Policy 1.6.3, to "Minimize adverse impacts on bicyclists and pedestrians during construction and maintenance activities by prompt repair, sweeping, and avoiding longitudinal seams on all road edges and curb areas including bicycle lanes" would reduce RTP project impacts related to access disruptions. In addition, the following measure is recommended to mitigate potential impacts relating to temporary disturbance to residences and businesses.

- LU-2(a)** For all transportation projects that could result in temporary lane closures or access blockage during construction, a temporary access plan shall be implemented to ensure continued access to affected cyclists, pedestrians, businesses, and homes. Appropriate signs and safe access shall be guaranteed during project construction to ensure that businesses remain open.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure LU-2(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (page 4.2-4)



**Impact LU-3:** *Some RTP projects could permanently displace or disrupt existing homes and businesses. This is considered a significant but mitigable impact.*

**Mitigation Measures.** The following mitigation measures are required to minimize impacts related to displacement:

- LU-3(a) The local jurisdiction in which an RTP project with the potential to displace residences or businesses (as indicated in Table 4.2-1) is located shall assure that project-specific environmental reviews consider alternative alignments that avoid or minimize impacts to nearby residences and businesses.
- LU-3(b) Where project-specific reviews identify displacement or relocation impacts that are unavoidable, the local jurisdiction in which the project is located shall ensure that appropriate local, state, and federal relocation programs are used to assist eligible persons to relocate. In addition, the local jurisdiction shall review and, if necessary, modify the construction schedules to ensure that adequate time is provided to allow affected businesses to find and relocate to other sites.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures LU-3(a) and LU-3(b) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (page 4.2-5)

**Impact LU-4:** *Some RTP projects could convert agricultural lands to transportation infrastructure. Although the actual level of impact from individual projects is not known at this time, the overall impact to agriculture is assumed to be significant and unavoidable.*

**Mitigation Measures.** RTP Policy 4.3, “Ensure that transportation projects contribute to the protection of biological and scenic resources, open space and agricultural land” would reduce project impacts related to conflicts with agricultural resources. No additional measures are available to mitigate the loss of agricultural lands, short of eliminating or realigning roadways that would traverse areas containing prime soils. However, the following measures would incrementally reduce impacts to agricultural lands and existing agricultural production:

- LU-4(a) When new roadway extensions are planned, the local jurisdiction in which the RTP project is located shall assure that project-specific environmental reviews consider alternative alignments that reduce or avoid impacts to agricultural lands.

**LU-4(b)** Rural roadway alignments shall follow property lines to the extent feasible, to minimize impacts to the agricultural production value of any specific property. Farmers shall be compensated for the loss of agricultural production at the margins of lost property, based on the amount of land deeded as road right-of-way, as a function of the total amount of production on the property.

Mitigation measure LU-1 (a), described in connection with Impact LU-1 above, which calls for appropriate setbacks and fencing, would also minimize trespassing and vandalism impacts.

Findings. The finding is made that considerations concerning the project outweigh potential impacts with respect to agricultural lands. Further, alternatives to the project are considered infeasible.

*Facts in Support of Findings:* Please refer to Section III and Section IV of the Findings and Statement of Overriding Considerations for the RTP. These sections describe the findings for the project alternatives, and the statement of overriding considerations for the proposed RTP.

*Reference to Record:* Draft EIR (pages 4.2-5 and 4.2-6)

**Impact LU-5:** *RTP policies are consistent with other regional **and** local transportation policies. Impacts with respect to transportation policy consistency would be less than significant.*

Mitigation Measures. No mitigation measures are required.

Findings. Impacts would be less than significant, so no finding is required.

*Reference to Record:* Draft EIR (pages 4.2-6 through 4.2-8)

### 3. AIR QUALITY

**Impact AQ-1:** *Many **of** the capital improvement projects included in the RTP would involve construction activity that could generate temporary increases in local air pollution. Because of their temporary nature, such impacts are considered significant **but** mitigable.*

Mitigation Measures. RTP Policy 4.2, to “Ensure that transportation projects contribute to improved regional air quality and reduced energy consumption” would reduce project impacts related to air quality. In addition, the following measures are recommended to mitigate impacts associated with RTP-related construction activity.

**AQ-1(a)** The local jurisdiction in which a particular RTP project is located shall ensure that MBUAPCD's standard dust control measures are implemented. The measures shall be noted on all construction plans and the local jurisdiction shall perform periodic site inspections. These measures may include the following:



- Water all active construction areas at least twice daily;
- Prohibit all grading activities during periods of high wind (over 15 mph);
- Apply chemical soil stabilizers on inactive construction areas;
- Apply non-toxic binders to exposed areas after cut and fill operations and hydroseed area;
- Haul trucks shall maintain at least two feet of freeboard;
- Cover all trucks hauling dirt, sand, or loose materials;
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land
- Plant vegetative ground cover in disturbed areas as soon as possible;
- Cover inactive storage piles;
- Install wheel washers at the entrance to construction sites for all exiting trucks;
- Pave all roads on construction sites;
- Sweep streets if visible soil material is carried out from the construction site;
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints; and/or
- Limit the area under construction at any one time

**AQ-1(b)** The jurisdiction in which a particular RTP project is located shall ensure that ground disturbance is phased to the extent possible to minimize the creation of fugitive dust. This shall be accomplished through review and approval by the local jurisdiction of the construction schedule submitted in association with the project's environmental review.

**AQ-1(c)** The jurisdiction in which a particular RTP project is located shall ensure that the Best Available Control Technology is implemented to reduce short-term NO<sub>x</sub> emissions. BACT measures shall include two-degree timing retard, high pressure fuel injectors and reformulated diesel fuel, if available. These measures shall be noted on all construction plans and the local jurisdiction shall perform periodic site inspections.

**AQ-1(d)** The jurisdiction in which a particular RTP project is located shall ensure that the implementing agency contributes monies for off-site mitigation in addition to performing the measures listed above. This mitigation shall be accomplished through the application of this condition by the responsible jurisdiction during the individual project's environmental review.

**AQ-1(e)** The jurisdiction in which a particular RTP project is located shall ensure that the removal of underground storage tanks is a permitted activity in accordance with APCD rules and regulations. This shall be accomplished through the submittal of APCD permits to the local jurisdiction prior to issuance of a grading permit.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures AQ-1(a) through AQ-1(e) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.3-8 through 4.3-10)

**Impact AQ-2:** *Implementation of the 2001 RTP would reduce emissions of ozone precursors as compared to what would occur if no transportation projects were implemented by promoting a multi-modal transportation system and thereby reducing reliance on single occupancy vehicle use. The RTP would also implement the AQMP Transportation Control Measures. Impacts caused by adoption of the RTP would be less than significant.*

**Mitigation Measures.** RTP Policy 4.2, to “Ensure that transportation projects contribute to improved regional air quality and reduced energy consumption” would reduce project impacts related to air quality. Although impacts are less than significant, to further reduce long term air quality impacts, the following measures, are recommended:

- AQ-2(a)** SCCRTC shall give funding priority to those projects which reduce regional emissions of ozone precursor gases countywide.
- AQ-2(b)** The Regional Transportation Commission shall work with AMBAG and the Monterey Bay Unified APCD to assure that emissions from all proposed RTP projects are included in the 2003 AQMP and to identify additional control measures, as needed, to offset emission increases, if any.

**Findings.** Although impacts would be less than significant, Mitigation Measures AQ-2(a) and AQ-2(b) have been incorporated into the project by the Commission to reduce long-term adverse impacts to the extent possible.

*Facts in Support of Findings:* Mitigation measures AQ-2(a) and AQ-2(b) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.3-10 through 4.3-19); Final EIR (pages CR-4 and CR-5)

**Impact AQ-3:** *The RTP is consistent with the Monterey Bay Unified Air Pollution Control District (MBUAPCD) 1997 Air Quality Management Plan (AQMP).*

**Mitigation Measures.** No mitigation measures are required.

**Findings.** Impacts would be less than significant, so no finding is required.



*Reference to Record:* Draft EIR (page 4.3-19)

**Impact AQ-4:** *Implementation of RTP airport, rail station and park and ride lot projects could result in localized traffic congestion that causes localized carbon monoxide (CO) emission hotspots. This is a significant but mitigable impact.*

**Mitigation Measures.** RTP Policy 4.2, to "Ensure that transportation projects contribute to improved regional air quality and reduced energy consumption" would reduce project impacts related to air quality. In addition, the following measure would reduce airport, rail, and park and ride lot project impacts related to CO emission hotspots:

- AQ-4(a)** The jurisdictions that propose an airport, rail, and park and ride lot project that is demonstrated to significantly impact local roadways in exceedance of MBUAPCD thresholds shall work with the appropriate agency to provide improvements to the circulation system of the jurisdiction in which the project is located such that all roadways and intersections affected by the project in question maintain an acceptable level of service. This may involve a reduction in the size of the project, relocation of the project, or reconfiguration of project facilities.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

**Facts in Support of Findings:** Mitigation measure AQ-4(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.3-19 through 4.3-21)

## 4. NOISE

**Impact N-1:** *Construction activity associated with road, bike, pedestrian, transit, rail, airport, and marine transportation projects would create temporary noise level increases in discreet locations throughout the county over the life of the RTP. This is considered a significant but mitigable impact.*

**Mitigation Measures.** RTP Policy 4.3.4, to "Avoid, minimize or mitigate noise, vibration, and visual impacts from transportation improvements in sensitive areas" would reduce project impacts related to noise. Local noise ordinance requirements would apply to construction activity associated with RTP implementation. In addition; the following mitigation measures are included:

- N-1 (a)** The local jurisdiction in which a particular RTP project is located shall ensure that, where residences or other noise sensitive uses are located adjacent to construction sites, appropriate measures shall be implemented to ensure consistency with local noise ordinance

requirements relating to construction. Specific techniques may include, but are not limited to, restrictions on construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise.

- N-1(b)** If a particular project located adjacent to sensitive receptors requires pile driving, the local jurisdiction in which this project is located shall require the use of pile drilling techniques instead, where feasible, which would reduce the physical impact and associated noise generation from pile driving. This shall be accomplished through the placement of conditions on the project during its individual environmental review.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

**Facts in Support of Findings:** Mitigation measures N-1(a) and N-1(b) will be implemented in conjunction with implementation of the project by the Commission. Responsibility for implementing measures N-1(a) is within the jurisdiction of another public agency. The mitigation measure can and should be adopted by such other agency

**Reference to Record:** Draft EIR (pages 4.4-7 and 4.4-8)

**Impact N-2:** *Various RTP projects could potentially expose sensitive receptors to noise in excess of normally acceptable levels. Projects that increase use of existing roadways, rail lines, and other transportation facilities, or realign such facilities, could result in substantial increases in noise levels at adjacent receptors. This would be considered a significant and unavoidable impact.*

**Mitigation Measures.** RTP Policy 4.3.4, to "Avoid, minimize or mitigate noise, vibration, and visual impacts from transportation improvements in sensitive areas" would reduce project impacts related to noise. In addition, the following mitigation measures would apply to the 2001 RTP:

- N-2(a)** If an RTP project is located adjacent to sensitive uses, the local jurisdiction in which the project is located shall ensure that a noise survey is conducted to determine alternate alignments which allow greater distance from, or greater buffering of, noise-sensitive areas. The noise survey shall be sufficient to indicate existing and projected noise levels, to determine the amount of attenuation needed to reduce potential noise impacts to such uses to an exterior noise level of 65 dBA or less. This shall be accomplished during the project's individual environmental review.
- N-2(b)** Various sound attenuation techniques shall be considered where new or expanded roadways or reused rail lines are found to expose receptors to noise exceeding normally acceptable levels. The preferred methods for



mitigating noise impacts will be the use of appropriate setbacks and sound attenuating building design, including retrofit of existing structures with sound attenuating building materials where feasible. In instances where use of these techniques is not feasible, the use of sound barriers (earthen berms, sound walls, or some combination of the two) will be considered. Determination of appropriate noise attenuation measures will be assessed on a case-by-case basis during a project's individual environmental review pursuant to the regulations of the applicable agency.

Implementation of the recommended programmatic measures would reduce potential impacts to a less than significant level. However, it should be noted that the construction of sound attenuation devices may create aesthetic impacts that may be undesirable and may affect the semi-rural character of much of the county. To mitigate this potential secondary impact to the degree feasible, the following measure is recommended:

- N-2(c)** Long expanses of walls or fences should be interrupted with offsets and provided with accents to prevent monotony. Landscape pockets and pedestrian access through walls should be provided. Whenever possible, a combination of elements should be used, including solid fences, walls, and, landscaped berms.

Implementation of soundwalls or other noise barriers along rail lines may be physically or economically infeasible in certain locations. Therefore, noise impacts associated with reuse of rail lines for trolleys and/or other fixed guideway transit would remain significant and unavoidable.

**Findings.** The finding is made that considerations concerning the project outweigh potential impacts with respect to noise. Further, alternatives to the project are considered infeasible. However, to reduce impacts to the extent possible, mitigation measures N-2(a) through N-2(c) will be implemented in conjunction with implementation of the project by the Commission.

*Facts in Support of Findings:* Please refer to Section III and Section IV of the Findings and Statement of Overriding Considerations for the RTP. These sections describe the findings for the project alternatives, and the statement of overriding considerations for the proposed RTP.

*Reference to Record:* Draft EIR (pages 4.4-8 through 4.4-11)

## 5. AESTHETICS

**Impact AES-1:** *Some RTP roadway projects may affect public views along designated scenic corridors, and other highways considered to have high scenic qualities. This is considered a significant but mitigable impact.*

**Mitigation Measures.** RTP Policy 4.3.4, to “Avoid, minimize or mitigate noise, vibration, and visual impacts from transportation improvements in sensitive areas” and Policy 4.3.5, to “Include landscaping in road projects” would reduce project impacts related to aesthetics. In addition, the following mitigation measures would minimize long-term visual impacts generated by RTP interchanges and roadway extensions:

- AES-1(a) Where a particular RTP improvement affects adjacent landforms, the local jurisdiction in which the project is located shall ensure that recontouring provides a smooth and gradual transition between modified landforms and existing grade. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- AES-1(b) The local jurisdiction in which a particular RTP project is located shall ensure that associated landscape materials enhance landform variation, provide erosion control and blend with the natural setting. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review. To ensure compliance with approved landscape plans, the implementing agency shall provide a monetary performance security equal to the value of the landscaping/ irrigation installation.
- AES-1(c) The local jurisdiction or lead agency of a particular RTP project shall ensure that a project in a scenic view corridor will have the minimum possible impact, consistent with project goals, upon foliage, existing landscape architecture and natural scenic views. This requirement shall be accomplished through the placement of conditions on the project by the lead agency during the project specific environmental review and by ensuring that specific design considerations to achieve this mitigation are enacted at each stage of design by the lead agency, local jurisdictions and SCCRTC personnel.
- AES-1(d) Potential noise impacts arising from increased traffic volumes associated with adjacent land development shall be preferentially mitigated through the use of setbacks and the acoustical design of adjacent structures. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents, and landscaping to prevent monotony, as described in Mitigation Measure N-2(c).

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures AES-1(a) through AES-1(d) will be implemented in conjunction with implementation of the project by the Commission.



*Reference to Record:* Draft EIR (pages 4.5-3 through 4.5-5)

**Impact AES-2:** *Development of some RTP roadway and airport projects could contribute to the alteration of the county's rural (or semi-rural) areas to a somewhat more suburban or urban condition, through the addition of lighting, glare, and urban features. In addition, implementation of some rail station, and few station projects could result in deterioration of the urban visual environment. This is considered a significant and unavoidable impact.*

**Mitigation Measures.** RTP Policy 4.3.4, to "Avoid, minimize or mitigate noise, vibration, and visual impacts from transportation improvements in sensitive areas" would reduce project impacts related to aesthetics. In addition, the following mitigation measures would reduce project-specific impacts related to aesthetic impacts to the degree feasible.

- AES-2(a)** Roadway extensions and widenings shall avoid the removal of existing mature trees to the extent possible. Any trees lost shall be replaced at a minimum 1:1 basis and incorporated into the landscaping design for the roadway. Tree replacement ratios shall be consistent with the local jurisdictions in which impacts could occur.
- AES-2(b)** Roadway, transit station, park and ride lot, and wharf facility lighting shall be minimized to the extent possible, and shall not exceed the maximum height limits of the local jurisdiction in which the project would occur. In addition, lighting shall be designed so as not to spill over onto adjacent properties.
- AES-2(c)** Bus shelters and other ancillary facilities constructed under the RTP shall be designed in accordance with the architectural review requirements of the local jurisdiction in which the project would occur. Bus shelters shall incorporate earth tone colors and wood materials complementary of the natural surroundings.

Mitigation measures AES-1 (a) through AES-1 (d) would also incrementally reduce potential impacts.

**Findings.** The finding is made that considerations concerning the project outweigh potential impacts with respect to the general visual environment. Further, alternatives to the project are considered infeasible. However, to reduce impacts to the extent possible, mitigation measures AES-2(a) through AES-2(c) will be implemented in conjunction with implementation of the project by the Commission.

*Facts in Support of Findings:* Please refer to Section III and Section IV of the Findings and Statement of Overriding Considerations for the RTP. These sections describe the findings for the project alternatives, and the statement of overriding considerations for the proposed RTP.

*Reference to Record:* Draft EIR (pages 4.5-5 through 4.5-7)



## 6. WATER RESOURCES/FLOODING

**Impact W-1:** *Construction and maintenance of RTP projects would incrementally increase countywide water demand. Such impacts would be significant but mitigable*

**Mitigation Measures.** The following mitigation measures would be required to address the potential impacts to water supplies:

- W-1(a)** The local jurisdiction in which a particular RTP project is located shall ensure that, where economically feasible, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall be noted on construction plans and shall be spot checked by the local jurisdiction.
- W-1(b)** The local jurisdiction in which a particular RTP project is located shall ensure that low water use landscaping (i.e., drought tolerant plants and drip irrigation) is installed. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- W-1(c)** The local jurisdiction in which a particular RTP project is located shall ensure that, if feasible, landscaping associated with improvements is maintained using reclaimed and/or desalinated water. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- W-1(d)** The local jurisdiction in which a particular RTP project is located shall ensure that porous pavement materials are utilized, where feasible, to allow for groundwater percolation. Rural bicycle trails shall be left unpaved, where appropriate. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

**Facts in Support of Findings:** Mitigation measures W-1(a) through W-1(d) will be implemented in conjunction with implementation of the project by the Commission.

**Reference to Record:** Draft EIR (pages 4.6-5 and 4.6-6)



**Impact W-2:** *Construction of, and vehicular operations on, RTP transportation facilities, park and ride lots, and rail and ferry stations could result in erosion and runoff, which could degrade surface and ground water quality. This impact is considered significant but mitigable.*

**Mitigation Measures.** The following mitigation measures are required to reduce potential impacts to water quality:

- W-2(a)** The local jurisdiction in which a particular RTP project is located shall ensure that fertilizer/ pesticide application plans for any new right-of-way landscaping are prepared to minimize deep percolation of chemicals. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- W-2(b)** The local jurisdiction in which an RTP road widening or roadway extension project is located shall ensure that the improvement directs runoff into subsurface percolation basins and traps which would allow for the removal of urban pollutants, fertilizers, pesticides, and other chemicals. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- W-2(c)** For roadway projects that would disturb at least five acres (one acre after March 2003), a Storm Water Pollution Prevention Plan (SWPPP) shall be developed prior to the initiation of grading and implemented for **all** construction activity on the project site. The SWPPP shall include specific BMPs to control the discharge of material from the site and into the creeks and local storm drains. BMP methods may include, but would not be limited to, the use of temporary retention basins, straw bales, sand bagging, mulching, erosion control blankets and soil stabilizers.
- W-2(d)** The local jurisdiction in which a particular RTP project is located shall ensure that adequate drainage infrastructure is in place to accommodate runoff from the project, prior to issuance of grading permits. If adequate drainage infrastructure is not available, the project proponent shall pay utility mitigation fees or otherwise provide improvements to the drainage facilities of the jurisdiction in which the project is located such that drainage facilities affected by the project in question maintain an acceptable level of service.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures W-2(a) through W-2(d) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.6-6 through 4.6-8)

**Impact W-3:** *Some RTP projects could be subject to significant but mitigable flood hazards.*

Mitigation Measures. The following measure would minimize the potential for flood impacts.

- W-3(a)** If a particular RTP roadway, bikeway or bridge project is located in an area with high flooding potential, the local jurisdiction in which the project is located shall ensure that the structure is elevated at least one foot above the 100 year flood zone elevation and that feasible bank stabilization and erosion control measures are implemented along creek crossings. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure W-3(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.6-8 and 4.6-9)

**Impact W-4:** *Some RTP projects may be located in areas subject to tsunami or seiche. This is a significant but mitigable impact.*

Mitigation Measures. The following mitigation measure would minimize the potential for seiche and tsunami impacts.

- W-4(a)** In areas subject to tsunami effects, the local jurisdiction shall ensure that RTP projects involving the construction of new roadways or other structures are elevated above the 10-foot elevation by an appropriate margin. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during environmental review for individual projects.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure W-4(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (page 4.6-9)

## 7. GEOLOGICAL RESOURCES

**Impact G-1:** *Some RTP projects may be located on potential unstable soils, in areas of high liquefaction or erosion potential, or in areas subject to landslides. This is considered a significant but mitigable impact.*

**Mitigation Measures.** The following programmatic measures would reduce potential impacts to the extent feasible.

- G-1(a)** If a particular RTP bridge or passenger station project is located in an area of moderate to high liquefaction potential, the local jurisdiction in which this project is located shall ensure that these structures are designed based upon appropriate geology, soils and earthquake engineering studies. Possible design measures include deep foundations, removal of liquefiable materials and dewatering. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- G-1(b)** If a particular RTP road widening or bridge project involves cut slopes over 20 feet in height or is located in areas of bedded or jointed bedrock, the local jurisdiction in which the project is located shall ensure that specific slope stabilization studies are conducted. Possible stabilization methods include buttresses, retaining walls and soldier piles. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- G-1(c)** If a particular RTP bridge or passenger station project is located in an area of highly expansive, collapsible or compressible soils, the local jurisdiction in which the project is located shall ensure that a specific investigation and appropriate design factors are implemented. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- G-1(d)** If a particular RTP roadway or fixed facility project involving deep foundations or underground areas is located in an area of high groundwater potential, the local jurisdiction in which the project is located shall ensure that appropriate construction techniques (such as de-watering, special water proofing, and deeper foundations) are included. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
- G-1(e)** If a particular RTP roadway or fixed facility project involving deep foundations or underground areas is located in an area of moderate or high erosion potential, the local jurisdiction in which the project is

located shall ensure that a grading and erosion control plan that minimizes erosion and sedimentation shall be prepared and implemented by the project proponent, prior to issuance of Grading Permits. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review. The grading and erosion control plan must include the following:

- a. Methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags shall be used to minimize erosion on slopes and siltation into waterways during grading and construction activities.
- b. Graded areas shall be revegetated within four weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- c. Exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by the P&B Grading Division and APCD. These methods may include importing of topsoil is to be imported and spread on the ground surface in areas having soils that can be transported by the wind, and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. The topsoil or silt/clay mixture is to be used to stabilize the existing soil to prevent its ability to be transported by wind. As a minimum, six inches of topsoil or silt/clay/sand mixture is to be used to stabilize the wind-erodible soils.
- d. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
- e. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff.
- f. Fills placed on slopes steeper than 5:1 shall be properly benched prior to placement of fill.
- g. Brow ditches and/or berms shall be constructed and maintained above all cut and fill slopes, respectively.
- h. Cut and fill benches shall be constructed at regular intervals.
- i. Retaining walls shall be installed to stabilize slopes where there is a 10-foot or greater difference in elevation between buildable lots.
- j. Excavation and grading shall be limited to the dry season of the year (typically April 15 to November 1, allowing for variations in weather) unless an approved erosion control plan is in place and all measures therein are in effect.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.



*Facts in Support of Findings:* Mitigation measures G-1(a) through G-1(e) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.7-3 through 4.7-6)

**Impact G-2** *Some RTP projects could be subject to seismic hazards, including fault rupture and groundshaking. This is considered a significant but mitigable impact.*

Mitigation Measures. The following measures are recommended to mitigate potential impacts relating to seismic activity.

- G-2(a)** The local jurisdiction in which a particular RTP bridge or passenger station project is located shall ensure that the structure is designed and constructed to the latest geotechnical standards. In most cases, this will necessitate site specific geologic and soils engineering investigations to exceed the code for high groundshaking zones. This can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.
  
- G-2(b)** The local jurisdiction in which a particular RTP bridge or passenger station project is located shall ensure that these structures are placed in areas outside of fault rupture zones. If avoidance is not possible, detailed geologic and seismic studies must be conducted to locate active or potentially active fault traces. Structures shall then be placed outside of an appropriate setback distance. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures G-2(a) and G-2(b) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.7-7 and 4.7-8)

## **8. PUBLIC FACILITIES/RECREATION**

**Impact PF-1:** *Some projects included in the RTP could temporarily disrupt access to schools and/or park facilities. This impact is considered significant but mitigable.*

Mitigation Measures. The following mitigation measure would reduce impacts related to school and park access:

- PF-1(a)** For road construction projects involving temporary lane or road closures, the responsible agency shall post advance warning signs no more than 100 feet from the project site indicating when disruption would occur for a period of at least one week prior to project construction through the completion of construction, and provide marked detours. During implementation of roadway improvements that necessitate partial or total road closure, at least one lane shall remain open to vehicles at all times, and/or alternative routes/detours around improvement areas with appropriate signage shall be provided.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure PF-1(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (page 4.8-2)

**Impact PF-2:** *Roadway improvement projects included in the RTP could temporarily disrupt emergency access on project roadways. This impact is considered significant but mitigable.*

**Mitigation Measures.** Implementation of Mitigation Measure PF-1(a) would reduce project impacts related to disruption of emergency access to a less than significant level. This Mitigation Measure requires that at least one lane shall remain open to vehicles at all times, and/or alternative routes/detours around improvement areas with appropriate signage shall be provided for all roadway improvements that necessitate lane closure. The following additional mitigation measure is also required:

- PF-2(a)** In no case shall a major critical facility (state or federal highways) be disrupted without first coordinating with the Santa Cruz County Office of Emergency Preparedness. In that case, provisions to allow the passage of emergency vehicles, even during construction, shall be addressed in the construction plans for projects on these roadways.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures PF-1(a) and PF-2(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (page 4.8-3)

Impact **PF-3**: *New RTP roadway, bikeway, transit and airport facilities would require increased maintenance. Because of uncertainties about the adequacy of maintenance staffing and equipment, this impact is considered significant but mitigable.*

Mitigation Measures. RTP Goal 1, to {"Preserve and maintain the existing transportation system, emphasizing safety and efficiency," and its associated policies to ensure that adequate support is provided to maintain and operate the existing transportation system and support roadway rehabilitation, would reduce RTP project impacts related to maintenance. In addition, the following mitigation measure is recommended to reduce impacts relative to facility maintenance:

- PF-3(a)** The local jurisdiction in which a particular RTP project is located shall ensure that adequate funds are budgeted to maintain the transportation facility as well as existing facilities. This can be accomplished during the project's individual environmental review phase, at which time an assessment of the facility's specific maintenance needs and budget requirements can be made.

Findings, Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure PF-3(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.8-4 and 4.8-5)

## 9. CULTURAL RESOURCES

Impact **CR-1**: *Development under the RTP could disturb known and previously undiscovered cultural resources. Such impacts would be significant but mitigable.*

Mitigation Measures. In general, prior to commencement of any action, development or land use changes on lands subject to federal jurisdiction or for projects involving federal funding, a cultural resource survey and an environmental analysis must be prepared. Historic resources are also protected under the regulations of the National Historic Preservation Act and the Department of Transportation Act of 1966. County and city sponsored projects would be subject to local ordinance requirements, including General Plan provisions that protect for cultural resources.

RTP Goal 3, to "Coordinate land use and transportation decisions to ensure that the region's social, cultural, and economic vitality is sustained for current and future generations" and associated policies would reduce RTP impacts on cultural resources. In addition, in order to provide protection of unknown cultural resources, the following programmatic mitigation measures would apply to applicable projects:

**CR-1(a)** The local jurisdiction in which an RTP project involving substantial earth disturbance, the removal or disturbance of existing buildings, or construction of permanent above ground structures or roadways is located shall ensure that the following elements are included in the RTP project's individual environmental review:

1. A map defining the Area of Potential Effects (APE) shall be prepared for RTP improvements that involve substantial earth disturbance, the removal or disturbance of existing buildings, or construction of permanent above ground structures. This map will indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known cultural resources are located within the impact zone.
2. A preliminary study of each project area, as defined in the APE, shall be completed to determine whether or not the project area has been studied under an earlier investigation, and to determine the impacts of the previous project.
3. If the results of the preliminary studies indicate additional studies are necessary; development of field studies and/or other documentary research shall be developed and completed (Phase I studies). Negative results would result in no additional studies for the project area.
4. Based on positive results of the Phase I studies, an evaluation of identified resources shall be completed to determine the potential eligibility/significance of the resources (Phase II studies).
5. Phase III mitigation studies shall be coordinated with the Office of Historic Preservation, as the research design will require review and approval from the OHP. In the case of prehistoric or Native American related resources, the Native American Heritage Commission and/or local representatives of the Native American population shall be contacted and permitted to respond to the testing/mitigation programs.

**CR-1(b)** If development of an RTP project requires the presence of an archaeological monitor, the local jurisdiction shall ensure that a certified archaeologist/ paleontologist monitors the grading and/or other ground altering activities. The schedule and extent of the monitoring will depend on the grading schedule and/or extent of the ground alterations. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.

**CR-1(c)** The local jurisdiction shall ensure that materials recovered over the course of any given improvement are adequately cleaned, labeled, and curated at a recognized repository. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.

**CR-1(d)** Local jurisdictions shall ensure that mitigation for potential impacts to significant cultural resources includes one or more of the following:

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

This can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.

**CR-1(e)** A qualified archaeologist shall monitor all earth moving activities within native soil. In the event that archaeological and historic artifacts are encountered during project construction, all work in the vicinity of the find will be halted until such time as the find is evaluated by a qualified archaeologist and appropriate mitigation (if necessary) is implemented.

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps will be taken:

- I. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
  - A. The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
  - B. If the coroner determines the remains to be Native American:
    1. The coroner shall contact the Native American Heritage Commission within 24 hours.
    2. The Native American Heritage Commission shall identify the person or persons it believes to be most likely descended from the deceased Native American.

3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public resources Code Section 5097.98, or
- II. Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location nor subject to further subsurface disturbance.
    - A. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
    - B. The descendent identified fails to make a recommendation; or
    - C. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measures CR-1(a) through CR-1(e) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.9-11 through 4.9-15)

## 10. RISK OF UPSET/HAZARDOUS MATERIALS

**Impact RU-1:** *Roadway construction could involve the use or exposure of hazardous materials. Impacts would be adverse, but less than significant.*

Mitigation Measures. No mitigation measures are required.

Findings. Because impacts would be less than significant, no findings are required.

*Reference to Record:* Draft EIR (page 4.10-5)

**Impact RU-2:** *New or expanded facilities would generally improve roadway safety for hazardous materials transport. However, roadway design should maximize safety with*



*respect to the transport of hazardous materials. Potential impacts are significant but mitigable.*

Mitigation Measures. RTP Policy 1.6, to "Emphasize safety when making decisions about transportation priorities" and associated policies would reduce RTP impacts related to safety. In addition, the following mitigation measure would reduce potential impacts with respect to roadway design and the effect on the transport of hazardous materials:

- RU-2(a)** For RTP improvements along designated hazardous materials transfer routes, the local jurisdiction in which the project is located shall ensure that the project is designed to allow for safe traveling, merging and passing of hazardous materials haul trucks. Design considerations should include: wider "slow" lanes, longer approach ramps and merger lanes and more gradually inclined interchanges. This can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure RU-2(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.10-5 and 4.10-6)

*Impact RU-3: Alternative fuel projects contemplated in the RTP would introduce risk of explosion. Proper design of fueling facilities would ensure that impacts would be less than significant.*

Mitigation Measures. No mitigation measures are required.

Findings. Because impacts would be less than significant, no findings are required.

*Reference to Record:* Draft EIR (page 4.10-6)

*Impact R U 4 RTP Projects could potentially increase hazards as a result of design features, such as sharp curves or dangerous intersections. Impacts would be considered a significant but mitigable.*

Mitigation Measures. RTP Policy 1.6 to "Emphasize safety when making decisions about transportation priorities" and associated policies would reduce RTP impacts related to safety. In addition, the following measure would reduce roadway design hazard impacts.

- RU-4(a)** The jurisdictions that propose a roadway project shall ensure that the roadway design does not present any substantial hazards, such as sharp

curves or dangerous intersections, in accordance with the guidelines of the applicable jurisdiction. This may involve realignment, redesign or reconfiguration of roadway improvements.

**Findings.** Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure RU-4(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.10-6 and 4.10-7)

## 11. BIOLOGICAL RESOURCES

**Impact B-1:** *Construction activity associated with some transportation projects may temporarily disturb wetland or riparian habitats and/or other biological resources. However, compliance with existing regulations pertaining to construction activities would be expected to reduce this impact to a level considered less than significant.*

**Mitigation Measures.** For all projects with potential construction-related impacts, the lead agency should investigate the applicability of various federal, state, and local permit requirements and obtain all required permits prior to construction. In accordance with agency requirements, in the event that wetland or other jurisdictional habitat loss is not avoidable, mitigation should be in-kind and on-site with no net destruction of habitat value. Additional mitigation beyond compliance with the requirements of existing regulations pertaining to biological resources is not required.

**Findings.** Because impacts would be less than significant, no findings are required.

*Reference to Record:* Draft EIR (page 4.11-14)

**Impact B-2:** *Some RTP transportation projects could permanently alter natural habitat areas and/or affect sensitive species. Impacts of many individual projects can likely be mitigated to a less than significant level. However, because the feasibility of mitigation cannot be determined at this time, the cumulative effect of RTP implementation is considered significant and unavoidable.*

**Mitigation Measures.** RTP Policy 4.3, to "Ensure that transportation projects contribute to the protection of biological and scenic resources, open space and agricultural land" would reduce RTP impacts on biological resources. All RTP projects will be subject to local, state, and federal regulations pertaining to the protection of biological resources. Any agency proposing a project described in the 2001 RTP shall consult with California Department of Fish and Game and, as applicable, U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation shall occur in the initial design phase of each individual RTP project. In addition, the following measure is required to mitigate potential long-term impacts to biological resources:



- B-2(a) The local jurisdiction in which an RTP project with potentially significant long-term effects to biological resources is located shall assure that project-specific environmental reviews consider specific mitigation measures and/or alternative alignments that avoid or minimize impacts to biological resources. Any agency proposing a project described in the 2001 RTP shall consult with California Department of Fish and Game and, as applicable, U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation shall occur in the initial design phase of each individual RTP project.

**Findings.** The finding is made that considerations concerning the project outweigh potential impacts with respect to the general visual environment. Further, alternatives to the project are considered infeasible. However, to reduce impacts to the extent possible, mitigation measure B-2(a) will be implemented in conjunction with implementation of the project by the Commission.

*Facts in Support of Findings:* Please refer to Section III and Section IV of the Findings and Statement of Overriding Considerations for the RTP. These sections describe the findings for the project alternatives, and the statement of overriding considerations for the proposed RTP.

*Reference to Record:* Draft EIR (pages 4.11-15 through 4.11-17) and Final EIR (page CR-8)

**Impact B-3:** *Some RTP projects would occur in areas subject to the requirements of Habitat Conservation Plans (HCP). Potential RTP project impacts on species and habitat protected under an HCP would be considered a significant but mitigable, impact.*

**Mitigation Measures.** RTP Policy 4.3, to "Ensure that transportation projects contribute to the protection of biological and scenic resources, open space and agricultural land" would reduce RTP impacts on biological resources. All RTP projects will be subject to local, state, and federal regulations pertaining to the protection of biological resources. Any agency proposing a project described in the 2001 RTP shall consult with California Department of Fish and Game and, as applicable, U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation shall occur in the initial design phase of each individual RTP project. In addition, the following measure is required to mitigate potential conflicts with HCPs:

- B-3(a) The local jurisdiction in which an RTP project with potentially significant conflicts with an HCP is located shall assure that project-specific environmental reviews consider specific mitigation measures and/or alternative alignments that avoid or minimize conflicts with applicable HCPs and the protected species and habitats thereof. Any agency proposing a project described in the 2001 RTP shall consult with California Department of Fish and Game and, as applicable, U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation shall occur in the initial design phase of each individual RTP project.

Findings. Mitigation measures have been required in, or incorporated into, the Mitigation Monitoring and Reporting Program (MMRP) for the project that avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* Mitigation measure B-3(a) will be implemented in conjunction with implementation of the project by the Commission.

*Reference to Record:* Draft EIR (pages 4.11-17 and 4.11-18) and Final EIR (page CR-8)

## 12. GROWTH INDUCING IMPACTS

Impact: *Economic Growth.* Implementation of the RTP would create short-term economic growth in the county as a result of construction-related job opportunities. RTP implementation would also generate additional employment opportunities for roadway, vehicle, and landscape maintenance, and transportation facility clean-up. The potential employment increase may subsequently increase the demand for support services and utilities, which could generate secondary employment opportunities. This additional economic growth would likely raise the existing revenue base for the County of Santa Cruz. Although such growth may incrementally increase economic activity in the county, significant physical effects are not expected to result from economic growth generated by the project.

Mitigation Measures. No mitigation measures are required.

Findings. Because impacts are less than significant, no findings are required.

*Reference to Record:* Draft EIR (page 5-1)

Impact: *Population Growth.* The 2001 RTP will not directly generate population, since the Project does not involve the construction of residential units, however it does have the potential to facilitate growth. The 2001 RTP implements some aspects of the circulation elements of the general plans of local jurisdictions in the region. Many of these projects could serve as traffic mitigation measures for anticipated growth under these local plans. Implementation of the RTP would not entail a substantial change in land use anywhere in the county. Rather, the plan responds to existing and projected transportation needs. The RTP does propose several new approaches to transportation planning, including the use of various intelligent transportation system, transit oriented development, and alternative fuel technologies. These new approaches may set new precedent for transportation planning in the county; however, such approaches would not result in significant adverse environmental impacts.

Mitigation Measures. No mitigation measures are required.

Findings. Because impacts are less than significant, no findings are required.

*Reference to Record:* Draft EIR (pages 5-1 and 5-2)



**Impact: *Removal of Obstacles to Growth.*** Implementation of the RTP may remove impediments to growth in some limited fashion. However, while the transportation system improvements included in the RTP are expected to respond to growth anticipated in adopted local general plans, they may indirectly increase growth pressure by increasing transportation system capacity. In addition, the road extension projects planned in the less developed areas, may remove obstacles to growth by improving vehicular access. Development induced as a result of removal of obstacles to growth could result in additional environmental impacts (e.g., additional noise and traffic), and may increase the use of slowly renewable and nonrenewable resources and energy to serve new development. However, the nature and magnitude of such impacts are speculative, and would be largely a function of local agency control, prevailing community attitudes, and future market conditions. The environmental impacts of any additional growth would depend upon the type, location, and magnitude of new development.

**Mitigation Measures.** RTP Overall Goal 3, "Coordinate land use and transportation decisions to ensure that the region's social, cultural, and economic vitality is sustained for current and future generations" would reduce impacts related to growth-inducement.

To minimize possible growth inducement, it is suggested that roadway projects, if given priority, should be prioritized on the basis of 1) improving safety; 2) addressing existing capacity deficiencies; or 3) addressing potential impacts of planned land development that is the subject of an active development application. Priority should not be given to roadway projects that would allow land development that has not yet been planned for, or is not anticipated to occur in the near future. In this way, the growth-inducing potential of the RTP would be minimized.

**Findings.** Policy direction has been incorporated into the project to avoid or substantially lessen the significant environmental impact.

*Facts in Support of Findings:* RTP policy direction with respect to prioritization has been modified in accordance with the impact discussion above.

*Reference to Record:* Draft EIR (pages 5-2 through 5-5)

## **Exhibit B to Resolution 13-02**

# **MITIGATION MONITORING AND REPORTING PROGRAM**

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in this Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

In order to implement this MMRP, the Santa Cruz County Regional Transportation Commission (RTC) shall designate a Project Mitigation Monitoring and Reporting Coordinator ("Coordinator"). The coordinator shall be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. Further, the coordinator will distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure shall not in any way prevent the lead agency from implementing the proposed project.

The following table shall be used as the coordinator's checklist to determine compliance with required mitigation measures.



Santa Cruz County RTC 2001 RTP  
 Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<b>2001 REGIONAL TRANSPORTATION PLAN GOALS AND POLICIES</b>						
RTP Goals and Policies.	2001 RTP goals and policies provide broad program-level mitigation. The goals and policies would be implemented by local agencies through their planning documents and by RTC when programming funds.	During preparation of local agency General Plans and other planning documents and by RTC during review of projects.	Once per planning document and during CEQA process for individual projects.	RTC and local agencies		
<b>TRANSPORTATION AND CIRCULATION</b>						
RTP Goal 1, "Preserve and maintain the existing transportation system, emphasizing safety and efficiency," and its associated policies that encourage vehicle occupancy, use of transit, and use of new technologies to reduce travel demand, would reduce project impacts related to localized traffic congestion and public facility maintenance.	The identified goal would be implemented by local agencies through their General Plans. RTC will monitor local agency General Plan compliance with RTP goals and policies.	During preparation of local agency General Plans.	Once per General Plan	RTC		
T-3(a). The agencies that propose an airport, rail, and park and ride lot project that is demonstrated to significantly impact local roadways shall design the project so that impacts are reduced or eliminated. This may	A design plan check shall be performed to confirm reduction of impacts. If impacts cannot be	Design plan check shall occur during design review. Traffic mitigation	Once per project	LCPD, LCPWD (as applicable)		0076

Key: RTC - Santa Cruz County Regional Transportation Commission  
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Santa Cruz County RTC 2001 RTP  
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>involve a reduction in the size of the project, relocation of the project, or reconfiguration of project facilities. If physical changes to an impacting project are not feasible due to physical, economic, technological, or other constraints, the project proponent may be required to pay in lieu traffic mitigation fees such that roadways and/or intersections affected by the project maintain an acceptable level of service.</p>	<p>reduced, the applicant shall submit an agreement for provision of traffic mitigation fees, as determined by the applicable local agency or Caltrans.</p>	<p>fees shall be paid prior to operation of the facility improvements.</p>				
<p>(b)(7)(C). The jurisdictions that propose an airport, rail, and park and ride lot that is demonstrated to significantly impact local roadways shall incorporate into the design of the project facilities that encourage the use of alternative forms of transportation (e.g., provision of bike storage facilities, pedestrian facilities, etc.), as feasible. In addition, the facility shall provide additional carpool or vanpool incentives, as feasible.</p> <p><b>LAND USE AND AGRICULTURE</b></p>	<p>A design plan check shall be performed to confirm provision of alternative transportation facilities.</p>	<p>Design plan check shall occur during design review.</p>	<p>Once*</p>	<p>LCPD, LCPWD (as applicable)</p>		
<p>RTP Goal 3, to "Coordinate land use and transportation decisions to ensure that the region's social, cultural, and economic vitality is sustained for current and future generations", and its associated policies, would reduce RTP impacts related to land use compatibility and cultural resources.</p>	<p>The identified goal would be implemented by local agencies through their General Plans. RTC will monitor local agency General Plan compliance with RTP goals and</p>	<p>During preparation of local agency General Plans.</p>	<p>Once per General Plan</p>	<p>RTC</p>		00977

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**Santa Cruz County RTC 2001 RTP  
Mitigation Monitoring and Reporting Program**

Mitigation Measure/Condition of Approval	Action Required	When Monitoring Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p><b>LU-1(a).</b> Setbacks, fences, or other appropriate means shall be used to separate transportation facilities with the potential to generate land use conflicts from adjacent sensitive land uses. Roadways shall be designed to minimize potential impacts to pedestrians and bicyclists, particularly those living in adjacent residential areas, or attending nearby schools. Adequate striping, signs and signalization shall be installed to slow traffic where appropriate, and to reduce safety and noise impacts. The jurisdiction through which the impacting project traverses would be responsible for implementing this measure, which may in part be based on project-specific noise and safety studies required by the local agency.</p>	<p>policies. A design plan check shall be performed to confirm provision of setbacks, fences, or other appropriate means to separate transportation facilities and adjacent sensitive land uses, design of facilities to minimize impacts to pedestrians and bicyclists.</p>	<p>During design review</p>	<p>Once</p>	<p>LCPD, LCPWD (as applicable)</p>		
<p><b>LU-1(b).</b> Street lighting, where necessary, shall be minimized to the extent possible in areas adjacent to sensitive land uses. Street lights shall be shielded, and oriented away from residential development. No street light shall exceed the minimum height requirement as dictated by Caltrans or local ordinance, as applicable.</p>	<p>Applicant shall submit lighting plan prior to approval of building permits.</p>	<p>Site shall be inspected prior to the completion of construction</p>	<p>Once</p>	<p>LCPD, LCPWD (as applicable)</p>		0078
<p><b>RTP Policy 1.6.3.</b> "Minimize adverse impacts on bicyclists and pedestrians during construction and maintenance activities by prompt repair, sweeping, and avoiding</p>	<p>The identified policy would be implemented by local agencies</p>	<p>During preparation of local agency General Plans.</p>	<p>Once per General Plan</p>	<p>RTC</p>		

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Santa Cruz County RTC 2001 RTP  
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
longitudinal seams on all road edges and curb areas including bicycle lanes" would reduce RTP project impacts related to access disruptions.	through their General Plans. RTC will monitor local agency General Plan compliance with RTP goals and policies.					
LU-2(a). For all transportation projects that could result in temporary lane closures or access blockage during construction, a temporary access plan shall be implemented to ensure continued access to affected cyclists, pedestrians, businesses, and homes. Appropriate signs and safe access shall be guaranteed during project construction to ensure that businesses remain open.	Temporary access plan check. This requirement shall be noted on final building plans. The temporary access plan shall be implemented throughout all construction activities that affect cyclists, pedestrians, businesses and homes.	Temporary access plans shall be reviewed during plan check. Implementation of plans shall be reviewed periodically during the construction period.	Once during plan review; periodically during construction	LCPD, LCPWD (as applicable), OCM		
LU-3(a). The local jurisdiction in which an RTP project with the potential to displace residences or businesses (as indicated in Table 4.2-1) is located shall assure that project-specific environmental reviews consider alternative alignments that avoid or minimize impacts to nearby residences and businesses.	Review project plans to determine whether alternative alignments are feasible.	Project shall be reviewed during plan check.	Prior to construction	LCPD, LCPWD (as applicable)		
LU-3(b). Where project-specific reviews identify displacement or relocation impacts that are unavoidable, the local jurisdiction in which the project is located shall ensure that	Review project plans to determine whether displacement will	Project plans and construction schedules shall be reviewed during	As necessary prior to construction	LCPD, LCPWD (as applicable)		

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**Santa Cruz County RTC 2001 RTP  
Mitigation Monitoring and Reporting Program**

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>appropriate local, state, and federal relocation programs are used to assist eligible persons to relocate. In addition, the local jurisdiction shall review and, if necessary, modify the construction schedules to ensure that adequate time is provided to allow affected businesses to find and relocate to other sites.</p> <p><b>RTP Policy 4.3.</b> "Ensure that transportation projects contribute to the protection of biological and scenic resources, open space and agricultural land" would reduce project impacts related to conflicts with agricultural resources and biological resources.</p>	<p>occur. Coordinate local, state, and federal relocation programs. Construction schedules shall be reviewed.</p> <p>The identified policy would be implemented by local agencies through their General Plans. RTC will monitor local agency General Plan compliance with RTP goals and policies.</p>	<p>plan check. Relocation shall be coordinated prior to project construction.</p> <p>During preparation of local agency General Plans.</p>	<p>Once per General Plan</p>	<p>RTC</p>		
<p><b>LU-4(a)</b> When new roadway extensions are planned, the local jurisdiction in which the RTP project is located shall assure that project-specific environmental reviews consider alternative alignments that reduce or avoid impacts to agricultural lands.</p> <p><b>LU-4(b)</b> Rural roadway alignments shall follow property lines to the extent feasible, to minimize impacts to the agricultural production value of any specific property. Farmers shall be compensated for the loss of agricultural production at the margins of lost property, based on the amount of land deemed as road right-of-way, as a function of the total amount of production on the</p>	<p>Review project plans to determine whether alternative alignments are feasible.</p> <p>Review project plans to ensure that alignments follow property lines. Calculate amount of land deemed as right-of-way. Provide compensation.</p>	<p>Project shall be reviewed during plan check.</p> <p>Project shall be reviewed during plan check.</p>	<p>Prior to construction</p> <p>Prior to construction</p>	<p>LCPD, LCPWD (as applicable)</p> <p>LCPD, LCPWD (as applicable)</p>		0080

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring Occurs	Monitoring Frequency	Responsible Agency or Party	Compliance Verification	
					Initial	Date
<p>property.</p> <p><b>AIR QUALITY</b></p> <p>RTP Policy 4.2, to "Ensure that transportation projects contribute to improved regional air quality and reduced energy consumption" would reduce project impacts related to air quality.</p>	<p>The identified policy would be implemented by local agencies through their General Plans. RTC will monitor local agency General Plan compliance with RTP goals and policies.</p>	<p>During preparation of local agency General Plans.</p>	<p>once per General Plan</p>	<p>RTC</p>		
<p><b>AQ-1(a)</b> The local jurisdiction in which a particular RTP project is located shall ensure that MBUAPCD's standard dust control measures are implemented. The measure shall be noted on all construction plans and the local jurisdiction shall perform periodic site inspections. These measures may include the following:</p> <ul style="list-style-type: none"> <li>• Water all active construction area at least twice daily;</li> <li>• Prohibit all grading activities during periods of high wind (over 15 mph);</li> <li>• Apply chemical soil stabilizers on inactive construction areas;</li> <li>• Apply non-toxic binders to exposed areas after cut and fill operations and hydroseed area;</li> </ul>	<p>Priority land use clearance, the applicant shall include, as a note on separate informational sheet to be recorded with any map, the aforementioned dust control requirements. All requirements shall be shown on grad and building plan</p>	<p>Conditions shall be adhered to throughout all grading and construction periods for all project components. Onsite construction monitor shall perform periodic spot checks during grading and construction. APD inspectors shall respond to nuisance complaints.</p>	<p>As necessary, during construction.</p>	<p>LCPD, LCPWD (as applicable), OCM</p>		0061

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<ul style="list-style-type: none"> <li>Haul trucks shall maintain at least two feet of freeboard;</li> <li>Cover all trucks hauling dirt, sand or loose materials;</li> <li>Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land</li> <li>Plant vegetative ground cover on disturbed areas as soon as possible;</li> <li>Cover inactive storage piles;</li> <li>Install wheel washers at the entrance to construction sites for all exiting trucks;</li> <li>Pave all roads on construction sites;</li> <li>Sweep streets if visible soil material is carried out from the construction site;</li> <li>Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints; and/or</li> <li>Limit the area under construction at any one time</li> </ul>	Review construction schedule.	During environmental review	Once	LCPD, LCPWD (as applicable)		
<p><b>AG-1(b)</b> The jurisdiction in which a particular RTP project is located shall ensure that ground disturbance is phased to the extent possible to minimize the creation of fugitive dust. This shall be accomplished through review and approval by the local jurisdiction of the construction schedule submitted in</p>						00a2

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association with the project's environmental review.						
<b>AQ-1(c)</b> The jurisdiction in which a particular RTP project is located shall ensure that the Best Available Control Technology is implemented to reduce short-term NOx emissions. BACT measures shall include two-degree timing retard, high pressure fuel injectors and reformulated diesel fuel, if available. These measures shall be noted on all construction plans and the local jurisdiction shall perform periodic site inspections.	Review construction plans and implementation of CBACT features.	Construction plans shall be reviewed during plan check. The onsite monitor shall perform periodic site inspections during construction.	Once during plan review; as necessary, during construction	LCPD, LCPWD (as applicable), OGM		
<b>AQ-1(d)</b> The jurisdiction in which a particular RTP project is located shall ensure that the implementing agency contributes monies for off-site mitigation in addition to performing the measures listed above. This mitigation shall be accomplished through the application of this condition by the responsible jurisdiction during the individual project's environmental review.	The applicant shall submit an agreement for provision of air quality mitigation fees, as determined by APCD and/or the local planning department.	Prior to issuance of a grading permit.	Once	LCPD, LCPWD (as applicable), APCD		
<b>AQ-1(e)</b> The jurisdiction in which a particular RTP project is located shall ensure that the removal of underground storage tanks is a permitted activity in accordance with APCD rules and regulations. This shall be accomplished through the submittal of APCD permits to the local jurisdiction prior to issuance of a grading permit.	Review APCD permits	Prior to issuance of a grading permit.	Once	LCPD, LCPWD (as applicable), APCD		
<b>AQ-2(a)</b> SCCRTC shall give funding priority to those projects which reduce regional emissions of ozone precursor gases	Review proposed project lists to determine projects	During individual project review.	On-going.	RTC		

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countywide.	that reduce ozone precursor emissions.					
AQ-2(b) The Regional Transportation Commission shall work with AMBAG and the Monterey Bay Unified APCD to assure that emissions from all proposed RTP projects are included in the 2003 AQMP, and to identify additional control measures, as needed, to offset emission increases, if any.	Coordinate with AMBAG and MBUAPCD to evaluate RTP project emissions.	During preparation of 2001 AQMP	Once.	RTC, AMBAG, APCD		
AQ-4(a) The jurisdictions that propose an airport, rail, and park and ride lot project that is demonstrated to significantly impact local roadways in exceedance of MBUAPCD thresholds shall work with the appropriate agency to provide improvements to the circulation system of the jurisdiction in which the project is located such that all roadways and intersections affected by the project in question maintain an acceptable level of service. This may involve a reduction in the size of the project, relocation of the project, or reconfiguration of project facilities.	Design plan check	During environmental review of individual projects; prior to issuance of grading permits	Once.	RTC, LCPD, LCPWD (as applicable); APCD		
<b>NOISE</b>						
RTP Policy 4.3.4, to "Avoid, minimize or mitigate noise, vibration, and visual impacts from transportation improvements in sensitive areas" would reduce project impacts related to noise.	The identified policy would be implemented by local agencies through their General Plans. RTC will monitor local agency General Plan compliance with	During preparation of local agency General Plans.	Once per General Plan	RTC		0034

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	RTP goals and policies. Design plan check; field check					
N-1(a) The local jurisdiction in which a particular RTP project is located shall ensure that, where residences or other noise sensitive uses are located adjacent to construction sites, appropriate measures shall be implemented to ensure consistency with local noise ordinance requirements relating to construction. Specific techniques may include, but are not limited to, restrictions on construction timing, use of sound blankets on construction equipment, and the use of temporary walls and noise barriers to block and deflect noise.		During design review; construction	Once during design review; periodically during construction	LCPD, LCPWD (as applicable); OCM		
N-1(b) If a particular project located adjacent to sensitive receptors requires pile driving, the local jurisdiction in which this project is located shall require the use of pile driving techniques instead, where feasible, which would reduce the physical impact and associated noise generation from pile driving. This shall be accomplished through the placement of conditions on the project during its individual environmental review.	Field check	During construction	Periodically during construction	LCPD, LCPWD (as applicable); OCM		
N-2(a) If an RTP project is located adjacent to sensitive uses, the local jurisdiction in which the project is located shall ensure that a noise survey is conducted to determine alternate alignments which allow greater distance from, or greater buffering of, noise-sensitive areas. The noise survey shall be sufficient to indicate existing and projected noise levels, to determine the	Design plan check to determine proximity of adjacent noise sensitive uses. Conduct noise surveys as necessary. Field check implementation of	During individual project environmental review	Once.	LCPD, LCPWD (as applicable); OCM		0035

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Amount of attenuation needed to reduce potential noise impacts to such uses to an exterior noise level of 65 dBA or less. ITs shall be accomplished during the project's individual environmental review.	attenuation measures.					
<b>N-2(b)</b> Various sound attenuation techniques shall be considered where new or expanded roadways or reused rail lines are found to expose receptors to noise exceeding normally acceptable levels. The preferred methods for mitigating noise impacts will be the use of appropriate setbacks and sound attenuating building design, including retrofit of existing structures with sound attenuating building materials where feasible. In instances where use of these techniques is not feasible, the use of sound barriers (earthen berms, sound walls, or some combination of the two) will be considered. Determination of appropriate noise attenuation measures will be assessed on a case-by-case basis during a project's individual environmental review pursuant to the regulations of the applicable agency.	Design plan check; field check	During design and environmental review; construction	Once during review; once during project construction	LCPD, LCPWD (as applicable); OCM		
<b>N-2(c)</b> Long expanses of walls or fences should be interrupted with offsets and provided with accents to prevent monotony. Landscape pockets and pedestrian access through walls should be provided. Whenever possible, a combination of elements should be used, including solid fences, walls, and, landscaped berms.	Design plan check; field check	During design review; construction	Once during design review; once during construction	LCPD, LCPWD (as applicable); OCM		0006

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AES-1(a) Where a particular RIP improvement affects adjacent landforms, the local jurisdiction in which the project is located shall ensure that recontouring provides a smooth and gradual transition between modified landforms and existing grade. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Design plan check; field check	During design and environmental review; during construction	Once during design and environmental review; once during construction	LCPD, LCPWD (as applicable); OCM		
AES-1(b) The local jurisdiction in which a particular RTP project is located shall ensure that associated landscape materials enhance landform variation, provide erosion control and blend with the natural setting. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review. To ensure compliance with approved landscape plans, the implementing agency shall provide a monetary performance security equal to the value of the landscaping/ irrigation installation.	Design plan check; field check. The applicant shall submit an agreement for provision of landscape mitigation fees, as determined by Caltrans and/or the local planning department.	During design review; during construction. Fees shall be submitted prior to issuance of a grading permit.	Once during design review; once during construction	LCPD, LCPWD (as applicable); OCM		
AES-1(c) The local jurisdiction or lead agency of a particular RTP project shall ensure that a project in a scenic view corridor will have the minimum possible impact, consistent with project goals, upon foliage, existing landscape architecture and natural scenic views. This requirement shall be accomplished through the placement of conditions on the project by the lead agency	Design plan check; field check	During design and environmental review; during construction	Once during design and environmental review; once during construction	LCPD, LCPWD (as applicable); OCM		3037

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During the project specific environmental review and by ensuring that specific design considerations to achieve this mitigation are enacted at each stage of design by the lead agency, local jurisdictions and SCCRTC personnel.						
<b>AES-1(d)</b> Potential noise impacts arising from increased traffic volumes associated with adjacent land development shall be preferentially mitigated through the use of setbacks and the acoustical design of adjacent structures. The use of sound walls, or any other architectural features that could block views from the scenic highways or other view corridors, shall be discouraged to the extent possible. Where use of sound walls is found to be necessary, walls shall incorporate offsets, accents, and landscaping to prevent monotony, as described in Mitigation Measure N-2(c).	Design plan check; field check	During design review; construction	Once during design review; once during construction	LCPD, LCPWD (as applicable); OCM		
<b>AES-2(a)</b> Roadway extensions and widenings shall avoid the removal of existing mature trees to the extent possible. Any trees lost shall be replaced at a minimum 1:1 basis and incorporated into the landscaping design for the roadway. Tree replacement ratios shall be consistent with the local jurisdictions in which impacts could occur.	Design plan check; field check; determine trees to be removed; review replacement tree program.	During design review; construction	Once during design review; as necessary during construction	LCPD, LCPWD (as applicable); OCM		0038
<b>AES-2(b)</b> Roadway, transit station, park and ride lot, and wharf facility lighting shall be minimized to the extent possible, and shall not exceed the maximum height limits of the	Design plan check	During design review	Once	LCPD, LCPWD (as applicable)		

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local jurisdiction in which the project would occur. In addition, lighting shall be designed so as not to spill over onto adjacent properties. <b>AES-2(c)</b> Bus shelters and other ancillary facilities constructed under the RTP shall be designed in accordance with the architectural review requirements of the local jurisdiction in which the project would occur. Bus shelters shall incorporate earth tone colors and wood materials complementary of the natural surroundings.	Design plan check	During design review	Once	LCPD, LCPV/D (as applicable)		
<b>WATER RESOURCES/ FLOODING</b>						
<b>W-1(a)</b> The local jurisdiction in which a particular RTP project is located shall ensure that, where economically feasible, reclaimed and/or desalinated water is used for dust suppression during construction activities. This measure shall be noted on construction plans and shall be spot checked by the local jurisdiction.	Verification of plan; field check to verify compliance with plan requirements.	During design plan review; construction	Once during design review; periodically during construction	LCPD, LCPV/D (as applicable); OCM		
<b>W-1(b)</b> The local jurisdiction in which a particular RTP project is located shall ensure that low water use landscaping (i.e., drought tolerant plants and drip irrigation) is installed. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Verification of plan; field check to verify compliance with plan requirements.	During design plan review; construction	Once during design and environmental review; periodically during construction	LCPD, LCPV/D (as applicable); OCM		0039
<b>W-1(c)</b> The local jurisdiction in which a particular RTP project is located shall ensure that, if feasible, landscaping associated with	Verification of plan; field check to verify compliance with plan	During design plan review; construction	Once during design and environmental	LCPD, LCPV/D (as applicable); OCM		

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and/or desalinated water. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.			review; periodically during construction			
<b>W-1(d)</b> The local jurisdiction in which a particular RTP project is located shall ensure that porous pavement materials are utilized, where feasible, to allow for groundwater percolation. Rural bicycle trails shall be left unpaved, where appropriate. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Design plan review; field review	During design plan review; construction	Once during design and environmental review; periodically during construction	LCPD, LCPWVD (as applicable); OCM		
<b>W-2(a)</b> The local jurisdiction in which a particular RTP project is located shall ensure that fertilizer/ pesticide application plans for any new right-of-way landscaping are prepared to minimize deep percolation of chemicals. This shall be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Design plan review; field review	During design plan review; construction	Once during design and environmental review; periodically during construction	LCPD, LCPWVD (as applicable); OCM		
<b>W-2(b)</b> The local jurisdiction in which an RTP road widening or roadway extension project is located shall ensure that the improvement directs runoff into subsurface percolation basins and traps which would allow for the removal of urban pollutants, fertilizers, pesticides, and other chemicals. This shall be accomplished through the	Design plan review; field review	During design plan review; construction	Once during design and environmental review; periodically during construction	LCPD, LCPWVD (as applicable); OCM		0090

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placement or conditions on the project by the local jurisdiction during individual environmental review.						
W-2(c) For roadway projects that would disturb at least five acres (one acre after March 2003), a Storm Water Pollution Prevention Plan (SWPPP) shall be developed prior to the initiation of grading and implemented for all construction activity on the project site. The SWPPP shall include specific BMPs to control the discharge of material from the site and into the creeks and local storm drains. BMP methods may include, but would not be limited to, the use of temporary retention basins, straw bales, sand bagging, mulching, erosion control blankets and soil stabilizers.	File Notice of Intent; obtain NPDES permit	Prior to construction	Once	LCPD, LCPWD (as applicable)		
W-2(d) The local jurisdiction in which a particular RTP project is located shall ensure that adequate drainage infrastructure is in place to accommodate runoff from the project, prior to issuance of grading permits. If adequate drainage infrastructure is not available, the project proponent shall pay utility mitigation fees or otherwise provide improvements to the drainage facilities of the jurisdiction in which the project is located such that drainage facilities affected by the project in question maintain an acceptable level of service.	Design plan review; field review. The applicant shall submit an agreement for drainage mitigation fees, as determined by Caltrans and/or the local planning department.	During design review; during construction. Fees shall be submitted prior to issuance of a grading permit.	Once during design review; periodically during construction	LCPD, LCPWD (as applicable); OCM		0091
W-3(a) If a particular RTP roadway, bikeway or bridge project is located in an area with high flooding potential, the local jurisdiction in which the project is located shall ensure	Design plan review; field review	During design plan review; construction	Once during design and environmental review;	LCPD, LCPWD (as applicable); OCM		

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<p>above the 100 year flood zone elevation and that feasible bank stabilization and erosion control measures are implemented along creek crossings. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental</p>			periodically during construction			
<p><b>w-4(a)</b> in areas subject to tsunami effects, the local jurisdiction shall ensure that RTP projects involving the construction of new roadways or other structures are elevated above the 10-foot elevation by an appropriate margin. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during environmental review for</p>	Design plan review; field review	During design plan review; construction	Once during design and environmental review; periodically during construction	LCPD, LCPWD (as applicable); OCM		

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<b>GEOLOGICAL RESOURCES</b>						
<b>G-1(a)</b> If a particular RTP bridge or passenger station project is located in an area of moderate to high liquefaction potential, the local jurisdiction in which this project is located shall ensure that these structures are designed based upon appropriate geology, soils and earthquake engineering studies. Possible design measures include deep foundations, removal of liquefiable materials and dewatering. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Verification of investigation and incorporation of findings into project design	During design plan review	Once	LCPD, LCPWD (as applicable)		
<b>G-1(b)</b> If a particular RTP road widening or bridge project involves cut slopes over 20 feet in height or is located in areas of bedded or jointed bedrock, the local jurisdiction in which the project is located shall ensure that specific slope stabilization studies are conducted. Possible stabilization methods include buttresses, retaining walls and soldier piles. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Verification of investigation and incorporation of findings into project design	During design plan review	Once	LCPD, LCPWD (as applicable)		
<b>G-1(c)</b> If a particular RTP bridge or passenger station project is located in an area of highly expansive, collapsible or compressible soils, the local jurisdiction in	Verification of investigation and incorporation of findings into project design	During design plan review	Once	LCPD, LCPWD (as applicable)		0093


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<p>a specific investigation and appropriate design factors are implemented. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.</p> <p><b>G-1(d)</b> if a particular RTP roadway or fixed facility project involving deep foundations or underground areas is located in an area of high groundwater potential, the local jurisdiction in which the project is located shall ensure that appropriate construction techniques (such as de-watering, special water proofing, and deeper foundations) are included. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.</p> <p><b>G-1(e)</b> if a particular RTP roadway or fixed facility project involving deep foundations or underground areas is located in an area of moderate or high erosion potential, the local jurisdiction in which the project is located shall ensure that a grading and erosion control plan that minimizes erosion and sedimentation shall be prepared and implemented by the project proponent, prior to issuance of Grading Permits. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review. The grading and</p>	<p>Verification of investigation and incorporation of findings into project design</p> <p>Verification of investigation and incorporation of findings into project design</p>	<p>During design plan review</p> <p>During design plan review, prior to issuance of grading permits</p>	<p>Once</p> <p>Once</p>	<p>LCPD, LCPWD (as applicable)</p> <p>LCPD, LCPWD (as applicable)</p>			
							0094

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<p>erosion control plan must include the following:</p> <p>a. Methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags shall be used to minimize erosion on slopes and siltation into waterways during grading and construction activities. Graded areas shall be revegetated within four weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.</p> <p>c. Exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by the P&amp;B Grading Division and APCD. These methods may include importing of topsoil is to be imported and spread on the ground surface in areas having soils that can be transported by the wind, and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. The topsoil or</p>						0095

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<p>silt/clay mixture is to be used to stabilize the existing soil to prevent its ability to be transported by wind. As a minimum, six inches of topsoil or silt/clay/sand mixture is to be used to stabilize the wind-erodible soils.</p> <p>d. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.</p> <p>e. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff.</p> <p>f. Fills placed on slopes steeper than 5:1 shall be properly benched prior to placement of fill.</p> <p>g. Brow ditches and/or berms shall be constructed and maintained above all cut and fill slopes, respectively.</p> <p>h. Cut and fill benches shall be constructed at regular intervals.</p> <p>i. Retaining walls shall be installed to stabilize slopes where there is a 10-foot or greater difference in elevation between buildable lots.</p> <p>j. Excavation and grading shall be limited to the dry season of the year (typically April 15 to November 1, allowing for variations in weather) unless an approved erosion control plan is in place and all measures therein are in effect.</p>						

0096

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<b>G-2(a)</b> The local jurisdiction in which a particular RTP bridge or passenger station project is located shall ensure that the structure is designed and constructed to the latest geotechnical standards. In most cases, this will necessitate site specific geologic and soils engineering investigations to exceed the code for high groundshaking zones. This can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Verification of investigation and incorporation of findings into project design	During design plan review, prior to issuance of grading permits	Once	LCPD, LCPWD (as applicable)		
<b>G-2(b)</b> The local jurisdiction in which a particular RTP bridge or passenger station project is located shall ensure that these structures are placed in areas outside of fault rupture zones. If avoidance is not possible, detailed geologic and seismic studies must be conducted to locate active or potentially active fault traces. Structures shall then be placed outside of an appropriate setback distance. This requirement can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.	Verification of investigation and incorporation of findings into project design	During design plan review, prior to issuance of grading permits	Once	LCPD, LCPWD (as applicable)		0097
<b>PUBLIC FACILITIES/RECREATION</b>						
<b>PF-1(a)</b> For road construction projects involving temporary lane or road closures, the responsible agency shall post advance	Field review	Prior to construction; During construction	Once prior to construction; periodically	LCPD, LCPWD (as applicable); OCM		

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warning signs no more than 100 feet from the project site indicating when disruption would occur for a period of at least one week prior to project construction through the completion of construction, and provide marked detours. During implementation of roadway improvements that necessitate partial or total road closure, at least one lane shall remain open to vehicles at all times, and/or alternative routes/detours around improvement areas with appropriate signage shall be provided.			during construction			
<b>PF-2(a)</b> In no case shall a major critical facility (state or federal highways) be disrupted without first coordinating with the Santa Cruz County Office of Emergency Preparedness. In that case, provisions to allow the passage of emergency vehicles, even during construction, shall be addressed in the construction plans for projects on these roadways.	Design plan review	During design plan review	Once	LCPD, LCPWD (as applicable)		
<b>PF-3(a)</b> The local jurisdiction in which a particular RTP project is located shall ensure that adequate funds are budgeted to maintain the transportation facility as well as existing facilities. This can be accomplished during the project's individual environmental review phase, at which time an assessment of the facility's specific maintenance needs and budget requirements can be made.	Review maintenance funding	Prior to project construction	Once	LCPD, LCPWD (as applicable)		0098

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<b>CULTURAL RESOURCES</b>						
<p><b>CR-1(a)</b> The local jurisdiction in which an RTP project involving substantial earth disturbance, the removal or disturbance of existing buildings, or construction of permanent above ground structures or roadways is located shall ensure that the following elements are included in the RTP project's individual environmental review:</p> <p>1. A map defining the Area of Potential Effects (APE) shall be prepared for RTP improvements that involve substantial earth disturbance, the removal or disturbance of existing buildings, or construction of permanent above ground structures. This map will indicate the areas of primary and secondary disturbance associated with construction and operation of the facility and will help in determining whether known cultural resources are located within the impact zone.</p> <p>Z A preliminary study of each project area, as defined in the APE, shall be completed to determine whether or not the project area has been studied under an earlier investigation, and to determine the impacts of the previous project</p>	On-site monitoring	During construction	Periodically	LCPD, LCPWD (as applicable); OCM		
						6600

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<p>3. If the results of the preliminary studies indicate additional studies are necessary; development of field studies and/or other documentary research shall be developed and completed (Phase I studies). Negative results would result in no additional studies for the project area.</p> <p>4. Based on positive results of the Phase I studies, an evaluation of identified resources shall be completed to determine the potential eligibility/significance of the resources (Phase II studies).</p> <p>5. Phase III mitigation studies shall be coordinated with the Office of Historic Preservation, as the research design will require review and approval from the OHP. In the case of prehistoric or Native American related resources, the Native American Heritage Commission and/or local representatives of the Native American population shall be contacted and permitted to respond to the testing/mitigation programs.</p>	<p>On-site monitoring Transportation Commission Local and/or Caltrans Planning Department Local and/or Caltrans Public Works Department On-site Construction Monitor</p>	<p>During construction</p>	<p>Periodically</p>	<p>LCPD, LCPWD</p>		<p>0100</p>

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archaeological monitor, the local jurisdiction shall ensure that a certified archaeologist/paleontologist monitors the grading and/or other ground altering activities. The schedule and extent of the monitoring will depend on the grading schedule and/or extent of the ground alterations. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.	On-site monitoring	During construction	Periodically	(as applicable); OCM		
<b>CR-1(c)</b> The local jurisdiction shall ensure that materials recovered over the course of any given improvement are adequately cleaned, labeled, and curated at a recognized repository. This requirement can be accomplished through placement of conditions on the project by the local jurisdiction during individual environmental review.	Design plan review	During design review	Once	LCPD, LCPWD (as applicable); OCM		
<b>CR-1(d)</b> Local jurisdictions shall ensure that mitigation for potential impacts to significant cultural resources includes one or more of the following: <ul style="list-style-type: none"> <li>• Realignment of the project right-of-way (avoidance; the most preferable method);</li> <li>• Capping of the site and leaving it undisturbed;</li> <li>• Addressing structural remains with respect to NRHP guidelines (Phase</li> </ul>						0101



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<p>ill studies);</p> <ul style="list-style-type: none"> <li>Relocating structures per NRHP guidelines;</li> <li>Creation of interpretative facilities; and/or</li> <li>Development of measures to prevent vandalism.</li> </ul> <p>This can be accomplished through placement of conditions on the project by local jurisdiction during individual environmental review.</p>						
<p><b>CR-1(e)</b> A qualified archaeologist shall monitor all earth moving activities within native soil. In the event that archaeological and historic artifacts are encountered during project construction, all work in the vicinity of the find will be halted until such time as the find is evaluated by a qualified archaeologist and appropriate mitigation (if necessary) is implemented.</p> <p>In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps will be taken:</p> <ol style="list-style-type: none"> <li>There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</li> </ol>	On-site monitoring	During construction	Periodically	LCPD, LCPWD (as applicable); OCM		0102

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<p>A. The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>B. If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> <li>1. The coroner shall contact the Native American Heritage Commission within 24 hours.</li> <li>2. The Native American Heritage Commission shall identify the person or persons it believes to be most likely descended from the deceased Native American.</li> <li>3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating</li> </ol>	<p>APCD - Monterey Bay Unified Air Pollution Control District            CDFG - California Department of Fish and Game            USFWS - United States Fish and Wildlife Service            NMFS - National Marine Fisheries Service</p>					0103

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<p>or disposing of, with appropriate dignity the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or</p> <p>II. Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>A. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>B. The descendent identified fails to make a recommendation; or</p> <p>C. The landowner or his authorized representative</p>	<p>APCD - Monterey Bay Unified Air Pollution Control District            CDFG - California Department of Fish and Game            USFWS - United States Fish and Wildlife Service            NMFS - National Marine Fisheries Service</p>					0104

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rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.						
<b>RISK OF UPSET</b> RTP Policy 1.6 to "Emphasize safety when making decisions about transportation priorities" and associated policies would reduce RTP impacts related to safety.	The identified policy would be implemented by local agencies through their General Plans. RTC will monitor local agency General Plan compliance with RTP goals and policies. Design plan review	During preparation of local agency General Plans.  During design plan review	Once per General Plan  Once	R  LCPD, LCPWD (as applicable)		0105
<b>RU-2(a)</b> For RTP improvements along designated hazardous materials transfer routes, the local jurisdiction in which the project is located shall ensure that the project is designed to allow for safe traveling, merging and passing of hazardous materials haul trucks. Design considerations should include: wider "slow" lanes, longer approach						

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<p>ramps and merger lanes and more gradually inclined interchanges. This can be accomplished through the placement of conditions on the project by the local jurisdiction during individual environmental review.</p>						
<p><b>RU-4(a)</b> The jurisdictions that propose a roadway project shall ensure that the roadway design does not present any substantial hazards, such as sharp curves or dangerous intersections, in accordance with the guidelines of the applicable jurisdiction. This may involve realignment, redesign or reconfiguration of roadway improvements.</p>	Design plan review	During design plan review	Once	LCPD, LCPWD (as applicable)		
<b>BIOLOGICAL RESOURCES</b>						
<p><b>B-2(a)</b> The local jurisdiction in which an RTP project with potentially significant long-term effects to biological resources is located shall assure that project-specific environmental reviews consider specific mitigation measures and/or alternative alignments that avoid or minimize impacts to biological resources. Any agency proposing a project described in the 2001 RTP shall consult with California Department of Fish and Game and, as applicable, U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation shall occur in the initial design phase of each individual RTP project.</p>	Design plan review. If sensitive biological resources are identified, the applicant shall submit written proof that the applicable regulatory agency or agencies have been contacted and applicable permits obtained.	During design plan review	As necessary prior to construction	LCPD, LCPWD (as applicable); CDFG, USFWS, NMFS (as applicable)		
<p><b>B-3(a)</b> The local jurisdiction in which an RTP project with potentially significant conflicts with an HCP is located shall assure that</p>	Design plan review. If sensitive biological resources	During design plan review	As necessary prior to construction	LCPD, LCPWD (as applicable); CDFG, USFWS,		0100

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<p>project-specific environmental reviews consider specific mitigation measures and/or alternative alignments that avoid or minimize conflicts with applicable HCPs and the protected species and habitats thereof. Any agency proposing a project described in the 2001 RTP shall consult with California Department of Fish and Game and, as applicable, U.S. Fish and Wildlife Service and National Marine Fisheries Service. Consultation shall occur in the initial design phase of each individual RTP project.</p>	<p>are identified, the applicant shall submit written proof that the applicable regulatory agency or agencies have been contacted and applicable permits obtained.</p>			NMFS (as applicable)			

0107



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**List of Documents on File with the Clerk of the Board of Supervisors**

- 2001 Regional Transportation Plan (December 2001)
- Draft EIR for the 2001 Regional Transportation Plan (June 2001)
- Final EIR for the 2001 Regional Transportation Plan (October 2001) including Appendix A
- Notice of Determination (October 9, 2001)

**EIR Addendum**

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Environmental Impact Report  
Addendum

*for the*

2001 Santa Cruz County  
Regional Transportation Plan

*regarding the*

Sales Tax Measure Expenditure Plan

State Clearinghouse No. 2000122068

*Prepared for:*

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**June 2004**

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# Santa Cruz County 2001 RTP EIR Addendum for the **Sales Tax Measure Expenditure Plan**

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## INTRODUCTION

This document is an addendum to the Santa Cruz County Regional Transportation Commission's (SCCRTC) 2001 Regional Transportation Plan (RTP) Environmental Impact Report (EIR) that was certified by SCCRTC on October 4, 2001. The addendum is needed to address the possible environmental effects associated with the Local Transportation Sales Tax Measure Expenditure Plan (hereafter "Expenditure Plan"), proposed for the November 2004 ballot, that would result in a new funding source that would implement the projects and programs previously identified in the 2001 RTP that was the subject of the certified Final EIR.

According to Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, an addendum to a previously certified EIR is the appropriate environmental document in instances when "only minor technical changes or additions are necessary" and when the new information does not involve new significant environmental effects beyond those identified in the EIR. The change being contemplated involves an expenditure plan that identifies funding for transportation projects in a manner that is substantially conformant with the 2001 RTP, and with no increase in the intensity of planned transportation and circulation improvements. In addition, as discussed below, the proposed expenditure plan would have no new significant environmental effects. As such, the addendum is the appropriate environmental document under CEQA.

This addendum includes a description of the Expenditure Plan currently proposed by SCCRTC and a comparison of the projects in the Expenditure Plan to those identified for the 2001 RTP without the Expenditure Plan, as described in the Final EIR.

This document is considered a program-level EIR Addendum. Section 15168(a) of the *CEQA Guidelines* states that "a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically; (2) as logical parts in a chain of contemplated actions; (3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways." As such, this EIR Addendum presents a region-wide assessment of the potential impacts of the Expenditure Plan projects. The Expenditure Plan would influence future programming decisions regarding local, state, and federal transportation funds. However, the projects identified in the Expenditure Plan relate to the RTP, which is a long-range planning/programming document. Therefore, the Expenditure Plan does not include specific project designs or construction schedules for any of the projects. Accordingly, though the EIR Addendum identifies some of the possible impacts of individual projects, consistent with the 2001 RTP Final EIR, it does not evaluate site-specific impacts of individual projects. Specific project design efforts and subsequent environmental review for individual projects identified in this program EIR Addendum would be the subject of future technical study by the lead implementing agency sponsoring the transportation system modification.

## PROJECT DESCRIPTION

The SCCRTC has recommended that the County of Santa Cruz seek voter approval of an ordinance which would, if so approved, authorize the County to impose a one-half of one percent transactions and use tax for a period of thirty years to fund the transportation improvements set forth in the Expenditure Plan. This Expenditure Plan would be presented to the voters of Santa Cruz County by the SCCRTC as a means to fill the funding shortfall to: implement necessary highway, local street and road, transit, rail, bicycle, and pedestrian projects; provide adequate maintenance and improvements on the local street and road system; accommodate and promote economic growth throughout the county; and provide specialized programs to meet the needs of commuters, youth and the growing senior and disabled population. Collection of the one-half percent sales tax would commence on April 1, 2005.

The Expenditure Plan identifies transportation improvements to be partially funded from the new one-half of one percent transaction and use tax, if two-thirds of the electors voting on November 2, 2004 approve the Sales Tax Measure. The proposed Expenditure Plan associated with the Sales Tax Measure that will be placed on the November 2004 ballot would result in a new funding source available to implement some of the transportation and circulation improvement projects that were previously identified in the 2001 RTP. The purpose of the Expenditure Plan is to implement the goals and priorities of the 2001 RTP through investment in a set of projects and programs contained in the RTP that include planning, maintenance and rehabilitation of, and improvements to the county's multi-modal transportation system.

Each of the Responsible Agencies that would implement the individual projects funded with the Expenditure Plan would determine implementation and what, if any, financial management tools to use (such as bonds) to accelerate delivery of those projects. Where SCCRTC is the responsible agency for distributing sales tax revenues to projects, SCCRTC would determine distribution schedules and what, if any, management tools to use to accelerate delivery of some projects.

### Description of Projects to be Funded by the Expenditure Plan

This section contains general descriptions of the projects, categories and subcategories in the Plan, the types of projects or programs that are eligible for funding under each category, and allocation procedures. The final scope, cost, and project limits of all improvements will be determined through noticed public hearings, environmental review processes, and agreements with affected agencies, as appropriate.

A full list of projects from the 2001 RTP that may be partially funded by the Expenditure Plan is included in Table 1. This table also contains the Expenditure Plan and 2001 RTP descriptions of the projects.



Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Highway 1 Widening/HOV	<ul style="list-style-type: none"> <li>- Widen Highway 1 from Morrissey Boulevard south to Aptos with one additional lane in each direction, to encourage maximum person-throughput by allowing exclusive use by carpools and buses during peak periods.</li> <li>- Add auxiliary lanes to improve merging of traffic at specific freeway interchanges.</li> <li>- Add metering lights at on ramps where appropriate/ feasible.</li> <li>- Add soundwalls and landscaping.</li> <li>- Modify interchanges and over-crossings as needed and improve bicycle/pedestrian facilities on those over-crossings.</li> <li>- Use notes, bonds, certificates of finance or other forms of indebtedness to finance construction of the project as soon as possible.</li> </ul>	CT-P7, Caltrans, Hwy 1 Widening: HOV/HOT Lanes  CT-P1, Caltrans, Hwy 1 Ramp Metering  CT-P2, Caltrans, Hwy 1 - Revise Interchanges  CT-P3, Caltrans, Hwy 1 Southbound & Northbound Auxiliary Lanes	Project development for High Occupancy Vehicle/Toll Lanes (HOV/HOT) on Hwy 1 (Aptos to 5C) Construction is on unconstrained list.  Installation of Ramp Meters at 7 interchanges (Freedom, Ro Del Mar, Stats Park Road, Park Avenue, Bay/Porter Avenue, 41st Avenue, Soquel Road, Morrissey Boulevard, and Ocean St) . Includes widening ramps as needed, ramp meter signals, and controllers.	Although construction of the Highway 1 widening and associated facilities was not constrained in the 2001 RTP, the 2001 RTP EIR evaluated the environmental impacts of construction of the widening at a program level. This project is currently being evaluated on a project level in a separate EIR/EA.

**Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP**

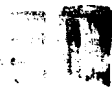
Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Highway 1 Bike/Pedestrian Crossings	<p>In order to improve bicycle and pedestrian movement between communities on either side of Highway 1, funds will be used to construct bicycle/pedestrian bridges crossing over Highway 1 generally in the areas of Live Oak, and Aptos, and improve bicycle and pedestrian facilities on existing crossings. Exact locations will be determined during the project develop phase of the Highway 1 Widening/Carpool Lane project.</p>	<p>CT-P7a, Caltrans, Hwy 1 Bike/Ped Bridge (Cabrillo-New Brighton)                      CT-P7B, Caltrans, Hwy 1 Ped/Bike Bridge at Mattison                      CO-P34, County of Santa Cruz, Hwy 1 Ped Overcrossing at Mar Vista</p>	<p>Construction of bike/ped bridge connecting New Brighton State Beach and Cabrillo College.                      Construction of bike/ped bridge across Hwy 1 to connect Mattison.                      Pedestrian overcrossing of Highway 1 at Mar Vista.</p>	<p>All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.</p>
Highway 1 Express Buses	<p>Provide additional express bus service on Highway 1 between Santa Cruz and Watsonville, and major destinations within the county, including UCSC and Cabrillo College, in order to provide a reasonable alternative to the automobile for daily commuters who travel within the region. Sales Tax Measure funds will be made available for operation of these services (eligible non-capital expense) and to match federal funds for capital bus purchases.</p>	<p>MTD-P14, Santa Cruz Metropolitan Transit District, Local Transit Service Expansion</p>	<p>Expand local service 10% including expanded service within SLV, City of SC and Watsonville, express buses, improved service to industrial areas.</p>	<p>All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.</p>

Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Highway 17 Safety Improvements	<ul style="list-style-type: none"> <li>- Continue extra California Highway Patrol (CHP) enforcement (eligible non-capital expense)</li> <li>- Widen shoulders where feasible</li> <li>- Install traffic message signs and automated traffic monitoring stations</li> </ul>	CT-P10, Caltrans, Hwy 17 Operational Improvements	Constrained: Concrete guard rail near Scotts Valley, shoulder widening, curve realignment (from 10-yr SHOPP).  Unconstrained: auxiliary lanes, interchange improvements.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
		CT-P13, Caltrans, Hwy 17 at Vinehill: Safety and Op Improvements	Correcting a skew, lengthening a turn pocket, and prohibiting left turns onto Route 17 from an adjacent driveway.	
		CT-P18, Caltrans, Hwy 17 - Intelligent Transportation Systems (ITS)	ITS (Intelligent Transportation Systems): advanced electronics and information technologies to increase the safety and efficiency of the surface transportation system. Vehicle detection loop and closed circuit TV camera installations at 1/2 mile intervals.	
		CHP-P1, CHP - California Highway Patrol, Hwy 17 Safety Program	Continuation of existing Highway 17 Safety Program in Santa Cruz County by California Highway Patrol. Includes public education and awareness, CHP Patrol enhancement, pilot cars, electronic speed signs.	

Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
<p>Park &amp; Ride Lots / Alternative Transportation Programs</p> <p>A number of programs have been implemented to maximize the number of people using the transportation network by encouraging commuters to share rides, reduce congestion, and take advantage of travel in the "carpool" lanes proposed in the Highway 1 Widening project. These programs may include: rideshare matching services; incentive programs; vanpool "seed money"; buspool subsidies; and park and ride lot leases. These programs will encourage maximum use of new highway lanes.</p>	<p>Hwy 1/9 intersection improvements including: added left-turn lane on Rte 1 SB, twelve foot through lane with eight foot shoulder Rte 9 NB from Route 1 to Encinal, extend raised median on Rte 9 to Coral St, signalization of Fern St, construct park and ride.</p> <p>CAP-P23, City of Capitola, McGregor Drive Park and Ride Lot Improvements</p> <p>CAP-P24, City of Capitola, Pacific Cove Expansion for Park-Ride Lot.</p> <p>SC-P14, City of Santa Cruz Park &amp; Ride Lots</p> <p>WAT 8 Pajaro Valley TMA, Pajaro Valley TMA Outreach</p>	<p>2001 RTP Project Description</p>	<p>All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.</p>	



**Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP**

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Park & Ride Lots/ Alternative Transportation Programs (Continued)		RTC 2, Regional Transportation Commission, Commute Solutions Rideshare Program	Program provides a matching service for carpools and vanpoolers, services and information about other alternative transportation modes such as transit, walking, bicycling, telecommuting.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
		RTC-P14, Regional Transportation Commission, Park and Ride Lot Development	Identify, purchase land and construct Park & Ride lots for commuters countywide.	
		RTC 17, Santa Cruz Area TMA, TDM Planning and Promotion	Community organization that promotes alternative commute choices. Work with employers, create incentives for commuters to get out of SOVs including: emergency ride home, interest-free bike loans, Bike to Work promo, commuter club, discounted bus passes.	
		MTD-P26, Santa Cruz Metropolitan Transit District, Park and Ride Lots for Bus Commuters	Fund purchase and construction of parking areas for commute bus patrons.	

Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Senior/ Disabled Transportation	<p>A number of specialized transportation programs have been implemented which meet specialized needs for transportation to medical services, social service agencies and programs, shopping and other purposes that cannot be met by conventional transit. To allow transit access, construction of new wheelchair curb ramps, reconstruction of existing ramps, and related roadway work will permit ease of movement for the mobility impaired. Emphasis will be on areas near fixed route transit.</p>	CAP-P27, City of Capitola, Wheelchair Access Ramps	Install wheelchair access/curb cut ramps on sidewalks.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
		SC-P10, City of Santa Cruz, Sidewalk Program - unconstrained	Install and maintain sidewalks, including access ramps.	
		SC-P9, City of Santa Cruz, Sidewalk Program - short term	Install and maintain sidewalks, install access ramps.	
		SV-P6, City of Scotts Valley, Citywide Access Ramps	Place handicap ramps at various locations.	
		WAT-P15, City of Watsonville, Citywide Pedestrian Facilities	Construct sidewalks and curb ramps where necessary. This work is usually combined with the annual road rehabilitation and maintenance projects.	

**Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP**

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Senior/ Disabled Transportation (Continued)		CTSA-P1, Consolidated Transportation Services Agency, Countywide Specialized Transportation (CTSA)	Consolidated Transportation Services Agency (CTSA) non-ADA paratransit service, program admin and operating. Excluding Connection Shuttle, ADA, and section 5310 funds shown elsewhere in RTP project list.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
		CTSA-P2, Consolidated Transportation Services Agency, Lift Line Maintenance/ Operations Center	Construct a permanent maintenance center/consolidated operations facility for paratransit program (currently Lift Line).	
		CTSA-P3, Consolidated Transportation Services Agency, Non-ADA Paratransit Service Expansion	Expansion of non-ADA paratransit system to meet needs of growing elderly and disabled populations.	

Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Senior/ Disabled Transportation (Continued)		CTSA-P4, Consolidated Transportation Services Agency, Medically Fragile Specialized Transportation	Non-emergency same day transportation service for medically fragile individuals. Includes operations and capital.	
		CO-P37, County of Santa Cruz, Countywide Access Ramps	Construction of handicapped access ramps countywide.	
		MTD 2, Santa Cruz Metropolitan Transit District, ADA Paratransit Fleet	Replace vans for ADA paratransit fleet (including Accessible Taxi program)	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
		MTD-P11, Santa Cruz Metropolitan Transit District, ADA Service Expansion	Add capacity to increase same-day trip opportunities 2011-2025.	

**Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP**

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Senior/Disabled Transportation (Continued)		<p>MTD-P19, Santa Cruz Metropolitan Transit District, Transit Mobility Training Program Expansion</p> <p>UC-P28, University of California Santa Cruz, UCSC Disability Van Vehicle Acquisition and Replacement</p> <p>VC-P1, Volunteer Center, Volunteer Center Transportation Program</p>	<p>Hire additional staff, increase public outreach, and incorporate recommendations from 2001 ADA audit for mobility training program for 15 years to encourage fixed route rather than paratransit use.</p> <p>Improved paratransit services for individuals living with disabilities to minimize SOVs.</p> <p>Program providing specialized transportation for out of county trips.</p>	<p>All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.</p>

Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Watsonville-Pajaro Train Station	In order to enhance regional access for local residents and visitors, build a passenger rail station just south of Watsonville in Monterey County at Pajaro Station. This station will be served by Caltrain and Amtrak service to the San Francisco Bay Area and the rest of California. It is projected that 90% of the users of this station will be Santa Cruz County residents.	WAT-P14, City of Watsonville, Pajaro Rail Station Design	Watsonville's share for conceptual design and PE for passenger rail station (parking and station facilities and existing track upgrade to accommodate the extension of Caltrain Peninsula Rail service to Salinas and possible high speed rail through state).	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
Coastal Bike/Pedestrian Trail Near Rail Line	The Coastal Bicycle/Pedestrian Trail, a path or "Rail Trail" adjacent to (not in place of) the Santa Cruz Branch Rail Line, will extend between Davenport and Watsonville. Due to limited right-of-way in some sections of the rail right-of-way, portions of the trail may be designated on adjacent streets and roads.	CT-P19, Transportation Agency for Monterey Co/Watsonville, Pajaro Rail Station Design and Construct	Passenger parking and station facilities and existing track upgrade to accommodate the extension of Caltrain Peninsula Rail service to Salinas.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.
Coastal Bicycle/Pedestrian Trail	The Coastal Bicycle/Pedestrian Trail, a path or "Rail Trail" adjacent to (not in place of) the Santa Cruz Branch Rail Line, will extend between Davenport and Watsonville. Due to limited right-of-way in some sections of the rail right-of-way, portions of the trail may be designated on adjacent streets and roads.	RTC 21, Regional Transportation Commission, Bike/Pedestrian Path Along SC Branch Rail Line-Construction	Construction of a bicycle/pedestrian path adjacent to the Santa Cruz Branch rail line A rails-with-trails facility.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.

**Table 1. Comparison of Project Components Included in the Proposed Expenditure Plan and 2001 RTP**

Expenditure Plan Project Title	Expenditure Plan Project Description	2001 RTP ID, Lead Agency and Project Title	2001 RTP Project Description	Environmental Review of Project Components in Expenditure Plan and 2001 RTP
Local City/County Projects – May Include Bicycle Pedestrian/Road Maintenance/Transit/Etc.	<p>Projects that could be funded using revenues from the Sales Tax Measure may include:</p> <ul style="list-style-type: none"> <li>▪ Fixing pot holes on local streets</li> <li>▪ Improvements to the Highway 1/9 intersection in the City of Santa Cruz</li> <li>▪ New sidewalks, especially near schools</li> <li>▪ New and improved bicycle facilities, consistent with local agency bicycle plans</li> <li>▪ Crossing guards (eligible non-capital expense)</li> <li>▪ Improvements to transit facilities/service</li> </ul> <p>These funds will supplement existing federal, state, and local funds. Local transportation improvements adjacent to new residential and business developments will continue to be funded by local development fees. In order to be eligible for these funds, each agency will be required to file and submit to the Commission a Five-Year Capital Improvement Program, updated annually and adopted following a public hearing held by SCCRTC.</p>	Various.	This project includes all remaining projects in the 2001 RTP under each jurisdiction.	All Expenditure Plan project components were included in the 2001 RTP and evaluated in the 2001 RTP EIR.

The Expenditure Plan would provide partial funding for the following projects:

- Highway 1 Widening to add new carpool/bus lanes between Santa Cruz and Aptos
  - New Bicycle/Pedestrian crossings over Highway 1
  - Highway 1 Express Buses
  - Highway 1 Park and Ride Lots and Carpool Programs
- Local Transportation Improvements for Streets/Roads/Bicycles/Pedestrians/Transit
- Highway 17 Safety Programs
- Senior and Disabled Transportation Services
- A Coastal Bicycle and Pedestrian Trail next to the rail line between Santa Cruz and Watsonville
- A Train Station at the Watsonville-Pajaro Junction in Monterey County that links with trains to the Bay Area and the rest of California

A more detailed description of each of the projects that would be partially funded by the Expenditure Plan, sorted by project type, is provided in the paragraphs below.

### **Highway 1 Projects**

Projected state and federal formula funds are inadequate to fund most major highway improvements in Santa Cruz County. Sales Tax Measure funds are proposed to supplement those funding sources and would cover the remaining costs estimated to accomplish the following highway improvements:

*Highway 1 Widening/Carpool Lanes Project.* Widen Highway 1 from Morrissey Boulevard south to Aptos with one additional lane in each direction, to encourage maximum person-throughput by allowing exclusive use by carpools and buses during peak periods.

- Add auxiliary lanes to improve merging of traffic at specific freeway interchanges
- Add metering lights at on ramps where appropriate/feasible
- Add soundwalls and landscaping
- Modify interchanges and over-crossings as needed and improve bicycle/pedestrian facilities on those over-crossings
- Use notes, bonds, certificates of finance, or other forms of indebtedness to finance construction of the project as soon as possible.

*Bicycle/Pedestrian Crossings.* In order to improve bicycle and pedestrian movement between communities on either side of Highway 1, funds would be used to construct bicycle/pedestrian bridges crossing over Highway 1 generally in the areas of Live Oak, and Aptos, and improve bicycle and pedestrian facilities on existing crossings. Exact locations would be determined during the project development phase of the Highway 1 Widening/Carpool Lane project.

The Highway 1 Widening and Bicycle/Pedestrian Crossing projects would be overseen by the newly-formed Highway Construction Authority, which is a new agency solely focused on



expediting construction of the Highway 1 Carpool Lanes project. Construction of the carpool/bus lanes would likely occur in stages, starting with the section of the freeway between Morrissey Boulevard and State Park Drive. *Highway 1 Express Buses*. Fund would be used to provide additional express bus service on Highway 1 between Santa Cruz and Watsonville, and major destinations within the county, including UCSC and Cabrillo College, in order to provide a reasonable alternative to the automobile for daily commuters who travel within the region. Sales Tax Measure funds would be made available for operation of these services (eligible non-capital expense) and to match federal funds for capital bus purchases.

*Highway 1 Park and Ride Lots and Carpool/Alternative Transportation Programs*. A number of programs would be funded to maximize the number of people using the transportation network by encouraging commuters to share rides, reduce congestion, and take advantage of travel in the "carpool" lanes proposed in the Highway 1 Widening project. These programs may include: rideshare matching services; incentive programs; vanpool "seed money"; buspool subsidies; and park and ride lot leases.

### **Local City and County Transportation Improvements – Street Resurfacing/Maintenance, Bicycle, Pedestrian, and Transit**

Current resources, without generation of new sales tax revenues for transportation, cannot provide adequate funding to maintain the local street and road system nor expand the bicycle and pedestrian system at the level necessary to adequately serve the public. Projects that could be partially funded using revenues from the Sales Tax Measure may include:

- Fixing pot holes on local streets
- Improvements to the Highway 1/9 intersection in the City of Santa Cruz
- New sidewalks, especially near schools
- New and improved bicycle facilities, consistent with local agency bicycle plans
- Crossing guards (eligible non-capital expense)
- Improvements to transit facilities/service

These funds would supplement existing federal, state, and local funds. Local transportation improvements adjacent to new residential and business developments would continue to be funded by local development fees. In order to be eligible for these funds, each agency would be required to file and submit to the SCCRTC a Five-Year Capital Improvement Program, updated annually and adopted following a public hearing held by the SCCRTC.

### **Highway 17 Safety Programs**

The proposed Sales Tax Measure would partially fund the following Highway 17 safety improvements:

- Continue extra California Highway Patrol (CHP) enforcement (eligible non-capital expense)



- Widen shoulders where feasible
- Install traffic message signs and automated traffic monitoring stations

### **Transportation for Seniors and Persons with Disabilities**

*Expanded Transportation Services for Seniors and Persons with Disabilities.* A number of specialized transportation programs would be partially funded which meet specialized needs for transportation to medical services, social service agencies and programs, shopping and other purposes that cannot be met by conventional transit.

*Curb Ramps.* To allow transit access, the Sales Tax Measure would partially fund construction of new wheelchair curb ramps, reconstruction of existing ramps, and related roadway work that would permit ease of movement for the mobility impaired. Emphasis would be on areas near fixed route transit.

### **Watsonville-Pajaro Junction Rail Station for Passenger Rail Service to the Bay Area and the Rest of California**

In order to enhance regional access for local residents and visitors, the Sales Tax Measure would partially fund the construction of a passenger rail station just south of Watsonville in Monterey County at Pajaro Station. This station would be served by Caltrain and Amtrak service to the San Francisco Bay Area and the rest of California.

### **Coastal Bicycle/Pedestrian Trail**

The Sales Tax Measure would partially fund the Coastal Bicycle/Pedestrian Trail, a path or "Rail Trail" adjacent to (not in place of) the Santa Cruz Branch Rail Line that would extend between Davenport and Watsonville. Due to limited right-of-way in some sections of the rail right-of-way, portions of the trail may be designated on adjacent streets and roads.

## ENVIRONMENTAL IMPACTS

This section compares the environmental effects of the project components that would be partially funded by the Expenditure Plan to the environmental effects evaluated in the Final EIR for the 2001 RTP. As shown in Table 1, the project components that would be partially funded by the proposed Expenditure Plan were included in the 2001 RTP and the environmental effects of these projects were evaluated in the Final EIR for the 2001 RTP.

Section 15131(a) of the State CEQA Guidelines requires that:

*"Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."*

The proposed Expenditure Plan would partially fund identified transportation improvements and would increase the likelihood that such improvements would be implemented. However, approval of the Expenditure Plan would not compel the design or construction of these improvements; additional project-specific design and approvals would be required. Specific project design efforts and subsequent environmental review for individual projects identified in this program EIR Addendum would be the subject of future technical study by the lead implementing agency sponsoring the transportation system modification. Although various project components proposed to be partially funded with the Expenditure Plan were unconstrained in the 2001 RTP, the 2001 RTP EIR evaluated the environmental impacts of construction of all RTP projects, both constrained and unconstrained, at a program level. Therefore, the project components that were unconstrained in the 2001 RTP that are proposed to be partially funded with the Expenditure Plan would not result in any additional environmental impacts when compared to the evaluation in the Final EIR.

Table 2 provides a summary of the environmental impacts of the 2001 RTP projects for which the Expenditure Plan would provide some of the funding necessary to implement. It should be noted that these impacts were previously evaluated in the Final EIR for the 2001 RTP and do not represent new impacts associated with the Expenditure Plan.

**Table 2 Summary of Impacts of 2001 RTP Projects Proposed to Be Funded with the Expenditure Plan**

Expenditure Plan Project	Project ID and Title	Traffic	Land Use	Air Quality	Noise	Visual	Water Resources	Geology	Public Services	Cultural Resources	Risk of Upset	Biological Resources
Highway 1 Widening/ HOV	CT-P7: Highway 1 widening: HOV/HOT lanes	1,2	1, 2, 3	1	1, 2	1, 2	1, 2	1, 2	1, 2, 3	1	1, 2	1, 2
	CT-P1: Highway 1 Ramp Metering	1	1									
	CT-P2: Highway 1 - Revise Interchanges	1	1, 2, 3	1	1, 2	1, 2	1, 2	1, 2	1, 2, 3	1	1, 2	
Highway 1 Bike/ Pedestrian Crossings	CT-P3: Highway 1 Southbound and Northbound Auxiliary Lanes	1,2	1, 2	1	1, 2	2	1, 2	1, 2	1, 2, 3	1	1, 2	1, 2
	CT-P7a: Cabrillo-New Brighton Bike/Pedestrian Bridge over Highway 1	1	1, 2, 3	1, 2	1	1, 2	1, 2	1, 2		1	1	2
Highway 1 Express Bus	CT-P7B: Highway 1 Pedestrian/Bike Bridge at Mattison Lane	1	1, 2, 3	1, 2	1	1, 2	1, 2	1, 2	3	1	1	2
	CO-P34: Highway 1 Pedestrian Overcrossing at Mar Vista Drive	1	1, 2, 3	1, 2	1	1	1, 2	1, 2	3	1	1	
Highway 17 Safety Improvements	MTD-P14: Local Transit Service Expansion	1		2								
	CT-P10: Highway 17 Operational Improvements	1		2								
Park & Ride Lots/ Alternative Transportation Programs	CT-P13: Highway 17 at Vinehill School Road Safety and Operational Improvements	1		2		1						
	CT-P18: Highway 17 ITS	1		2		1, 2						
Park & Ride Lots/ Alternative Transportation Programs	CHP-P1: Highway 17 Safety Program	1		2								
	CT-P20: Highway 1/Highway 9 Intersection Improvements and Park and Ride Lot	3	1, 2, 3	1, 2, 4	1, 2	1, 2	1, 2	1, 2	3	1	1	1, 2
	CAP-P23: McGregor Drive Park and Ride Lot Improvements	1	2	1, 2	1	2	1, 2	1, 2		1	1	0129
Park & Ride Lots/ Alternative Transportation Programs	CAP-P24: Pacific Cove Expansion for Park and Ride Lot	3	1, 2, 3	1, 2, 4	1, 2	2	1, 2	1, 2	3	1	1	1, 2
	SC-P14: Park & Ride Lots	1	2	1, 2	1		1, 2	1, 2	3	1	1	



Table 2 Summary of Impacts of 2001 RTP Projects Proposed to Be Funded with the Expenditure Plan

Expenditure Plan Project	Project ID and Title	Traffic	Land Use	Air Quality	Noise <sup>a</sup>	Visual	Water Resources	Geology	Public Services	Cultural Resources	Risk of Upset	Biological Resources
Senior/ Disabled Transportation	WAT 8: Pajaro Valley TMA Outreach	1		2								
	RTC 2: Rideshare Program: Commute Solutions	1		2								
	RTC-P14: Park and Ride Lot Development	1	2	1, 2	1		1, 2	1, 2	3	1	1	
	RTC 17: Santa Cruz Area TMA: TDM Planning and Promotion	1		2								
	MTD-P26: Park and Ride Lots for Bus Commuters	1	2	1 2	1		1, 2	1, 2	3	1	1	
	CAP-P27: Wheelchair Access Ramps	1	2	1, 2	1		1, 2			1	1	
	SC-P10: Sidewalk Program	1	2	1, 2	1		1, 2			1	1	
	SC-P9: Sidewalk Program-short term	1	2	1, 2	1		1, 2			1	1	
	SV-P6: Citywide Access Ramps	1	2	1, 2	1		1, 2			1	1	
	WAT-P15: Pedestrian Facilities Citywide	1	2	1 2	1		1 2			1	1	
	CTSA-P2: Lift Line Maintenance/ Operations Center	1	2	1 2	1		1 2	1 2	1 2	3	1	
	CTSA-P1: Specialized Transportation (CTSA)	1		2								
	CTSA-P3: Non-ADA Paratransit Service Expansion	1		2								
	CTSA-P4: Specialized - Medically Fragile Transport	1		2								
	CO-P37: Countywide Access Ramps	1	2	1 2	1		1, 2	1, 2		1	1	1
MTD 2: ADA Paratransit Fleet	1		2									0130
MTD-P11: ADA Service Expansion	1		2									

Table 2 Summary of Impacts of 2001 RTP Projects Proposed to Be Funded with the Expenditure Plan

Expenditure Plan Project	Project ID and Title	Traffic	Land Use	Air Quality	Noise	Visual	Water Resources	Geology	Public Services	Cultural Resources	Risk of Upset	Biological Resources
Senior/ Disabled Transportation (Continued)	MTD-P19: Mobility Training Program Expansion	1		2								
	UC-P28: UCSC Disability Van Vehicle Acquisition and Replacement	1		2								
	VC-P1: Volunteer Center Transportation Program	1		Z								
Watsonville - Pajaro Train Station	WAT-P14: Pajaro Rail Station Design	1	2	1, 2	1		1, 2	1, 2		1	1	
	CT-P19: Pajaro Rail Station Design and Construct	3	1 2, 3	1 2, 4	1, 2	2	1, 2	1, 2	1, 2, 3	1	1	
Coastal Bike/ Pedestrian Trail Near Rail Line	RTC 21: Rail/Trail: Bike/Pedestrian Path Along Santa Cruz Branch	1	Z	1 2	1		1, 2			1	1	
Local City/County Projects - May include Bicycle/ Pedestrian/ Road Maintenance/ Transit/Etc.	This project includes all remaining projects in the 2001 RTP under each jurisdiction. -----Varies by project -----											
Impact numbering in this table corresponds to the impacts described in Section 4 of the Final EIR for the 2001 RTP and summarized on the following pages. For example, as shown in the eighth row of Table 2, 2001 RTP project MTD-P14 would result in impact T-1 from Section 4.1 (Traffic) of the Final EIR and Impact AQ-2 from Section 4.3 (Air Quality) of the Final EIR. These 2001 RTP impacts are summarized on pages 21 through 23 of this EIR Addendum. Additional or modified impacts could be identified for these projects when reviewed at a project level of analysis, when specific project designs are available.												



### **Transportation and Circulation**

**Impact T-1.** RTP roadway, transit, Intelligent Transportation System (ITS), and alternative fuel projects would address potential traffic congestion on existing roadways, and would implement regional circulation improvement projects contemplated in the General Plans of local jurisdictions. This is a Class IV, *beneficial* impact.

**Impact T-2.** RTP projects that increase roadway capacity could redistribute vehicle travel from other travel modes, times or routes. However, this effect would not increase traffic volumes beyond pre-project conditions. This is a Class III, *less than significant*, impact.

**Impact T-3.** Although they would likely reduce regional traffic congestion, implementation of some RTP airport, rail station and park and ride lot projects could result in localized traffic congestion that would be considered a Class I, *significant and unavoidable*, impact.

### **Land Use**

**Impact LU-1.** Some RTP projects may create land use conflicts with existing sensitive land uses and/or residential development. This is considered a Class II, *significant but mitigable* impact.

**Impact LU-2.** During construction, many RTP projects would result in temporarily lane closures or other access restrictions that would disrupt existing homes, businesses, and pedestrian, bicycle, and transit routes. This is considered a Class II, *significant but mitigable* impact.

**Impact LU-3.** Some RTP projects could permanently displace or disrupt existing homes and businesses. This is considered a Class II, *significant but mitigable* impact.

### **Air Quality**

**Impact AQ-1.** Many of the capital improvement projects included in the RTP would involve construction activity that could generate temporary increases in local air pollution. Because of their temporary nature, such impacts are considered Class II, *significant but mitigable*.

**Impact AQ-2.** Implementation of the 2001 RTP would reduce emissions of ozone precursors as compared to what would occur if no transportation projects were implemented by promoting a multi-modal transportation system and thereby reducing reliance on single occupancy vehicle use. The RTP would also implement the AQMP Transportation Control Measures. This is considered a Class III, *less than significant* effect.

**Impact AQ-4.** Implementation of RTP airport, rail station and park and ride lot projects could result in localized traffic congestion that causes localized carbon monoxide (CO) emission hotspots. This would be considered a Class II, *significant but mitigable*, impact.

### Noise

**Impact N-1.** Construction activity associated with road, bike, pedestrian, transit, rail, airport, and marine transportation projects would create temporary noise level increases in discreet locations throughout the county over the life of the RTP. This is considered a Class II, *significant but mitigable* impact.

**Impact N-2.** Various RTP projects could potentially expose sensitive receptors to noise in excess of normally acceptable levels. Projects that increase use of existing roadways, rail lines, and other transportation facilities, or realign such facilities, could result in substantial increases in noise levels. This would be considered a Class I, *significant and unavoidable* impact.

### Visual Resources

**Impact AES-1.** Some RTP roadway projects may affect public views along designated scenic corridors, and other highways considered to have high scenic qualities. This is considered a Class II, *significant but mitigable* impact.

**Impact AES-2** Development of some RTP roadway and airport projects could contribute to the alteration of the county's rural (or semi-rural) areas to a somewhat more suburban or urban condition, through the addition of lighting, glare, and urban features. In addition, implementation of some rail station, and ferry station projects could result in deterioration of the urban visual environment. This is considered Class I, *significant and unavoidable* impact.

### Water Resources

**Impact W-1.** Construction and maintenance of RTP projects would incrementally increase countywide water demand. Such impacts would be Class II, *significant but mitigable*, impacts.

**Impact W-2.** Construction of, and vehicular operations on, RTP transportation facilities, park and ride lots, and rail and ferry stations could result in erosion and runoff, which could degrade surface and ground water quality. This impact is considered Class II, *significant but mitigable*.

### Geology

**Impact G-1.** Some RTP projects may be located on potential unstable soils, in areas of high liquefaction or erosion potential, or in areas subject to landslides. This is considered a Class II, *significant but mitigable* impact.



Impact **G-2**. Some RTP projects could be subject to seismic hazards, including fault rupture and groundshaking. This is considered a Class II, *significant but mitigable* impact.

### Public Services

Impact **PF-1** Some projects included in the RTP could temporarily disrupt access to schools and/or park facilities. This impact is considered Class II, *significant but mitigable*.

Impact PF-2. Roadway improvement projects included in the RTP could temporarily disrupt emergency access on project roadways. This impact is considered Class II, *significant but mitigable*.

Impact PF-3. New RTP roadway, bikeway, transit and airport facilities would require increased maintenance. Because of uncertainties about the adequacy of maintenance staffing and equipment, this impact is considered Class II, *significant but mitigable*.

### Cultural Resources

Impact CR-1. Development under the RTP could disturb known and previously undiscovered cultural resources. Such impacts would be Class II, *significant but mitigable*.

### Risk of Upset

Impact **RU-1**. Roadway construction could involve the use or exposure of hazardous materials. Impacts would be adverse, but less *than significant* (Class III).

Impact RU-2. New or expanded facilities would generally improve roadway safety for hazardous materials transport. However, roadway design should maximize safety with respect to the transport of hazardous materials. Potential impacts are Class II, *significant but mitigable*.

### Biological Resources

Impact **B-1**. Construction activity associated with some transportation projects may temporarily disturb wetland or riparian habitats and/or other biological resources. However, compliance with existing regulations pertaining to construction activities would be expected to reduce this impact to a level considered *less than significant* (Class III).

Impact **B-2**. Some RTP transportation projects could permanently alter natural habitat areas and/or affect sensitive species. Impacts of many individual projects can likely be mitigated to a less than significant level. However, because the feasibility of mitigation cannot be determined at this time, the cumulative effect of RTP implementation is considered Class I, *significant and unavoidable*.

## CONCLUSION

The change to the 2001 RTP being contemplated involves an expenditure plan that identifies funding for transportation projects in a manner that is substantially conformant with the 2001 RTP, and with no increase in the intensity of planned transportation and circulation improvements. Although various project components proposed to be partially funded with the Expenditure Plan were unconstrained in the 2001 RTP, the 2001 RTP EIR evaluated the environmental impacts of construction of all RTP projects, both constrained and unconstrained, at a program level. Accordingly, the proposed expenditure plan would have no new significant environmental effects. As such, the addendum is the appropriate environmental document under CEQA.

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**Attachment 3**

**Resolution of the Board of Supervisors calling for a Special Election to be held on Tuesday, November 2, 2004 for the purpose of submitting the Local Transportation Sales Tax Ballot Measure to the voters.**

**BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA**

**RESOLUTION NO. \_\_\_\_\_**

**On the motion of Supervisor  
Duly seconded by Supervisor  
The following resolution is adopted.**

**RESOLUTION CALLING AND PROVIDING FOR A SPECIAL ELECTION TO  
BE HELD ON TUESDAY NOVEMBER 2, 2004, FOR THE PURPOSE OF  
SUBMITTING TO THE QUALIFIED ELECTORS OF THE COUNTY OF  
SANTA CRUZ THE COUNTYWIDE MEASURE OF WHETHER A ONE-HALF  
OF ONE PERCENT TRANSACTIONS AND USE TAX BE ADOPTED; AND  
DIRECTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, AND  
DIRECTING CONSOLIDATION OF THE ELECTION**

WHEREAS, the Board of Supervisors of the County of Santa Cruz is authorized under the provisions of Section 7285.5 of the Revenue and Taxation Code to levy a one-half of one percent transactions and use (sales) tax if the ordinance proposing that tax is approved by at-least a two-thirds vote of all members of the Board of Supervisors and by at-least a two-thirds vote of the qualified voters of the County voting in an election on the measure; and

WHEREAS, the Board of Supervisors has determined that it is in the best interests of the County and its residents to submit to the voters a proposed ordinance authorizing the levy of a one-half of one percent transactions and use (sales) tax for a period of thirty years to fund the transportation improvements set forth in the Expenditure Plan included as part of the ordinance; and

WHEREAS, it is necessary that a special County election be held in accordance with law for the purpose of submitting to the qualified electors of the County a measure on whether to approve the proposed ordinance establishing the one-half of one percent transactions and use (sales) tax pursuant to Revenue and Taxation Section 7285.5; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election may be consolidated; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 2,2004:

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz resolves and orders as follows:

1. A special County election shall be and the same is hereby called to be held throughout the County on the regular election date of November 2,2004, for the purpose of submitting to the qualified electors of the County of Santa Cruz the following special tax measure:

**Measure**

**Local Transportation Improvement Act**

Shall a half-cent sales tax be adopted to improve transportation in Santa Cruz County? Improvements will include: widening Highway 1 with carpool/bus/emergency lanes; improving local streets, sidewalks and bike paths, safety on Highway 17, elderly/disabled transportation; building a Coastal bike/walking path next to the rail line; and a Pajaro train station. This 30-year measure will be monitored by an independent oversight committee.

2. Said special County election shall be held and conducted, the votes received and canvassed, and the returns thereof made and the result thereof ascertained and determined in accordance with law.
3. Said special County election hereby called shall be and is hereby consolidated with any and all elections also called to be held throughout the County on November 2,2004, in all respects and all as required by and pursuant to law.
4. In accordance with the provisions of Section 9160 of the Elections Code, the County Counsel is hereby directed to prepare an impartial analysis of this measure.
5. In accordance with the provisions of Section 9160 of the Elections Code, the County Auditor-Controller is hereby directed to prepare a fiscal impact statement of this measure.
6. Arguments for and against this measure may be submitted in conformance with Elections Code Section 9161 and following.

- 7. The Clerk of the Board of Supervisors shall file a copy of this Resolution with the County Clerk.

BE IT FURTHER RESOLVED AND ORDERED THAT the Santa Cruz County Elections Department is requested to print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Pamphlet section of the Sample Ballot for the November 2,2004, election.

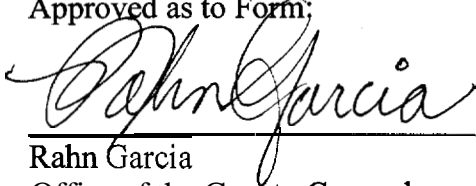
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 27\* day of July, 2004, by the following vote:

AYES: SUPERVISORS  
 NOES: SUPERVISORS  
 ABSENT: SUPERVISORS  
 ABSTAIN: SUPERVISORS

\_\_\_\_\_  
 Chair of the Board of Supervisors

ATTEST: \_\_\_\_\_  
 Clerk of the Board

Approved as to Form:



\_\_\_\_\_  
 Rahn Garcia  
 Office of the County Counsel

Attachment: **AN ORDINANCE OF THE COUNTY OF SANTA CRUZ IMPOSING A ONE-HALF OF ONE PERCENT TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY STATE BOARD OF EQUALIZATION FOR TRANSPORTATION IMPROVEMENTS INCLUDED IN THE SANTA CRUZ COUNTY LOCAL TRANSPORTATION EXPENDITURE PLAN**

DISTRIBUTION: CAO, Elections Department, Santa Cruz County Regional Transportation Commission

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE COUNTY OF SANTA CRUZ IMPOSING A ONE-HALF OF ONE PERCENT TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY STATE BOARD OF EQUALIZATION FOR TRANSPORTATION IMPROVEMENTS INCLUDED IN THE SANTA CRUZ COUNTY LOCAL TRANSPORTATION EXPENDITURE PLAN

ORDINANCE

The people of the County of Santa Cruz ordain as follows:

SECTION I

The Santa Cruz County Code is hereby amended by adding Chapter 4.22 to read as follows:

Chapter 4.22

TRANSPORTATION IMPROVEMENT TRANSACTIONS AND USE TAX

Sections:

- 4.22.010 Summary.
- 4.22.020 Definitions.
- 4.22.030 Purposes.
- 4.22.040 Imposition of transactions and use tax.
- 4.22.050 Transactions tax rate.
- 4.22.060 Place of sale.
- 4.22.070 Use tax rate.
- 4.22.080 Adoption of provisions of state law.
- 4.22.090 Limitations on adoption of state law and collection of use tax.
- 4.22.100 Permit not required.
- 4.22.110 Exemptions and exclusions.
- 4.22.120 Conformance with statutory amendments.
- 4.22.130 Enjoining collection forbidden.
- 4.22.140 Bonding authority.
- 4.22.150 Maintenance of effort.
- 4.22.160 Matching funds.
- 4.22.170 Collection and administration of funds.
- 4.22.180 Administrative costs.
- 4.22.190 Effective date.
- 4.22.200 Election.
- 4.22.210 Implementing policies and regulations.
- 4.22.220 Independent audit committee.
- 4.22.230 Contract with state.
- 4.22.240 Expenditure plan amendment.
- 4.22.250 Termination date.

**4.22.010 Summary.**

Pursuant to Revenue and Taxation Code Section 7285.5, this Chapter provides for the imposition of a retail transactions and use tax (commonly known as a “sales tax”) of one-half of one percent for a period of thirty (30) years, the authority to issue notes, bonds, certificates of participation, or other forms of indebtedness secured by such taxes, the administration of the tax proceeds, and a Local Transportation Expenditure Plan. The transactions and use tax provisions of this Chapter shall be applicable in the incorporated and unincorporated territory of Santa Cruz County, which territory shall be referred to herein as “District”. This tax shall be in addition to any other taxes authorized by law, including any existing or future state or local sales and use tax or transactions and use tax.

**4.22.020 Definitions.** The following definitions shall apply in this Chapter and Expenditure Plan:

- A. “Auditor-Controller” means the elected Auditor-Controller of the County of Santa Cruz.
- B. “Commission” means the Santa Cruz County Regional Transportation Commission, the local area transportation planning agency created by Government Code Section 67940.
- C. “County” means the County of Santa Cruz, governed by the Board of Supervisors.
- D. “Expenditure Plan” or “Plan” means the Santa Cruz County Local Transportation Expenditure Plan adopted as part of the Ordinance enacting this Chapter, including any future amendments thereto.
- E. “Fund” means the Regional Transportation Fund established by this Chapter and as set forth in Government Code Section 29532(a).
- F. “Highway Authority” means the Highway 1 Construction Authority, the joint exercise of powers agency created pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500, et seq.) of the California Government Code, committed exclusively to delivering the Highway 1 Widening/Carpool lane project.
- G. “Local jurisdictions” means the County of Santa Cruz, the City of Capitola, the City of Santa Cruz, the City of Scotts Valley and the City of Watsonville.
- H. “Sales Tax” or “Sales and Use Tax” means the retail transactions and use tax established by this Chapter.

**4.22.030 Purposes.**

The Commission has recommended that the County submit to the voters of Santa Cruz County for their approval an ordinance which would, if so approved, authorize the County to impose a one-half of one percent transactions and use tax for a period of thirty years to fund the transportation improvements set forth in the Expenditure Plan, and authorizes the public entities designated in the Expenditure Plan to issue notes, bonds, certificates of participation, or other forms of indebtedness served by said tax. Measure “X” funds may only be used for the transportation projects and programs outlined in the Expenditure Plan, including the administration of this Chapter, and legal actions related thereto, and the construction, capital, acquisition, maintenance, and operation of streets, roads, highways, including state highways and public transit systems, and for related purposes including financing costs and costs of issuance of any debt relating thereto. These purposes include expenditures for planning, environmental reviews, engineering and design costs, and related right-of-way acquisition. Expenditures for administration are subject to the limitations specified in Section 4.22.180 and in the Expenditure Plan.

#### **4.22.040 Imposition of transactions and use tax.**

This Chapter is enacted to achieve the following, among other, purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes.

A. To impose a one-half of one percent transactions and use tax for a thirty (30) year period in accordance with the provisions of Revenue and Taxation Code Section 7285.5;

B. To adopt a one-half of one percent transactions and use tax ordinance which incorporates provisions identical to those of the Sales and Use Tax Law of the State of California, insofar as those provisions are not inconsistent with the requirements and limitations set forth in Part 1.6 (commencing with Section 7251 and following) of Division 2 of the Revenue and Taxation Code;

C. To adopt a one-half of one percent transactions and use tax ordinance which imposes a tax that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting sales and use taxes;

D. To adopt a one-half of one percent transactions and use tax ordinance which can be administered in a manner which will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code (commencing with Section 7251 and following), minimize the cost of collecting this transactions and use tax and at the same time minimize the burden of record keeping upon persons subject to taxation under the provisions of this Chapter; and

E. Consistent with the amendment process specified in Section 4.22.240, the tax to be imposed by this Chapter may be retired earlier than the full 30-year term if funds are no longer needed for debt service and if all projects and commitments in the Expenditure Plan have been fulfilled.

#### **4.22.050 Transactions tax rate.**

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the District at the rate of one-half of one percent (0.50%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of the tax established by this Chapter.

#### **4.22.060 Place of sale.**

For the purposes of this Chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

#### **4.22.070 Use tax rate.**

**An** excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of the tax established by this Chapter for storage, use or other consumption in said territory at the rate of one-half of one percent (0.50 %) of the sales price of the property. The sales price shall include delivery

charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

**4.22.080 Adoption of provisions of state law.**

Except as otherwise provided in this Chapter and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Chapter as though fully set forth herein.

**4.22.090 Limitations on adoption of state law and collection of use tax.**

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

**A.** Wherever the State of California is named or referred to as the taxing agency, the name of this County shall be substituted therefore. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this County or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Chapter.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

**4.** In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

**B.** The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

**4.22.100 Permit not required.**

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Chapter.

**4.22.110 Exemptions and exclusions.**

**A.** There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

**B.** There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and

directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the county which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 2141.1 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Chapter, the storage, use or other consumption in this District of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Chapter.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Chapter.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the

retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

7. "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

D. Any person subject to use tax under this Chapter may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

#### **4.22.120 Conformance with statutory amendments.**

All amendments subsequent to the effective date of this Chapter, to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Chapter, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Chapter.

#### **4.22.130 Enjoining collection forbidden.**

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the County, or against any officer of the State or the County, to prevent or enjoin the collection under this Chapter, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

#### **4.22.140 Bonding authority.**

Upon voter approval of Measure "X", the designated public entities shall have the power to sell, issue or incur, from time to time, on or before the collection of taxes, notes, bonds, certificates of participation, or other evidence of indebtedness, including, but not limited to, capital appreciation bonds, and to secure such indebtedness solely by way of a pledge of the present and future collection of taxes, for financing capital outlay expenditures described in the Expenditure Plan and this Chapter. Pursuant to this Chapter, the maximum bonded indebtedness which may be outstanding at any one time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but not to exceed the estimated proceeds of the tax as determined by the Expenditure Plan. The amount of bonds outstanding at any one time does not include the amount of bonds, refunding bonds or bond anticipation notes for which funds necessary for the payment thereof have been set aside for that purpose in a trust or escrow account.

#### **4.22.150 Maintenance of effort.**

By the enactment of this Chapter, it is intended that the additional funds to be provided to from the imposition of this transactions (sales) and use tax shall be used to supplement statutory commitments and required developer fees being used for transportation purposes.

**4.22.160 Matching funds.**

Notwithstanding the maintenance of effort requirements of Section 4.22.150, funds from Measure “X” may and are expected to be used as matching funds in order to leverage other federal, state, local or private transportation or other funds for applicable transportation projects and programs.

**4.22.170 Collection and administration of funds.**

The County shall impose and collect Measure “X” funds, and the Auditor-Controller shall establish and maintain a Regional Transportation Fund and allocate revenues derived from Measure “X” consistent with the Expenditure Plan authority cited herein. The Commission will administer the Expenditure Plan except for those funds allocated to the Highway Authority or local jurisdictions pursuant to the Expenditure Plan.

**4.22.180 Administrative costs.**

The Auditor-Controller shall be authorized to expend up to one percent (1%) of the annual net amount of revenue raised by Measure “X” for administrative expenses, audits, programming processes, reporting, financing costs, and other implementation and oversight responsibilities as may be necessary to administer the Expenditure Plan. The Commission shall be authorized to annually invoice the Auditor-Controller for the cost of compiling and publishing an annual report, providing public information concerning Measure “X” and other administrative responsibilities.

**4.22.190 Effective and operative dates.**

The Ordinance enacting this Chapter shall become effective according to law only if at least two-thirds of the electors voting on the Measure at the election on November 2, 2004, vote to approve its enactment. Pursuant to Revenue and Taxation Code Section 7265, this Chapter shall become operative on the first day of the first calendar quarter, commencing more than 110 days after the enactment of the Ordinance or as soon thereafter as applicable law permits.

**4.22.200 Election.**

The County shall call an election for voter approval of Measure “X”, which election shall be held on November 2, 2004. The election shall be called and conducted in the same manner as provided by law for the conduct of elections by a county. Approval of Measure “X”, and the imposition of the Measure “X” transactions and use tax described herein, shall require the affirmative vote of at least two-thirds of the electors voting on the Measure.

**4.22.210 Implementing policies and regulations.**

Upon approval of Measure “X” by two-thirds of the electors voting on the Measure, the Commission, the Highway Authority, and the local jurisdictions may each adopt policies and procedures and take such other action as may be necessary for the implementation of the Expenditure Plan authorized by this Chapter.

**4.22.220 Independent audit committee.**

A. **An** independent audit committee shall be established to oversee annual financial audits of the Fund, allocations, and expenditures of revenues from the Fund. Annual audits shall be published in at least two local newspapers of general circulation and shall otherwise be made fully available to the public.

B. The independent audit committee shall consist of of five members. The following named entities, its successor entity, or if the entity ceases to exist, a comparable entity designated by the Commission, shall each appoint one person as follows:

1. A person appointed by the League of Women Voters.
2. A person appointed by the Santa Cruz County Grand Jury sitting at the time a vacancy arises. This person shall not be a current member of the Grand Jury.
3. A person appointed by the Presiding Judge of the Santa Cruz County courts.
4. A person appointed by the local chapter of the Society of Certified Public Accountants (CPAs)
5. A person appointed by the Cabrillo College Board of Trustees.

C. Each committee member appointed shall serve a four year term, and may serve for more than one term.

D. Appointees do not need to be members of their appointing entities. No elected officials or Board members or alternates of any agency that is a recipient of Measure "X" funds shall be appointed to the Independent Audit Committee.

E. The committee shall adopt a conflict of interest code in accordance with the Political Reform Act of 1974.

#### **4.22.230 Contact with state.**

Prior to the operative date, the County shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the County shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

#### **4.22.240 Expenditure plan amendments.**

Amendments to this Chapter or the Expenditure Plan for Measure "X", may only be made by an affirmative vote of the electors voting on the amendment. Until any such amendments are approved, the then existing Expenditure Plan shall remain in full force and effect.

#### **4.22.250 Termination date.**

This Chapter shall terminate and shall be of no further force and effect on that date that is thirty years after the operative date provided in Section 4.22.190.

## SECTION II

In accordance with the requirements of Revenue and Taxation Code § 7285.5, the following expenditure plan describes those specific projects for which the revenues from the transactions and use tax established by Chapter 4.22 of the Santa Cruz County may be expended:

### SANTA CRUZ COUNTY LOCAL TRANSPORTATION EXPENDITURE PLAN

#### 1. INTRODUCTION

##### 1A. SUMMARY

The Santa Cruz County Local Transportation Expenditure Plan (“Expenditure Plan” or “Plan”), presented by the Santa Cruz County Regional Transportation Commission (“Commission”), identifies transportation improvements to be funded from a new one-half of one percent transactions and use tax, if two-thirds of the electors voting on November 2, 2004 approve Measure “X”.

The major projects to be funded by the Expenditure Plan are:

- Highway 1 Widening to add new carpool/bus lanes between Santa Cruz and Aptos
  - New Bicycle/Pedestrian crossings over Highway 1
  - Highway 1 Express Buses
  - Highway 1 Park and Ride Lots and Carpool Programs
- Local Transportation Improvements for Streets/Roads/Bicycles/Pedestrians/Transit
- Highway 17 Safety Programs
- Senior and Disabled Transportation Services
- A Coastal Bicycle and Pedestrian Trail next to the rail line between Santa Cruz and Watsonville
- A Train Station at the Watsonville-Pajaro Junction in Monterey County that links with trains to the Bay Area and the rest of California

The projects and programs included in the Expenditure Plan are designed to be implemented over the next 30 years. This Expenditure Plan is presented to the voters of Santa Cruz County as a means to fill the funding shortfall to: implement necessary highway, local street and road, transit, rail, bicycle, **and** pedestrian projects; provide adequate maintenance and improvements on the local street and road system; accommodate and promote economic growth throughout the county; and provide specialized programs to meet the needs of commuters, youth and the growing senior and disabled population.

##### 1B. GOALS AND OBJECTIVES

The purpose of the Expenditure Plan is to implement the goals and priorities of the *2001 Santa Cruz County Regional Transportation Plan* through investment in a set of projects and programs contained in the *Regional Transportation Plan* that include planning, maintenance and rehabilitation of, and improvements to the county’s multi-modal transportation system.

## 1C. STRUCTURE

This Expenditure Plan is organized into six sections:

- Section 1: Introduction provides a *summary* of the purpose and goals of the Plan.
- Section 2: General Provisions provides further context on the Plan's policies and administration.
- Section 3: Plan Summary provides the Plan's investment detail by category.
- Section 4: Description of Projects and Programs contains detailed descriptions of the projects and programs (by category and subcategory), and the types of items that are eligible for funding under each of them.
- Section 5: Implementation Provisions describes the process for prioritizing and allocating funds following adoption of the Plan.
- Section 6: Severance Provisions

## 2. GENERAL PROVISIONS

### 2A. BASIS FOR REVENUE AND COST ESTIMATES

#### 2A1. SALES TAX REVENUES:

Revenues are estimated using economic projections that real growth in taxable sales will be 1.5% over the 30-year period of the Plan. The projection estimates the total revenue level at \$577 million (in 2003 dollars). This estimate is based on historical trends in sales and use tax receipts in Santa Cruz County, and was developed by the County of Santa Cruz ("County") in collaboration with the Regional Transportation Commission.

Measure "X" revenue estimates have not been adjusted to reflect inflation. It is assumed that inflation revenue increases will be offset by inflation costs to deliver the projects.

#### 2A2. OTHER REVENUES

Based on historical trends, Federal and State participation in highway, transit, and non-highway roadway improvements in Santa Cruz County is assumed to be an average of \$5 million per year, programmed biannually by the California Transportation Commission through the State Transportation Improvement Program (STIP) process. **An additional \$4 million** in federal funds are allocated to the region annually through the Federal Surface Transportation Act (currently TEA-21). The Santa Cruz County Regional Transportation Commission currently programs all of these funds on a discretionary basis consistent with state and federal law and regional and local policy. Additional revenues are allocated directly to cities and counties for transportation projects.

Revenues generated through the transactions (sales) and use tax measure will supplement the traditional transportation revenue sources identified above to complete implementation of the projects and programs identified in this Expenditure Plan. It is expected that the availability of locally-generated transportation revenues through the transactions (sales) and use tax measure will increase the potential to attract additional state and federal discretionary funds.

### **2A3. BASIS FOR COST ESTIMATES**

All cost estimates used in this plan are based on preliminary engineering studies or program needs and expressed in 2003 dollars. Future costs may increase due to inflation or other factors. The 2003 cost estimates are to be used to determine the proportionate distribution of funds to the categories of projects and programs identified in the Plan.

### **2B. ADMINISTRATION OF THE SALES AND USE TAX MEASURE**

All sales and use tax measure funds shall be collected by and distributed through the County Auditor Controller. The Auditor-Controller shall establish a new fund in the County Treasury entitled "Measure "X" Regional Transportation Fund". The Auditor-Controller shall allocate Measure "X" funds consistent with Section 4 of this Plan to the Highway 1 Construction Authority ("Highway Authority"), to local jurisdictions, and to the Commission. In order to maximize efficient and cost-effective use of Measure "X" funds and reduce debt service, the Auditor-Controller is authorized, upon request of the Commission and Highway Authority and in consultation with other fund recipients, to modify annual allocations consistent with Section 5B, as long as overall Plan allocation levels are met.

The Commission, which currently allocates, administers and oversees the expenditure of federal and state funding for local and regional transportation projects and programs, shall allocate, administer and oversee the expenditure of all Measure "x" funds which are not directly allocated to the Highway Authority or to local jurisdictions.

### **2C. RESTRICTION OF FUNDS**

Sales and use tax revenues shall be spent on capital projects rather than to fund administration, operations and maintenance of existing transportation services, unless otherwise explicitly specified in the Plan Description in Section 4 as eligible non-capital expenses. In accordance with enabling legislation and adopted principles, transactions (sales) and use tax revenues generated pursuant to this plan shall be subject to the following restrictions:

- a. Sales and use tax revenues shall be used to supplement and under no circumstances replace existing local revenues used for transportation purposes.
- b. Proceeds from the sale or liquidation of capital assets funded with transactions (sales) and use tax revenues shall be returned to the Auditor-Controller (in proportion to the contribution of transactions (sales) and use tax revenues to the total original cost of the asset), for re-allocation to eligible expenses within the categories from which funds were originally expended
- c. Measure "X" funds may be used as matching funds to leverage other funding sources.
- d. Upon joint request by the Commission and Highway Authority, the Auditor Controller may make loans to other transportation projects from the Measure "X" Regional Transportation Fund if allowed for by cash flow, debt service, and prudent management of other demands on the fund by Plan projects. This will not affect the funding percentage to the local jurisdictions.

## 2D. BONDING AUTHORITY

The Highway Authority and the Commission shall be authorized to request the County and its related entities to issue, from time to time, limited notes, bonds, certificates of participation, or other forms of indebtedness, payable from Measure “X” sales and use tax revenues.

It shall be the priority of this Plan that the issuance of bonds, certificates of participation, or other form of indebtedness for the Highway 1 Widening/Carpool Lane project, as necessary, shall take precedence over the issuance of bonds, certificates of participation, or other forms of indebtedness for other Plan projects. Debt Service on any Highway 1 Widening/Carpool Lane project financing shall have priority over other distributions.

## 2E. ENVIRONMENTAL REVIEW

Environmental reporting, review and approval procedures as provided for under the California Environmental Quality Act (CEQA), and/or the National Environmental Policy Act (NEPA), and other applicable laws shall be carried out as a prerequisite to the construction of any project to be funded partially or entirely with Measure “X” funds. Final design and alignment of specific projects may change in order to mitigate environmental impacts.

Program-level environmental review of the projects included in this Expenditure Plan has been conducted as part of adoption of the *2001 Santa Cruz County Regional Transportation Plan* and an addendum to that plan has been prepared which specifically addresses this ordinance and Expenditure Plan.

## 3. PLAN SUMMARY

Table 1 summarizes the one-half of one percent transactions (sales) and use tax revenue allocations by project category and subcategory in constant 2003 dollars. The Local Transportation Expenditure Plan is fiscally constrained to the total funding expected to be available for each category.

Adoption of an ordinance to implement a new one-half of one percent transactions (sales) and use tax is necessary in order to fund the projects and programs listed in Table 1; this Plan is included as part of that ordinance. The tax shall be continued for the period of implementation of the Expenditure Plan and its updates, which is 30 years.

**TABLE 1: Santa Cruz County Expenditure Plan Summary**  
(\$ millions, shown in 2003 dollars -  
assumes 1.5% real growth in taxable sales)

### Highway 1 Projects:

	<u>Percentage</u>	<u>Total Est. Revenues</u>
Highway 1 Widening/Carpool Lane Project	63.0%	\$363M
Highway 1 Bicycle/Pedestrian Crossings	1.0%	\$6M
Highway 1 Express Buses	1.0%	\$6M
Highway 1 Park and Ride Lots and Carpool Programs	1.5%	\$9M

**Subtotal            66.5%    \$384M**

**Allocation of Remaining Revenues to Other Projects:**

Local City & County Transportation Improvements - Street/Road/Bicycle/Pedestrian/Transit	19.5%	\$112M
Highway 17 Safety Programs	1.0%	\$6M
Senior & Disabled Transportation Services	4.0%	\$23M
Watsonville-Pajaro Junction Rail Station	1.0%	\$6M
Coastal Bicycle/Pedestrian Trail, adjacent to Rail Line	4.0%	\$23M
Contingency/Reserve	3.0%	\$17M
Administration	1.0%	\$6M

**Subtotal            33.5%    \$193M**

**TOTAL:            100%    \$577 million**

***NOTE:** Measure "X" estimates have not been adjusted to reflect inflation. It is assumed that inflation revenue increases will be offset by inflation costs to deliver the projects. All dollar amounts are approximate and have been rounded to the nearest million; see text for allocation instruction details.*

**4. DESCRIPTION OF PROJECTS AND PROGRAMS TO BE FUNDED**

This section contains general descriptions of the projects, categories and subcategories in the Plan, the types of projects or programs that are eligible for funding under each category, and allocation procedures. The final scope, cost, and project limits of all improvements will be determined through noticed public hearings, and environmental review processes.

**4A. HIGHWAY 1 PROJECTS**

State highways provide essential regional and local mobility for Santa Cruz County residents, businesses, and visitors. State highway improvement projects are needed to address local congestion and safety problems beyond those which can be funded with existing state and federal revenues. Projected state and federal formula funds are inadequate to fund most major highway improvements in Santa Cruz County. Measure "X" funds will supplement those funding sources and will cover the remaining costs estimated to accomplish the following highway improvements:

**4A1. HIGHWAY 1 WIDENING/CARPOOL LANES PROJECT - 63% per year (\$363 million)**

- x Widen Highway 1 from Morrissey Boulevard south to Aptos with one additional High Occupancy Vehicle (HOV) lane in each direction, for use by carpools, buses, and emergency vehicles
- x Add auxiliary lanes to improve merging of traffic at specific freeway interchanges
- x Add metering lights at on-ramps where appropriate/feasible

- x Add soundwalls and landscaping where appropriate
- x Modify interchanges and over-crossings as needed and improve bicycle/pedestrian facilities on those over-crossings
- x Use notes, bonds, certificates of finance, or other forms of indebtedness to finance construction of the project as soon as possible.

Allocation Instructions: Sixty-three percent (63%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Highway Authority for the Highway 1 Widening/Carpool Lane project. The total anticipated cost is \$491 million (including bicycle/pedestrian crossings listed below and anticipated interest payments on bonds). It is anticipated that a portion (\$101 million) of the total project cost will be funded from federal and state funding sources, as well as interest earned on the Measure “X” funds.

**4A2. HIGHWAY 1 BICYCLE/PEDESTRIAN CROSSINGS - 1% per year (\$6 million)**

In order to improve bicycle and pedestrian movement between communities on either side of Highway 1, funds will be used to construct bicycle/pedestrian bridges crossing over Highway 1 generally in the areas of Live Oak, and Aptos, and improve bicycle and pedestrian facilities on existing crossings. Exact locations will be determined during the project development phase of the Highway 1 Widening/Carpool Lane project.

Allocation Instructions: *One* percent (1%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Highway Authority for construction of the crossings as part of the Highway 1 Widening/Carpool Lane project.

**4A3. HIGHWAY 1 EXPRESS BUSES - 1% per year (\$6 million)**

Provide additional express bus service on Highway 1 between Santa Cruz and Watsonville, and major destinations within the county, including UCSC and Cabrillo College, in order to provide a reasonable alternative to the automobile for daily commuters who travel within the region. Measure “X” funds will be made available for operation of these services (eligible non-capital expense) and to match federal funds for capital bus purchases.

Public transportation offers communities many benefits – reduced traffic congestion and lower emissions, reduced wear and tear on roads, reduced parking demand, and essential access for non-drivers and those unable to afford automobiles. By providing access to schools, jobs, visitor attractions, and shopping, public transportation is a vital force in the local economy.

Allocation Instructions: One percent (1%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for Highway 1 Express Buses.

**4A4. HIGHWAY 1 PARK AND RIDE LOTS and CARPOOL/ALTERNATIVE TRANSPORTATION PROGRAMS - 1.5% per year (\$9 million)**

Commuter traffic created by Santa Cruz County residents traveling between, north, mid, and south County and traveling to jobs in neighboring Santa Clara and Monterey counties adds

significantly to the peak hour congestion on the local streets and the highway system. A number of programs have been implemented to maximize the number of people using the transportation network by encouraging commuters to share rides, reduce congestion, and take advantage of travel in the “carpool” lanes proposed in the Highway 1 Widening project. These programs may include: rideshare matching services; incentive programs; vanpool “seed money”; buspool subsidies; and park and ride lot leases. These programs will encourage maximum use of new highway lanes and will become even more essential in the future as traffic growth increases (eligible non-capital expense).

Allocation Instructions: One and one-half of one percent (1.5%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for Highway 1 park and ride lots and carpool/alternative transportation programs.

**4B. LOCAL CITY AND COUNTY TRANSPORTATION IMPROVEMENTS – STREET RESURFACING/MAINTENANCE, BICYCLE, PEDESTRIAN, AND TRANSIT - 19.5% per year (\$112 M)**

The existing local street/road, bicycle, and pedestrian systems are critical to the every day movement of people within the county. Much of the local street system has reached its expected life-cycle and years of deferred maintenance have resulted in an accelerated rate of pavement deterioration. Continued deferred maintenance will result in an exponential increase in the cost of roadway rehabilitation and reconstruction. Additionally, many sections of the county currently have inadequate bicycle and pedestrian facilities and programs. Current resources, without generation of new transactions (sales) and use tax revenues for transportation cannot provide adequate funding to maintain the local street and road system nor expand the bicycle and pedestrian system at the level necessary to adequately serve the public.

Projects that could be funded using revenues from Measure “X” may include:

- Fixing pot holes on local streets and roads, roadway repairs, rehabilitation and reconstruction
- Improvements to the Highway 1/9 intersection in the City of Santa Cruz
- New and improved sidewalks, especially near schools
- New and improved bicycle facilities, consistent with local agency bicycle plans
- Crossing guards (eligible non-capital expense)
- Improvements to transit facilities/service/park and ride lots

These funds will supplement existing federal, state, and local funds. Local transportation improvements adjacent to new residential and business developments will continue to be funded by local development fees. In order to be eligible for these funds, each agency will be required to adopt a Five-Year Capital Improvement Program, updated annually and adopted following a public hearing.

Allocation Instructions: Nineteen and one-half of a percent (19.5%) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville and to the County for local street and road maintenance and improvements by a formula calculated annually based on proportionate population as reported annually by the State Department of Finance (DOF).

**4C. HIGHWAY 17 SAFETY PROGRAMS - 1% (\$6 million)**

- Continue extra California Highway Patrol (CHP) enforcement (eligible non-capital expense)
- Widen shoulders where feasible
- Install traffic message signs and automated traffic monitoring stations
- Other Safety measures

Allocation Instructions: One percent (1%) of the annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for Highway 17 safety projects.

**4D. TRANSPORTATION FOR SENIORS AND PERSONS WITH DISABILITIES – 4% per year (\$23 million)****4D1. Expanded Transportation Services for Seniors and Persons with Disabilities**

Seniors and disabled persons are becoming an increasing percentage of the population each year. For seniors (age **60** and older) and persons with disabilities, access to healthcare, social services, shopping, and recreation is a key to quality of life. In addition, a number of specialized transportation programs have been implemented which meet specialized needs for transportation to medical services, social service agencies and programs, shopping and other purposes that cannot be met by conventional transit. **An** aging population will require expanded and enhanced specialized transportation services for the elderly and disabled in the future (eligible non-capital expense). To allow transit access, construction of new wheelchair curb ramps, reconstruction of existing ramps, and related roadway work will permit ease of movement for the mobility impaired, with an emphasis on areas near fixed route transit.

Allocation Instructions: Four percent (**4%**) of annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for transportation projects and services for seniors and persons with disabilities.

**4E. WATSONVILLE-PAJARO JUNCTION RAIL STATION FOR PASSENGER RAIL SERVICE TO THE BAY AREA AND THE REST OF CALIFORNIA - 1% (\$6 million)**

In order to enhance regional access for local residents and visitors, funds will be used to build a passenger rail station just south of Watsonville in Monterey County at Pajaro Station. This station will be served by Caltrain and Amtrak service to the San Francisco Bay Area and the rest of California. It is projected that 90% of the users of this station will be Santa Cruz County residents.

Allocation Instructions: One percent (1%) of the annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for the Watsonville-Pajaro Rail Station project. The project will be implemented by the Transportation Agency for Monterey County in coordination with the Commission.

**4F. COASTAL BICYCLE/PEDESTRIAN TRAIL - 4% (\$23 million)**

The Coastal BicyclePedestrian Trail, a path or “Rail Trail” adjacent to (not in place **of**) the Santa Cruz Branch Rail Line, will extend between Davenport and Watsonville. The rail corridor offers spectacular views of the Monterey Bay, historic trestles, and a flat surface free of automobile traffic. This trail will offer both commuter and recreational bicyclists and walkers a safe and enjoyable way to travel. Due to limited right-of-way in some sections of the rail right-of-way, portions of the trail may be designated on adjacent streets and roads.

Allocation Instructions: Four percent of the annual Measure “X” revenues shall be allocated by the Auditor-Controller to the Commission for the Coastal BicyclePedestrian Trail.

**4G. CONTINGENCY RESERVE - 3% per year (\$17 million)**

In anticipation of possible cost overruns or project modifications that may arise for any of the specific projects listed herein, a 3% contingency is included in the Plan.

Allocation Instructions: Three percent (3%) of annual Measure “X” revenues shall be retained by the Auditor-Controller for this purpose, to be allocated by agreement of the Commission, the Highway Authority and the local jurisdictions for projects identified in the Plan as deemed to be necessary. If there are any funds remaining in the Contingency Reserve at the end of the term of the tax, those funds shall be allocated by the Auditor-Controller to the projects by the relative percentages in the Expenditure Plan.

**4H. ADMINISTRATION - 1% per year (\$6 million)**

Annual funds are needed by the Auditor-Controller and the Commission to administer and oversee implementation of this Plan (eligible non-capital expense).

Allocation Instructions: The Auditor-Controller shall be authorized to collect up to one percent (1%) of the annual net amount of revenue raised by Measure “X” for administrative expenses, audits, programming processes, reporting, financial costs, and other implementation and oversight responsibilities as may be necessary to administer the Expenditure Plan. The Commission shall be authorized to annually invoice the Auditor-Controller for the cost of compiling and publishing an annual report, providing public information concerning Measure “X” and other administrative responsibilities. Any excess administration funds may be redistributed by the Auditor-Controller according to the percentages for projects included in this Expenditure Plan.

**5. IMPLEMENTATION PROVISIONS****5A. TAXPAYER ACCOUNTABILITY SAFEGUARDS****5A1. Legal Dedication of Funds**

Measure “X” funds may only be used for transportation purposes and as described in the Ordinance and Plan governing this program, including the construction, environmental mitigation of transportation projects, capital activities, acquisition, maintenance, and

operation of streets, roads, highways, including state highways and public transit systems and for related purposes. These purposes include but are not limited to expenditures for planning, environmental reviews, engineering and design, related right-of-way acquisition, construction, and payment of principal and interest on notes, bonds, certificates of participation, or other forms of indebtedness.

#### **5A2. Independent Audit Committee**

**An** Independent Audit Committee shall be established to oversee annual independent fiscal audits of the expenditure of tax revenues raised by Measure “X”. The audits, which shall be published in local newspapers, posted on the web, and otherwise made available to the public, shall include the Independent Audit Committee’s conclusions as to whether the expenditure of Measure “X” tax revenues is or is not in accordance with the Santa Cruz County Local Transportation Expenditure Plan as adopted by the voters in approving the transactions (sales) and use tax measure on November 2, 2004, and as may be amended consistent with the Ordinance and Plan. The audits shall report on whether requirements of this Ordinance and Plan have been met and that no more than one percent (1%) of total transactions (sales) and use tax revenues are used to administer this Plan, consistent with Section 4H.

The Independent Audit Committee shall be appointed as set forth in Section 4.22.220.

#### **5B. FUNDING FLEXIBILITY AND BONDING TO EXPEDITE PROJECTS**

The Auditor-Controller and Commission are authorized to make maximum use of available funds by temporarily shifting allocations between projects and programs which are included in the Plan, *so* long as no project included herein is deprived of needed funding. However, the proportionate shares for areas and purposes over the 30-year period may not be changed without an amendment of the Plan, as approved by the voters.

Designated entities may also use bonds to speed implementation of some projects.

#### **5C. INFORMING THE PUBLIC OF MEASURE “X” FUNDING SUPPORT**

All state highway, transit, and local arterial projects and programs using Measure “X” transactions (sales) and use tax revenues shall be signed or otherwise noted to inform the public that voter approved Measure “X” revenues are being used to support the project.

#### **5D. TERMINATION OF THE TAX**

The transactions (sales) and use tax authorized to be collected by the voters shall terminate on that date that is thirty years after the operative date provided in Section 4.22.190 of the Santa Cruz County Code. This tax may be retired early if funds are no longer needed for debt service and if all projects and commitments in the Expenditure Plan have been fulfilled.

### SECTION III

If any provision of this Ordinance, including, but not limited to, any tax or other matter contained in the Santa Cruz County Local Transportation Expenditure Plan or Chapter 4.22 of the Santa Cruz County Code, is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining provisions of this Ordinance, and the people of the County of Santa Cruz declare that it would have passed each part of this Ordinance irrespective of the validity of any other part.

July 15,2004

SERVICE AUTHORITY  
FOR FREEWAY  
EMERGENCIES  
(SAFE)

Chair Mardi Wormhoudt  
Santa Cruz County Board of Supervisors  
701 Ocean St. Room 500  
Santa Cruz, CA 95060

RAIL/TRAIL  
AUTHORITY

RE: Proposed Expenditure Plan

Dear Chair Wormhoudt:

COMMUTE  
SOLUTIONS

I am writing on behalf of the Bicycle Committee of the Santa Cruz County Regional Transportation Commission to comment on the Proposed Expenditure Plan Project List for a Local Transportation Sales Tax Ballot Measure.

TRANSPORTATION  
POLICY WORKSHOP

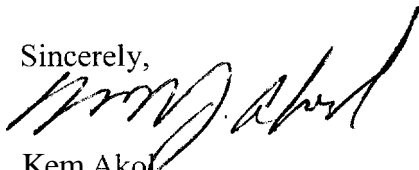
On May 20,2004 the Bicycle Committee sent a letter with our comments to the Santa Cruz County Regional Transportation Commission. This letter is included for you reference. One of our comments was to remove the footnote from the Coastal Bicycle/Pedestrian Trail that up to 50% of the proposed allocation for construction be used for the acquisition of the rail line. This footnote has since been removed. However, the current language does not specify if the \$23 million will be used for construction of the trail or acquisition of the rail line.

BUDGET &  
ADMINISTRATION  
PERSONNEL  
COMMITTEE

We urge you to clarify Plan language to state that the \$23 million allocated to the rail/trail be used only and specifically for construction. The SCCRTC currently has other funds available for the purchase of this rail corridor.

INTERAGENCY  
TECHNICAL  
ADVISORY  
COMMITTEE

Sincerely,



Kem Akol,  
Chair, SCCRTC Bicycle Committee

BICYCLE COMMITTEE

ELDERLY & DISABLED  
TRANSPORTATION  
ADVISORY COMMITTEE