

Capitola City Council

Agenda Report



Meeting: October 26, 2023

From: Community Development Department

Subject: Coastal Rail Trail Segments 10 and 11

Recommended Action: Provide direction to staff on a comment letter on the Environmental Impact Report and Consolidated Coastal Permit Request for the Coastal Rail Trail Segments 10 and 11.

Background: The Coastal Rail Trail is 32 miles in length extending from Davenport to Watsonville. It is located on the Santa Cruz Branch Rail Line (SCBRL) and is owned by the Santa Cruz Regional Transportation Commission (RTC). Segments 10 and 11 are approximately 4.5 miles in length and extend from 17th Avenue in Live Oak, through the City of Capitola, to State Park Drive in the Seacliff neighborhood. As proposed, the trail will provide a new transportation corridor for pedestrians and cyclists along a paved asphalt surface. These two segments of the Coastal Rail Trail connect to 10 schools, 18 parks, 13 public beaches, 2 community centers, and multiple residential neighborhoods and commercial areas through some of the most densely populated portions of Santa Cruz County.

On December 7, 2022, the California Transportation Commission (CTC) approved \$67.6 million in competitive grant funding through its Active Transportation Program (ATP) for Coastal Rail Trail Segments 10 and 11 and fully funded the project for construction. This is the largest ATP grant ever awarded. The CTC also approved \$35.8 million for the construction of Segments 8 and 9 (Pacific Ave to 17th Ave). A total of 18 miles of the Coastal Rail Trail are now fully funded for construction between Davenport and State Park Drive. The funding does not include the trail crossing over the Capitola Trestle.

Discussion: The development of Coastal Rail Trail Segments 10 and 11 are subject to the California Environmental Quality Act (CEQA) to ensure that all significant impacts of the project are disclosed, and alternatives and mitigation measures are identified and considered.

On October 16, 2023, the County of Santa Cruz, as the lead agency under CEQA, published a draft Environmental Impact Report (EIR) for the Coastal Rail Trail Segments 10 and 11 project. The draft EIR evaluates the proposed project's potential environmental impacts and recommends mitigation measures to reduce impacts to a less-than-significant level where possible. The draft EIR is available on the County website, a link to which can be found as Attachment 2.

Within the EIR, the project is described as approximately 4.5 miles of new multi-use bicycle and pedestrian trail along the Santa Cruz Branch Line rail corridor from 17th Avenue to State Park Drive. The project excludes a 0.5-mile section following surface streets through the City of Capitola from Opal Street/Cliff Drive Plaza to the intersection of Monterey Avenue and Park Avenue. The EIR evaluates two alternatives: the Ultimate Trail Configuration (Trail Next to Rail), as well as an Optional Interim Trail (Trail on the Rail Line) whereby the railroad tracks would be removed and the trail would be located on the rail bed, at an equal level of detail.

The Ultimate Trail Configuration alternative evaluates two options in Capitola as follows:

- The first is an option to use the Capitola Trestle for the trail instead of directing trail users to bicycle lanes and sidewalks through Capitola Village. The Capitola Trestle option is not currently funded.
- In the second option, for a 0.3-mile section between Grove Lane and Coronado Street, the trail would be located on the inland side of the rail (instead of the coastal side).

The RTC provided additional information regarding the Capitola Trestle which is included as Attachment 1.

Role of the City under CEQA: The County of Santa Cruz is the lead agency for the project. The lead agency under CEQA is the public agency with the principal responsibility of approving a project. The City of Capitola and the Santa Cruz Regional Transportation Commission (SCRTC) are “responsible agencies” under CEQA. Responsible agencies have some discretionary approval or permitting power over the project, and, therefore, participate in the CEQA review process. For the City of Capitola, the project is subject to a Coastal Development Permit (CDP), discussed below. In reviewing a project, the responsible agencies must rely on the lead agency’s CEQA document and are bound by its conclusions.

A Responsible Agency has the following duties:

1. Consultation prior to preparation of an EIR.
2. Review of an EIR. A responsible agency may submit comments on projects that it will later be asked to approve or for which it has jurisdiction. Comments should focus on the shortcomings of the EIR or additional alternatives of mitigation measures the EIR should contain. Comments should be limited to those project activities that are within the responsible agency’s area of expertise, are required to be carried out or approved by the responsible agency or will be subject to the responsible agency’s exercise of powers. Comments should also be as specific as possible and supported by oral or written documentation.
3. Consideration of an inadequate EIR. If a responsible agency finds an EIR to be inadequate, the responsible agency may challenge the EIR.
4. Adoption of alternatives or mitigation measures. A responsible agency is only responsible for mitigating or avoiding the direct or indirect impacts of those parts of the project that it decides to finance, carry out, or approve.
5. Make findings. During the discretionary approval or permitting of the project, the responsible agency may issue separate findings regarding the project and impose all feasible mitigation measures that apply to its part of the project.

Role of the City under Measure L: During the 2018 General Municipal Election, Measure L, a citizen ballot initiative, passed adding Chapter 8.72 Greenway Capitola Corridor to the Capitola Municipal Code. Measure L was drafted to keep the Monterey Bay Sanctuary Scenic Trail within the Santa Cruz Branch Line Rail Corridor, and not allow a detour around the Capital Trestle. The code includes language on implementation stating that the City shall take all steps necessary to preserve and utilize the corridor and trestle for active transportation and recreation; and further states no City of Capitola department, agency, or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks.

In the 2022 General Election, a County-wide measure to modify the Santa Cruz County General Plan to prioritize the trail over a combined rail and trail (Measure D) failed, with 73% of County voters voting against the measure. Subsequently, in December of 2022, the County was awarded \$67.6 million in funds to fully fund Segments 10 and 11.

As a responsible agency, staff has taken a more active role in the review of the EIR and design measures through Capitola Village to improve wayfinding and circulation and reduce conflicts due to increased demand. During the Draft EIR review, Capitola staff informed the County of a preference for Design Option A with the trail located on the Capitola Trestle. Capitola staff requested that the project include improvements on surface streets from Opal Street/Cliff Drive to the intersection of Monterey Avenue and Park Avenue. In response to these comments, the project has been enhanced with wayfinding and striping modifications to improve the visibility of the existing delineated pedestrian and bicycle areas, including:

- Revising the width of the existing bike and vehicular lanes for an approximately 350-foot-long portion of Cliff Drive, from the end of the Coastal Rail Trail to where the sidewalk begins on the coastal side of Cliff Drive, to allow demarcation of a separate 4-foot-wide pedestrian path on the coastal side adjacent to the Class II bike lane;
- Re-painting the existing white striping and adding green pavement painting to the existing Class II bike lanes through the Capitola Village; and

- Installing white sharrow markings with green backgrounds along the Class III bike routes where bicycles and vehicles share the lane through the Capitola Village.

However other comments City staff submitted have not been included in the EIR, specifically:

- ADA improvements in the Capitola Village
- New sidewalks on Cliff Drive

The RTC has indicated they would support the City in applying for grant funds to fund these items in a separate project.

The 60-day public review period for the Draft EIR began October 16, 2023, and ends December 15, 2023. The County must receive all written comments regarding the adequacy of the Draft EIR within this period. The City Council may direct staff to submit a comment letter during the 60-day review period. Comments made during the City Council meeting will not be considered as public comments on the EIR, as those comments must be received by the County.

Consolidated Coastal Development Permit: The project requires approval of a Coastal Development Permit (CDP) by both the City of Capitola and the County of Santa Cruz. County staff has requested the application be reviewed in a consolidated CDP by the Coastal Commission since a CDP is required by both jurisdictions and a portion of the project is within the Coastal Commission's original jurisdiction over Soquel Creek. In order to process a consolidated CDP, the applicant (RTC), the appropriate jurisdictions (City of Capitola and County of Santa Cruz), and the Coastal Commission Executive Director all must consent to consolidate the permit action, provided that that consolidation does not substantially impair public participation. The standard of review for a consolidated coastal development permit application is the California Coastal Act with the appropriate local coastal program used as guidance. If the City Council were to consent to a consolidated CDP, the consolidated CDP would be reviewed by the Coastal Commission during a public meeting rather than the Capitola Planning Commission. The public would have the opportunity to provide comments to the Coastal Commission. The City Council may direct staff to proceed with a consolidated CDP, request that staff return with the request after the EIR public comment period ends, or direct staff to process the project through the Planning Commission as a normal CDP.

In summary, staff is requesting feedback on two specific items.

1. If staff should return to Council with a comment letter on the EIR.
2. If the City will consent to a consolidated CDP at this time.

Representatives from the County of Santa Cruz and RTC will be in attendance at the October 26th City Council meeting to provide a presentation and answer questions.

Next Steps: The County is scheduled to receive comments on the Draft EIR at a public meeting on Thursday, November 16, 2023, from 5:00 to 7:30 p.m. The County of Santa Cruz website will post additional information on meeting format and location once details become available. Following the EIR public comment period, the County will schedule the project for consideration before the County Board of Supervisors.

Fiscal Impact: There are no fiscal impacts associated with this update.

Attachments:

1. Regional Transportation Commission FAQs on Capitola Trestle
2. Link to Coastal Rail Trail Segments 10 & 11 Draft Environmental Impact Report:
https://dpw.co.santa-cruz.ca.us/Portals/19/pdfs/RailTrail/Schematic-Design-Plans/RTS1011_DEIR_with_Appendices.pdf

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Approved By: Jamie Goldstein, City Manager