

- Relative sea level rise projections for California, Oregon and Washington taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge and land subsidence rates.
- The range of uncertainty in selected sea level rise projections.
- A synthesis of existing information on projected sea level rise impacts to state infrastructure (such as roads, public facilities and beaches), natural areas, and coastal and marine ecosystems.
- A discussion of future research needs regarding sea level rise.

In 2010, interim guidance was released by the Coastal Ocean Climate Action Team (CO-CAT) as well as Caltrans as a method to initiate action and discussion of potential risks to the states infrastructure due to projected sea level rise. Subsequently, CO-CAT updated the Sea Level Rise guidance to include information presented in the National Academy's study.

All state agencies planning to construct projects in areas vulnerable to future sea level rise are directed to consider a range of sea level rise scenarios for the years 2050 and 2100 to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise. Sea level rise estimates should also be used in conjunction with information on local uplift and subsidence, coastal erosion rates, predicted higher high water levels, storm surge and storm wave data.

All projects that have filed a Notice of Preparation as of the date of Executive Order S-13-08, and/or are programmed for construction funding from 2008 through 2013, or are routine maintenance projects may, but are not required to, consider these planning guidelines. The project is located in the coastal region, and sea-level rise estimates from CalAdapt show 100-year flood inundations over Route 1 east of the intersection. However, according to the same maps, sea level rise will not trespass project boundaries.

Executive Order S-13-08 also directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance and operational improvements of the system, and economy of the state. Caltrans continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Currently, Caltrans is working to assess which transportation facilities are at greatest risk from climate change effects. However, without statewide planning scenarios for

relative sea level rise and other climate change impacts, Caltrans has not been able to determine what change, if any, may be made to its design standards for its transportation facilities. Once statewide planning scenarios become available, Caltrans will be able review its current design standards to determine what changes, if any, may be warranted to protect the transportation system from sea level rise.

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation and flooding; increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. Caltrans is an active participant in the efforts being conducted in response to Executive Order S-13-08 and is mobilizing to be able to respond to the National Academy of Science Sea Level Rise Assessment Report.

## **Chapter 3**      **Comments and Coordination**

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Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods including project development team meetings, stakeholder meetings, City staff presentations at Santa Cruz City Council meetings, and a public meeting following the release of the draft environmental document.

The following summarizes coordination efforts that were undertaken to identify, address, and resolve project-related issues through early and continuing coordination.

- City staff presentations on project status at City of Santa Cruz City Council meetings (November 14, 2005; January 10, 2006; April 25, 2006; February 13, 2007)
- City of Santa Cruz meetings with Central Home Supply (June 9, 2010; June 24, 2010; June 11, 2014)
- City staff presentations on project status at the City's Redevelopment Agency's Annual Report meetings (the former Redevelopment Agency was working with the Harvey West Business Association on transportation access in this area and was working on the Salz Tannery redevelopment)

The project Natural Environment Study contains a summary of coordination efforts with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS).

Coordination with the U.S. Fish and Wildlife Service included obtaining the list of species for Santa Cruz County and several telephone conversations with staff regarding the California red-legged frog surveys, site assessment, and potential impacts to the California red-legged frog, tidewater goby and other species. On February 3, 2012, Caltrans provided the Ventura Fish and Wildlife Office with documentation that the project would not likely adversely affect the California red-legged frog or tidewater goby and requested initiation of formal consultation under the Programmatic Biological Opinion for Projects Funded or Approved under the Federal Aid Program. On October 29, 2012, the Ventura Fish and Wildlife Office

issued a Biological Opinion for the Route 1/Route 9 Intersection Improvement Project, Santa Cruz County, California (8-8-12-F-54), indicating it is the Service's opinion that the project is not likely to jeopardize the continued existence of the tidewater goby or California red-legged frog. (See Appendix E.)

Coordination with the National Marine Fisheries Service included a telephone conversation with staff regarding the potential impacts to the Central California Coast steelhead and Central California Coast coho salmon and their designated critical habitat. On December 30, 2011, Caltrans sent a letter to the National Marine Fisheries Service requesting concurrence that the project is not likely to adversely affect the endangered Central California Coast coho salmon, threatened Central California Coast steelhead, and their designated critical habitat. Caltrans also requested concurrence that the project would have minimal effects on essential fish habitat. On February 22, 2012, the National Marine Fisheries Service sent Caltrans a letter concurring with Caltrans' determination that Central California Coast steelhead and Central California Coast coho salmon are not likely to be adversely affected by the project. Additionally, National Marine Fisheries Service determined that the project is not likely to adversely modify designated Central California Coast steelhead or Central California Coast coho salmon critical habitat. (Appendix F)

The Draft Initial Study was circulated for public review and comment from June 2, 2014, to July 11, 2014. The original comment deadline was July 1, 2014. A Notice of Intent to Adopt a Mitigated Negative Declaration, as well as an offer to hold a public meeting, was mailed to a list of stakeholders that included both governmental offices and private citizens who live in the project area. This Notice of Intent and offer to hold a public meeting was published in the local newspaper (*Santa Cruz Sentinel*) on Tuesday, June 3, 2014. In response to two requests, a public meeting was held on Monday, June 30, 2014; the comment deadline was extended to July 11, 2014. A notice for the public meeting and deadline extension was published in the *Santa Cruz Sentinel* on Sunday, June 22, 2014.

The June 30, 2014, public meeting was held from 5:30 p.m. to 7:30 p.m. at the Santa Cruz Public Library. It was an open house forum with several presentation boards. Representatives from Caltrans and the City provided information and answered questions about the project. A Certified Shorthand Reporter recorded oral comments. Approximately 20 people attended the meeting, 7 people provided oral comments, and 7 people provided written comments on the comment cards provided. The following issues were raised: support for widening the Route 1/San Lorenzo River

Bridge, support for providing a second access road to the Harvey West Park area, concerns about property acquisition and socioeconomic impacts to Central Home Supply and the adjacent residence, and concerns about pedestrian and bicycle access.

All comments received during the circulation period and at the public meeting, as well as responses to those comments, are provided in Appendix I of this document.

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## **Chapter 4**      List of Preparers

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The Initial Study was prepared by ICF International for the City of Santa Cruz and Caltrans District 5. Individuals who prepared this Initial Study and supporting technical studies are identified below.

### **4.1      Caltrans**

Allam Alhabaly, Transportation Engineer. B.S., California State University, Fresno, School of Engineering; 12 years of experience in environmental technical studies with emphasis on noise studies. Contribution: Oversight review of the Noise Study Report.

Paula Juelke Carr, Associate Environmental Planner (Architectural History). M.A., Independent Studies: History, Art History, Anthropology, Folklore and Mythology, University of California, Santa Barbara; B.A., Cultural Anthropology, University of California, Santa Barbara; more than 25 years of experience in California history. Contribution: Review of the Historical Property Survey Report.

Abdulrahim N. Chafi, P.E., INCE. Ph.D., Environmental Engineering Management, California Coast University; B.S. and M.S., Chemistry, California State University, Fresno; M.S., Civil/Environmental Engineer, California State University, Fresno. Over 15 years of experience performing transportation analysis studies for air quality, noise impact, and water quality. Contribution: Review of the Air Quality Analysis.

Rajeev Dwivedi, Engineering Geologist. Ph.D., Environmental Science, Oklahoma State University; M.S., Civil Engineering, Oklahoma State University; M.S., Geology, Wichita State University; 25 years of environmental technical studies experience. Contribution: Review of the Water Quality Assessment Report.

Matt C. Fowler, Senior Environmental Planner. B.A., Geographic Analysis, San Diego State University; 10 years experience environmental planning. Contribution: Oversight of the Initial Study.

Yvonne Hoffmann, Associate Environmental Planner. B.S., Natural Resources Planning, Humboldt State University; 14 years of experience preparing

environmental documentation and 12 years of experience in city planning.  
Contribution: Oversight of the Initial Study.

Krista Kiaha, Associate Environmental Planner. M.S., Anthropology, Idaho State University; B.A., Anthropology, University of California, Santa Cruz; 15 years of cultural resources experience. Contribution: Oversight review of the cultural resource documents.

Valerie A. Levulett, Senior Environmental Planner, Ph.D. and M.A., Anthropology, University of California, Davis; 40 years of experience in environmental planning. Contribution: Oversight review of the Cultural Resources and Hazardous Waste studies.

Bryan D. Parker, Associate Landscape Architect, Registered. B.S., Landscape Architecture, California Polytechnic State University, San Luis Obispo; 22 years of experience in project development and design. Contribution: Oversight of the Initial Study.

Jane Sellers, Research Writer. B.A., Journalism, California State University, Fresno; more than 25 years of writing/editing, media, corporate communications and public relations experience. Contribution: Edited Initial Study.

James Tkach, Transportation Engineer. B.S., Soil Science, California Polytechnic State University, San Luis Obispo; Certificate in Hazardous Materials Management, University of California, Santa Barbara; Registered Environmental Assessor; 5 years of experience in project design and construction; more than 22 years of experience in hazardous waste management. Contribution: Oversight review of the Initial Site Assessment, Preliminary Site Investigation.

Sam Toh, Transportation Engineer. M.S., Civil Engineering and Environmental Engineering; B.S., Engineering Science, California Polytechnic State University, San Luis Obispo; 12 years of experience in traffic engineering and 5 years of experience in structural and design. Contribution: Oversight review of the Traffic Study.

Jim Walth, Associate Environmental Planner (Natural Sciences). M.S., Biological Sciences, California Polytechnic State University, San Luis Obispo; B.S., Biology, California State University, Bakersfield; 9 years of environmental



impact assessment and biological resources experience. Contribution: Oversight review of the Natural Environment Study and permit coordination with resource agencies.

Wendelyn Wickham, P.E., Civil Engineer. M.S., Civil Engineering; 19 years doing Caltrans hydraulics/floodplain studies. Contribution: Prepared the Location Hydraulic Study and the Floodplain Evaluation Report and Summary.

## **4.2 City of Santa Cruz**

Joe H. Hall, AICP. B.A., Economics, University of California, Los Angeles, Economics; M.S., Public Administration, San Diego State University; M.C.R.P., Rutgers University; more than 30 years in city planning and urban redevelopment. Contribution: Project initiation, administration, review and oversight.

Eric Marlatt. B.A., Environmental Studies, and B.A., Geography, University of California, Santa Barbara; 25 years of municipal and coastal planning experience. Contribution: Project initiation, administration, review and oversight.

Christophe J. Schneiter, P.E., Assistant Director/City Engineer, City of Santa Cruz. B.S., University of California, Davis; 29 years of transportation and civil engineering design, management and construction experience. Contribution: project initiation, administration, review and oversight.

## **4.3 Consultant Team**

### **4.3.1 BKF**

Natalina Bernardi, P.E., Principal/Vice-President. B.S., Civil Engineering, University of California, Berkeley; 27 years of transportation, highway and civil engineering design, management and construction. Contribution: Project design and oversight.

Ed Boscacci, P.E., Project Manager. B.S., Civil Engineering, University of California, Berkeley; 31 years of hydraulic and hydrologic experience. Contribution: Author of the Location Hydraulics Memo.

Gordon Sweet, P.E., Associate/Project Manager. B.S., Civil Engineering, University of Arizona, Tucson; 17 years of civil engineering experience. Contribution: Project design and management. Author of the Utilities/Emergency Services and Traffic and Transportation/Pedestrian and Bicycle Memos.

#### **4.3.2 Parikh Consultants, Inc.**

Gary Parikh, P.E., G.E., President. M.S., Geotechnical Engineering; 39 years of geotechnical engineering experience. Contribution: Author of the Utilities Geology/Soils/Seismic/Topography Memo.

#### **4.3.3 Geocon Consultants, Inc.**

Chris Giuntoli, REA, Senior Project Scientist; 23 years of hazardous materials engineering experience. Contribution: Author of the Initial Site Assessment.

#### **4.3.4 ICF International**

Dave Buehler, Senior Acoustical Engineer. B.S., Civil Engineering, California State University, Sacramento; 30 years of acoustical consulting experience. Contribution: Noise studies.

Kate Giberson. M.A., Urban Geography, University of California, Davis; B.A., Geography, University of California, Berkeley; 15 years of project management experience. Contribution: Project manager.

Hina Gupta, Relocation Specialist. M.A., Planning, University of Southern California, Los Angeles; B.A., Planning, School of Planning and Architecture, New Delhi, India; 4 years of land use and community planning experience. Contribution: Relocations.

Jennifer Haire, Senior Wildlife Biologist. B.S., Biology, California State University, Fresno; 16 years of wildlife biology technical experience. Contribution: Wildlife biology.

Kathryn Haley, Architectural Historian. M.A., History, California State University, Sacramento; B.A., History, California State University, Sacramento; 8 years of historic architecture experience. Contribution: Cultural resources.

Shannon Hatcher, Senior Air Quality and Noise Specialist. B.S., Environmental Science and Environmental Health and Safety, Oregon State University,

Corvallis, Oregon; 11 years of air quality and noise technical experience.  
Contribution: Air quality and climate change.

Christiaan Havelaar, Senior Archaeologist. B.A., Anthropology (minor in History), California State University, Sacramento; 14 years of California archaeology and cultural resources management experience. Contribution: Cultural resources.

Jody Job, Senior Publications Specialist; 32 years of publication and document production experience. Contribution: Document format and coordination.

David Lemon, Architectural Historian. M.A., Public History, California State University, Sacramento; 10 years of cultural resources management experience. Contribution: Historic resources.

Debbie Loh, Project Manager. M.A., Environmental Planning, University of California, Los Angeles; B.A., Geography/Ecosystems, University of California, Los Angeles; 30 years of project management experience. Contribution: Project manager.

Nate Martin, Senior Water Quality Specialist. Master's in Public Policy, University of Southern California; B.A., Environmental Studies (minor in biology), California State University, Sacramento; 12 years of water quality impact assessment experience. Contribution: Water quality and hydrology.

Bill Mitchell, Fisheries Biologist. M.S., Fisheries Biology, Humboldt State University; 25 years of fisheries assessment/environmental planning experience. Contribution: Fisheries biology.

Senh Saelee, Graphic Artist. B.A., Visual Communications Design, University of California, Davis; 10 years of illustration and information design experience. Contribution: Graphics.

Kimberly Stevens, Planner. B.S., Geography, University of Utah, Salt Lake City, Utah; 9 years of environmental planning experience. Contribution: Land use and growth.

Jennifer Stock, Senior Landscape Architect. B.L.A, Landscape Architecture, Pennsylvania State University, University Park; 11 years of visual impact assessment experience. Contribution: Visual/Aesthetics.

Lisa Webber, Senior Botanist, Wetland Ecologist. M.S., Botany, University of Massachusetts, Amherst; B.A., Biology, University of California, Santa Cruz; 20 years of botany and wetland ecology experience. Contribution: Botany and wetland ecology.

## **Appendix A** California Environmental Quality Act Checklist

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The following checklist identifies physical, biological, social, and economic factors that might be affected by the project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.”

Supporting documentation of all California Environmental Quality Act checklist determinations is provided in Chapter 2 of this document. Documentation of “No Impact” determinations is provided at the beginning of Chapter 2. Discussion of all impacts, avoidance, minimization, and/or mitigation measures is under the appropriate topic headings in Chapter 2.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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**I. AESTHETICS:** Would the project:

- |   |                          |                                     |                                     |                                     |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**II. AGRICULTURE AND FOREST RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IV. BIOLOGICAL RESOURCES:** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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**V. CULTURAL RESOURCES:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**VI. GEOLOGY AND SOILS:** Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                          |                          |                                     |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

An assessment of the greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included



Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans' determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the body of the environmental document.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**IX. HYDROLOGY AND WATER QUALITY:** Would the project:

a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>X. LAND USE AND PLANNING:</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XI. MINERAL RESOURCES:</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

**XII. NOISE:** Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIII. POPULATION AND HOUSING:** Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**XIV. PUBLIC SERVICES:**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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**XV. RECREATION:**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**XVII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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# Appendix B Title VI Policy Statement

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

## DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR  
P.O. BOX 942873, MS-49  
SACRAMENTO, CA 94273-0001  
PHONE (916) 654-5266  
FAX (916) 654-6608  
TTY 711  
www.dot.ca.gov



*Flex your power!  
Be energy efficient!*

March 16, 2012

### NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

For information or guidance on how to file a complaint based on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, please visit the following web page: [http://www.dot.ca.gov/hq/bep/title\\_vi/t6\\_violated.htm](http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm).

Additionally, if you need this information in an alternate format, such as in Braille or in a language other than English, please contact Mario Solis, Manager, Title VI and Americans with Disabilities Act Program, California Department of Transportation, 1823 14<sup>th</sup> Street, MS-79, Sacramento, CA 95811. Phone: (916) 324-1353, TTY 711, fax (916) 324-1869, or via email: [mario\\_solis@dot.ca.gov](mailto:mario_solis@dot.ca.gov).

A handwritten signature in blue ink, reading "Malcolm Dougherty".

MALCOLM DOUGHERTY  
Acting Director

*"Caltrans improves mobility across California"*

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## **Appendix C** Summary of Relocation Benefits

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### ***California Department of Transportation Relocation Assistance Program***

The purpose of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, is to establish a uniform policy for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.”

The Fifth Amendment to the U.S. Constitution states, “No Person shall...be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation.” The Uniform Act sets forth in statute the due process that must be followed in Real Property acquisitions involving federal funds. Supplementing the Uniform Act is the government-wide single rule for all agencies to follow, set forth in 49 Code of Federal Regulations, Part 24. Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments, as discussed below.

### ***Fair Housing***

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act, and as amended, makes discriminatory practices in the purchase and rental of most residential units illegal. Whenever possible, minority persons shall be given reasonable opportunities to relocate to any available housing regardless of neighborhood, as long as the replacement dwellings are decent, safe, and sanitary and are within their financial means. This policy, however, does not require Caltrans to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Any persons to be displaced will be assigned to a relocation advisor, who will work closely with each displacee in order to see that all payments and benefits are fully utilized, and that all regulations are observed, thereby avoiding the possibility of displacees jeopardizing or forfeiting any of their benefits or payments. At the time of the initiation of negotiations (usually the first written offer to purchase), owner-occupants are given a detailed explanation of the state’s relocation services. Tenant occupants of properties to be acquired are contacted soon after the initiation of

negotiations, and also are given a detailed explanation of the Caltrans Relocation Assistance Program. To avoid loss of possible benefits, no individual, family, business, farm, or nonprofit organization should commit to purchase or rent a replacement property without first contacting a Caltrans relocation advisor.

### *Relocation Assistance Advisory Services*

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Caltrans will provide relocation advisory assistance to any person, business, farm or nonprofit organization displaced as a result of the acquisition of real property for public use, so long as they are legally present in the United States. Caltrans will assist eligible displacees in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are “decent, safe and sanitary.” Nonresidential displacees will receive information on comparable properties for lease or purchase (for business, farm and nonprofit organization relocation services, see below).

Residential replacement dwellings will be in a location generally not less desirable than the displacement neighborhood at prices or rents within the financial ability of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, comparable replacement dwellings will be offered to displacees that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include the supplying of information concerning Federal and State assisted housing programs, and any other known services being offered by public and private agencies in the area.

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without first being given at least 90 days written notice. Residential occupants eligible for relocation payment(s) will not be required to move unless at least one comparable “decent, safe and sanitary” replacement dwelling, available on the market, is offered to them by Caltrans.

### *Residential Relocation Payments*

The Relocation Assistance Program will help eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for or incidental to the purchase or rental of a replacement dwelling and actual reasonable moving

expenses to a new location within 50 miles of the displacement property. Any actual moving costs in excess of the 50 miles are the responsibility of the displacee. The Residential Relocation Assistance Program can be summarized as follows:

### ***Moving Costs***

Any displaced person, who lawfully occupied the acquired property, regardless of the length of occupancy in the property acquired, will be eligible for reimbursement of moving costs. Displacees will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 50 miles, or a fixed payment based on a fixed moving cost schedule. Lawful occupants who move into the displacement property after the initiation of negotiations must wait until Caltrans obtains control of the property in order to be eligible for relocation payments.

### ***Purchase Differential***

In addition to moving and related expense payments, fully eligible homeowners may be entitled to payments for increased costs of replacement housing.

Homeowners who have owned and occupied their property for 180 days or more prior to the date of the initiation of negotiations (usually the first written offer to purchase the property), may qualify to receive a price differential payment and may qualify to receive reimbursement for certain nonrecurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest rate for the loan on the replacement dwelling is higher than the loan rate on the displacement dwelling, subject to certain limitations on reimbursement based upon the replacement property interest rate. The maximum combination of these three supplemental payments that the owner-occupant can receive is \$22,500. If the total entitlement (without the moving payments) is in excess of \$22,500, the Last Resort Housing Program will be used (see the explanation of the Last Resort Housing Program below).

### ***Rent Differential***

Tenants and certain owner-occupants (based on length of ownership) who have occupied the property to be acquired by Caltrans prior to the date of the initiation of negotiations may qualify to receive a rent differential payment. This payment is made when Caltrans determines that the cost to rent a comparable “decent, safe and sanitary” replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the tenant may qualify for a down payment benefit designed to assist in the purchase of a replacement property and the payment of

certain costs incidental to the purchase, subject to certain limitations noted under the Down Payment section below. The maximum amount payable to any eligible tenant and any owner-occupant of less than 180 days, in addition to moving expenses, is \$5,250. If the total entitlement for rent supplement exceeds \$5,250, the Last Resort Housing Program will be used.

In order to receive any relocation benefits, the displaced person must buy or rent and occupy a “decent, safe and sanitary” replacement dwelling within one year from the date the Department takes legal possession of the property, or from the date the displacee vacates the displacement property, whichever is later.

### ***Down Payment***

The down payment option has been designed to aid owner-occupants of less than 180 days and tenants in legal occupancy prior to Caltrans’ initiation of negotiations. The down payment and incidental expenses cannot exceed the maximum payment of \$5,250. The one-year eligibility period in which to purchase and occupy a “decent, safe and sanitary” replacement dwelling will apply.

### ***Last Resort Housing***

Federal regulations (49 CFR 24) contain the policy and procedure for implementing the Last Resort Housing Program on federal-aid projects. Last Resort Housing benefits are, except for the amounts of payments and the methods in making them, the same as those benefits for standard residential relocation as explained above. Last Resort Housing has been designed primarily to cover situations where a displacee cannot be relocated because of lack of available comparable replacement housing, or when the anticipated replacement housing payments exceed the \$22,500 and \$5,250 limits of the standard relocation procedure, because either the displacee lacks the financial ability or other valid circumstances.

After the initiation of negotiations, Caltrans will within a reasonable length of time, personally contact the displacees to gather important information, including the following:

- Number of people to be displaced
- Specific arrangements needed to accommodate any family member(s) with special needs
- Financial ability to relocate into comparable replacement dwelling which will adequately house all members of the family

- Preferences in area of relocation
- Location of employment or school

### ***Nonresidential Relocation Assistance***

The Nonresidential Relocation Assistance Program provides assistance to businesses, farms and nonprofit organizations in locating suitable replacement property, and reimbursement for certain costs involved in relocation. The Relocation Advisory Assistance Program will provide current lists of properties offered for sale or rent, suitable for a particular business's specific relocation needs. The types of payments available to eligible businesses, farms and nonprofit organizations are: searching and moving expenses, and possibly reestablishment expenses; or a fixed in lieu payment instead of any moving, searching and reestablishment expenses. The payment types can be summarized as follows:

### ***Moving Expenses***

Moving expenses may include the following actual, reasonable costs:

- The moving of inventory, machinery, equipment and similar business-related property, including: dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting of personal property. Items acquired in the Right of Way contract may not be moved under the Relocation Assistance Program. If the displacee buys an Item Pertaining to the Realty back at salvage value, the cost to move that item is borne by the displacee.
- Loss of tangible personal property provides payment for actual, direct loss of personal property that the owner is permitted not to move.
- Expenses related to searching for a new business site, up to \$2,500, for reasonable expenses actually incurred.

### ***Reestablishment Expenses***

Reestablishment expenses related to the operation of the business at the new location, up to \$10,000 for reasonable expenses actually incurred.

### ***Fixed In Lieu Payment***

A fixed payment in lieu of moving, searching, and reestablishment payments may be available to businesses which meet certain eligibility requirements. This payment is an amount equal to half the average annual net earnings for the last two taxable years prior to the relocation and may not be less than \$1,000 nor more than \$20,000.

### ***Additional Information***

Reimbursement for moving costs and replacement housing payments are not considered income for the purpose of the Internal Revenue Code of 1954, or for the purpose of determining the extent of eligibility of a displacee for assistance under the Social Security Act, or any other law, except for any Federal law providing local “Section 8” Housing Programs.

Any person, business, farm or nonprofit organization which has been refused a relocation payment by the Caltrans relocation advisor or believes that the payment(s) offered by the agency are inadequate, may appeal for a special hearing of the complaint. No legal assistance is required. Information about the appeal procedure is available from the relocation advisor.

California law allows for the payment for lost goodwill that arises from the displacement for a public project. A list of ineligible expenses can be obtained from Caltrans Right of Way. California’s law and the federal regulations covering relocation assistance provide that no payment shall be duplicated by other payments being made by the displacing agency.

### ***Relocation Assistance Program Brochures***

The links below are to the Relocation Assistance brochures for residential and business displacements. Copies of both are included this appendix.

[http://www.dot.ca.gov/hq/row/pubs/residential\\_english.pdf](http://www.dot.ca.gov/hq/row/pubs/residential_english.pdf)

[http://www.dot.ca.gov/hq/row/pubs/business\\_farm.pdf](http://www.dot.ca.gov/hq/row/pubs/business_farm.pdf)

### ***Contact Information***

For more information about relocation assistance associated with the Highway 1/9 Intersection Improvement Program, contact Julie Hendee, City of Santa Cruz, Economic Development Department (831-420-5158).

**Your Rights and Benefits as a  
Displacee Under the Uniform  
Relocation Assistance Program  
(Residential)  
2007**



***Caltrans***

**California Department of Transportation**

## **Introduction**

In building a modern transportation system, the displacement of a small percentage of the population is often necessary. However, it is the policy of Caltrans that displaced persons shall not suffer unnecessarily as a result of programs designed to benefit the public as a whole.

Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments.

This brochure provides information about available relocation services and payments. If you are required to move as the result of a Caltrans transportation project, a Relocation Agent will contact you. The Relocation Agent will be able to answer your specific questions and provide additional information.

## **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 As Amended "The Uniform Act"**

The purpose of this Act is to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

49 Code of Federal Regulations Part 24 implements the "Uniform Act" in accordance with the following relocation assistance objective:

To ensure that persons displaced as a direct result of federal or federally-assisted projects are treated fairly, consistently and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

*While every effort has been made to assure the accuracy of this booklet, it should be understood that it does not have the force and effect of law, rule, or regulation governing the payment of benefits. Should any difference or error occur, the law will take precedence.*



## Some Important Definitions...

Your relocation benefits can be better understood if you become familiar with the following terms:

Comparable Replacement: means a dwelling which is:

- (1) Decent, safe, and sanitary. (See definition below)
- (2) Functionally equivalent to the displaced dwelling.
- (3) Adequate in size to accommodate the family being relocated.
- (4) In an area not subject to unreasonable adverse environmental conditions.
- (5) In a location generally not less desirable than the location of your displacement dwelling with respect to public utilities and commercial and public facilities, and reasonably accessible to the place of employment.
- (6) On land that is typical in size for residential development with typical improvements.

Decent, Safe and Sanitary (DS&S): Replacement housing must be decent, safe, and sanitary...which means it meets all of the minimum requirements established by federal regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

- (1) Be structurally sound, weather tight, and in good repair.
- (2) Contain a safe electrical wiring system adequate for lighting and other devices.



- (3) Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) for a displaced person, except in those areas where local climatic conditions do not require such a system.
- (4) Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. The Caltrans policy is that there will be no more than 2 persons per room unless the room is of adequate size to accommodate the normal bedroom furnishings for the occupants.
- (5) Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.

*Note: In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator.*

- (6) Contains unobstructed egress to safe, open space at ground level. If the replacement dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- (7) *For a displaced person who is handicapped, be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person.*

Displaced Person or Displacee: Any person who moves from real property or moves personal property from real property as a result of the acquisition of the real property, in whole or in part, or as the result of a written notice from the agency to vacate the real property needed for a transportation project. In the case of a partial acquisition, Caltrans shall determine if a person is displaced as a direct result of the acquisition.

Residents **not lawfully present** in the United States are not eligible to receive relocation payments and assistance

Relocation benefits will vary, depending upon the type and length of occupancy. As a residential displacee, you will be classified as either a:

- An owner occupant of a residential property (includes mobile homes)
- A tenant occupant of a residential property (includes mobile homes and sleeping rooms)

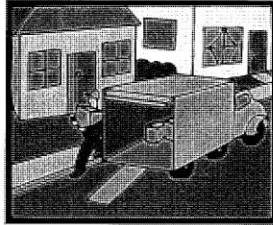
Dwelling: The place of permanent or customary and usual residence of a person, according to local custom or law, including a single family house; a single family unit in a two-family, multi-family, or multi-purpose property; a unit of a condominium or cooperative housing project; a non-housekeeping unit; a mobile home; or any other residential unit.

Owner: A person is considered to have met the requirement to own a dwelling if the person purchases or holds any of the following interests in real property:

- (1) Fee title, a life estate, a land contract, a 99-year lease, oral lease including any options for extension with at least 50 years to run from the date of acquisition; or
- (2) An interest in a cooperative housing project which includes the right to occupy a dwelling; or
- (3) A contract to purchase any interests or estates; or
- (4) Any other interests, including a partial interest, which in the judgment of the agency warrants consideration as ownership.

Tenant: A person who has the temporary use and occupancy of real property owned by another.

## Moving Expenses



If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained. Below.

Displaced individuals and families may choose to be paid on the basis of actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule. However, to ensure your eligibility and prompt payment of moving expenses, you should contact your Relocation Agent before you move.

### You Can Choose Either:

**Actual Reasonable Moving Costs** - You may be paid for your actual reasonable moving costs and related expenses when a commercial mover performs the move. Reimbursement will be limited to a move of 50 miles or less. Related expenses may include:

- Transportation
- Packing and unpacking personal property.
- Disconnecting and reconnecting household appliances.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.

**OR**

**Fixed Moving Cost Schedule** - You may be paid on the basis of a fixed moving cost schedule. Under this option, you will not be eligible for reimbursement of related expenses listed above. The fixed schedule is designed to cover such expenses.

Examples (Year 2005 Rate):

4 Rooms - \$ 950

7 Rooms - \$1,550

If the furniture is moved with the mobile home, the amount of the fixed payment is based on Schedule B.

Examples (Year 200 Rate):

4 Rooms - \$1,175

7 Rooms - \$1,900

Under the Fixed Move Schedule for a furnished unit (e.g. you are a tenant of an apartment that is furnished by your landlord) is based on Schedule B.

Example (Year 2005 Rate):

1 Room - \$400

Under the Fixed Move Schedule, you will not receive any additional payments for temporary storage, lodging, transportation or utility hook-ups.

## Replacement Housing Payments

The type of Replacement Housing Payment (RHP) depends on whether you are an owner or a tenant, and the length of occupancy in the property being acquired.

If you are a qualified **owner occupant** of more than 180 days prior to the initiation of negotiations for the acquisition of your property, you may be entitled to a RHP that consists of:

**Price Differential, and**

**Mortgage Differential, and**

**Incidental Expenses;**

**OR**

**Rent Differential**

If you are a qualified **owner occupant** of more than 90 days but less than 180 days, OR you are a qualified **tenant occupant** of at least 90 days, you may be entitled to a RHP as follows:

**Rent Differential**

**OR**

**Downpayment Option**

Length of occupancy simply means counting the number of days that you actually occupied a dwelling before the date of initiation of negotiations by Caltrans for the purchase of the property. The term "initiation of negotiations" means the date Caltrans makes the first personal contact with the owner of real property, or his/ her representative, to give him/her a written offer for the property to be acquired.

*Note: If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may or may not be eligible for a Replacement Housing Payment. Check with your Relocation Agent before you make any decision to vacate your property.*

**For Owner Occupants of 180 Days or More**

If you qualify as a 180-day owner occupant, you may be eligible -- in addition to the fair market value of your property -- for a Replacement Housing Payment that consists of a Price Differential, Mortgage Differential and/or Incidental Expenses.

The **Price Differential** payment is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. This payment will assist you in purchasing a comparable decent, safe, and sanitary (DS&S) replacement dwelling. Caltrans will compute the maximum payment you may be eligible to receive.

In order to receive the full amount of the calculated price differential, you must spend at least the amount calculated by Caltrans on a replacement property

The **Mortgage Differential** payment will reimburse you for any increased mortgage interest costs you might incur because the interest rate on your new mortgage exceeds the interest rate on the property acquired by Caltrans. The payment computation is complex as it is based on prevailing rates, your existing loan and your new loan. Also, a part of this payment may be prorated such as reimbursement for a portion of your loan origination fees and mortgage points.

To be eligible to receive this payment, the acquired property must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to the initiation of negotiations.

You may also be reimbursed for any actual and necessary **Incidental Expenses** that you incur in relation to the purchase of your replacement property. These expenses may be those costs for title search, recording fees, credit report, appraisal report, and certain other closing costs associated with the purchase of property. You will not be reimbursed for any recurring costs such as prepaid real estate taxes and property insurance.

If the total amount of your **Replacement Housing Payment** (Price Differential, Mortgage Differential and Incidental Expenses) exceeds \$22,500, the payment must be deposited directly into an escrow account or paid directly to the mortgage company.

**EXAMPLES OF PRICE DIFFERENTIAL PAYMENT COMPUTATION:**

Assume that Caltrans purchases your property for \$98,000. After a thorough study of available, decent, safe and sanitary dwellings on the open market, Caltrans determines that a comparable replacement property will cost you \$100,000. If your purchase price is \$100,000, you will receive \$2,000 (see *Example A*).

If your actual purchase price is more than \$100,000, you pay the difference (see *Example B*). If your purchase price is less than \$100,000, the differential payment will be based on actual costs (see *Example C*).

How much of a differential payment you receive depends on how much you actually spend on a replacement dwelling as shown in these examples:

**Caltrans' Computation**

Comparable Replacement Property and Mobile Home	\$100,000
Acquisition Price of Your Property and Mobile Home	<u>-\$ 98,000</u>
Maximum Price Differential	\$ 2,000

**Example A**

Purchase Price of Replacement	\$100,000
Comparable Replacement Property	\$100,000
Acquisition Price of Your Property	<u>-\$ 98,000</u>
Maximum Price Differential	\$ 2,000

**Example B**

Purchase Price of Replacement Property	\$105,000
Comparable Replacement Property	\$100,000
Acquisition Price of Your Property	<u>\$ 98,000</u>
Maximum Price Differential	\$ 2,000
You Must Pay the Additional	\$ 5,000

**Example C**

Comparable Replacement Property	\$100,000
Purchase Price of Replacement	\$ 99,000
Acquisition Price of Your Property	<u>\$ 98,000</u>
Price Differential	\$ 1,000

*In Example C you will only receive \$1,000 - not the full amount of the Caltrans "Comparable Replacement Property" because of the "Spend to Get" requirements.*



**IN ORDER FOR A "180 DAY OWNER OCCUPANT" TO RECEIVE THE FULL AMOUNT OF THEIR REPLACEMENT HOUSING PAYMENT** (*Price Differential, Mortgage Differential and Incidental Expenses*), **you must:**

A) Purchase and occupy a DS&S replacement dwelling within one year after the later of:

(1) The date you first receive a notification of an available replacement house, **OR**

(2) The date that Caltrans has paid the acquisition cost of your current dwelling (usually the closing of escrow on State's acquisition),

**AND**

B) Spend at least the amount of the Caltrans "Comparable Replacement Property" for a replacement property,

**AND**

C) File a claim for relocation payments within 18 months of the later:

(1) The date you vacate the property acquired by Caltrans, **OR**

(2) The date that Caltrans has paid the acquisition cost of your current dwelling (usually the close of escrow on State's acquisition)

**You will not be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. Also, you will also receive at least 90 days' written notice before you must move.**

### **For Owner Occupants and Tenants of 90 Days or More**

If you qualify as a 90-day occupant (either as an owner or tenant), you may be eligible for a Replacement Housing Payment in the form of a Rent Differential.

The **Rent Differential** payment is designed to assist you in renting a comparable decent, safe and sanitary replacement dwelling. The payment is based on the difference between the base monthly Rent for the property acquired by Caltrans (including average monthly cost for utilities) and the lesser of:

- a) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling as determined by Caltrans, **OR**
- b) The monthly rent and estimated average monthly cost of utilities for the decent, safe and sanitary dwelling that you actually rent as a replacement dwelling.

Utility costs are those expenses you incur for heat, lights, water and sewer - regardless of the source (e.g. electricity, propane, and septic system). It does not include garbage, cable, telephone, or security. The utilities at your property are the average costs over the last 12 months. The utilities at the comparable replacement property are the estimated costs for the last 12 months for the type of dwelling and area used in the calculation.

This difference is multiplied by 42 months and may be paid to you in a lump sum payment or in periodic installments in accordance with policy and regulations.

In order to receive the full amount of the calculated Rent Differential, you must spend at least the amount calculated by Caltrans on a replacement property.

This payment may - with certain limitations - be converted to a **Downpayment Option** to assist you in purchasing a replacement property.

**Example of Rent Differential Payment Computation:**

After a thorough study of comparable, decent, safe and sanitary dwellings that are available for rent, Caltrans determines that a comparable replacement property will rent for \$325.00 per month.

**Caltrans Computation (rates are per month)**

Rental Rate for Comparable Replacement Property	\$ 325
PLUS average estimated utilities costs	<u>+ 100</u>
TOTAL Cost to Rent Comparable Replacement Property	= \$ 425

Rental Rate for Your Current Property	\$ 300
PLUS average utilities costs	<u>+ 90</u>
TOTAL Cost to Rent Current Property	= \$ 390

Comparable Replacement Property including utilities	\$ 425
Cost you pay to rent your property including utilities	<u>+ 390</u>
Difference	= \$ 35

Multiplied by 42 months = \$1,470 Rent Differential

**Example A:**

Rental Rate for a Replacement Property including Estimated average utilities costs	\$ 525
Comparable Replacement Property including utilities	\$ 425
Cost you pay to rent your property including utilities	\$ 390

Since \$425 is less than \$525, the Rent Differential is based on the difference between \$390 and \$425.

Rent Differential (\$35 x 42 months = \$1,470)

*In this case you spent "at least" the amount of the Comparable Replacement Property on the replacement property and will receive the full amount.*

**Example B:**

Rental Rate for a Replacement Property including Estimated average utilities costs	\$ 400
Comparable Replacement Property including utilities	\$ 425
Cost you pay to rent your property including utilities	\$ 390

Since \$400 is less than \$525, the Rent Differential is based on the difference between \$400 and \$390.

Rent Differential (\$10 x 42 months = \$420)

*In this case you spent "less than" the amount of the Comparable Replacement Property on the replacement property and will not receive the full amount.*

**IN ORDER FOR A "90 DAY OWNER OCCUPANT" TO RECEIVE THE FULL AMOUNT OF THEIR REPLACEMENT HOUSING PAYMENT (Rent Differential), you must:**

A) Rent and occupy a DS&S replacement dwelling within one year after the later of:

(1) The date you first receive a notification of an available replacement house, **OR**

(2) The day you vacate the property acquired by Caltrans.

**AND**

B) Spend at least the amount of the Caltrans "Comparable Replacement Property" to rent a replacement property,

**AND**

C) File a claim for relocation payments within 18 months of the later of:

(1) The date you vacate the property acquired by Caltrans, **OR**

(2) The date that Caltrans has paid the acquisition cost of your current dwelling (usually the close of escrow on State's acquisition)

**You will not be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. And, you will also receive at least 90 days' written notice before you must move.**

*Note1: The time periods for a 90-day owner occupant are different than a 180-day owner occupant.*

*Note 2: If the Rent Differential is converted to a Downpayment Option, there is no "spend-to-get" requirement.*

### **DOWN PAYMENT OPTION**

The Rent Differential payment may - with certain limitations - be converted to a **Down Payment Option** to assist you in purchasing a replacement property. The down payment option is a direct conversion of the Rent Differential payment.

If the Caltrans calculated Rent Differential is between \$0 and \$5,250, your down payment option will be \$5,250, which can be used towards the purchase of a replacement decent, safe and sanitary dwelling.

If the Rent Differential is over \$5,250, you may be able to convert the entire amount of the Rent Differential to a downpayment option.

The down payment option must be used for the acquisition of the replacement dwelling, plus any eligible incidental expenses (see "180-day Owner Occupants Incidental Expenses") related to the purchase of the property. You must work closely with your Relocation Agent to ensure you can utilize the full amount of your down payment option towards the purchase.

If any portion of the Rent Differential was used prior to the decision to convert to a down payment option, those advance payments will be deducted from the entire benefit.

### **LAST RESORT HOUSING**

On most projects, an adequate supply of housing will be available for sale and for rent, and the benefits provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide the necessary housing for those persons being displaced. In such cases, Caltrans will utilize a method called Last Resort Housing. Last Resort Housing allows Caltrans to construct, rehabilitate or modify housing in order to meet the needs of the people displaced from a project. Caltrans can also pay above the statutory limits of \$5,250 and \$22,500 in order to make available housing affordable.

## Relocation Advisory Assistance



Any individual, family, business or farm displaced by Caltrans shall be offered relocation advisory assistance for the purpose of locating a replacement property. Relocation services are provided by qualified personnel employed by Caltrans. It is their goal and desire to be of service to you and assist in any way possible to help you successfully relocate.

A Relocation Agent from Caltrans will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview with you, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you.

You can expect to receive the following services, advice and assistance from your Relocation Agent who will:

- Explain the relocation benefits and eligibility requirements.
- Provide the amount of the replacement housing payments in writing.
- Assure the availability of a comparable property before you move.
- Inspect possible replacement residential units for DS&S compliance.
- Provide information on counseling you can obtain to help minimize hardships in adjusting to your new location.
- Assist you in completing loan documents, rental applications or Relocation Claims Forms.

AND provide information on:

- Security deposits
- Interest rates and terms
- Typical down payments
- VA and FHA loan requirements
- Real property taxes.
- Consumer education literature on housing

If you desire, your Relocation Agent will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or handicapped. Though you may use the services of a real estate broker, Caltrans cannot provide a referral.

Your Relocation Agent is familiar with the services provided by others in your community and will provide information on other federal, state, and local housing programs offering assistance to displaced persons. If you have special problems, your Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you.

If the highway project will require a considerable number of people to be relocated, Caltrans will establish a temporary Relocation Field Office on or near the project. Project relocation offices will be open during convenient hours and evening hours if necessary.

In addition to these services, Caltrans is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

Remember - YOUR RELOCATION AGENT is there to offer advice and assistance. Do not hesitate to ask questions. And be sure you fully understand all of your rights and available benefits.



## YOUR RIGHTS AS A DISPLACEE

All eligible displacees have a freedom of choice in the selection of replacement housing, and Caltrans will not require any displaced person to accept a replacement dwelling provided by Caltrans. If you decide not to accept the replacement housing offered by Caltrans, you may secure a replacement dwelling of your choice, providing it meets DS&S housing standards. Caltrans will not pay more than your calculated benefits on any replacement property.

The most important thing to remember is that the replacement dwelling you select must meet the basic "decent, safe, and sanitary" standards. Do not execute a purchase agreement or a rental agreement until a representative from Caltrans has inspected and certified in writing that the dwelling you propose to occupy meets the basic standards. **DO NOT jeopardize** your right to receive a replacement housing payment by moving into a substandard dwelling.

It is important to remember that your relocation benefits will not have an adverse affect on your:

- Social Security Eligibility
- Welfare Eligibility
- Income Taxes



In addition, the Title VIII of the Civil Rights Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin.

Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, and that is within their financial means. This policy, however, does not require Caltrans to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Caltrans' Non-Discrimination Policy ensures that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act (42 USC 2000d. et seq.).

And you always have the Right to Appeal any decision by Caltrans regarding your relocation benefits and eligibility.

Your Right of Appeal is guaranteed in the "Uniform Act" which states that any person may file an appeal with the head of the responsible agency if that person believes that the agency has failed to properly determine the person's eligibility or the amount of a payment authorized by the Act.

If you indicate your dissatisfaction, either verbally or in writing, Caltrans will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or other representative in connection with the appeal (but solely at your own expense).

Caltrans will consider all pertinent justifications and materials submitted by you and other available information needed to ensure a fair review. Caltrans will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, Caltrans will advise you that you may seek judicial review.

NOTES

# **Your Rights and Benefits as a Displaced Business, Farm or Nonprofit Organization Under the Uniform Relocation Assistance Program**

## **Introduction**

In building a modern transportation system, the displacement of a small percentage of the population is often necessary. However, it is the policy of Caltrans that displaced persons shall not suffer unnecessarily as a result of programs designed to benefit the public as a whole.

Displaced businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments.

This brochure provides information about available relocation services and payments. If you are required to move as the result of a Caltrans transportation project, a Relocation Agent will contact you. The Relocation Agent will be able to answer your specific questions and provide additional information.

## **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 As Amended "The Uniform Act"**

The purpose of this Act is to provide for uniform and equitable treatment of persons displaced from their business, farm or nonprofit organization, by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

49 Code of Federal Regulations Part 24 implements the "Uniform Act" in accordance with the following relocation assistance objective:

To ensure that persons displaced as a direct result of federal or federally-assisted projects are treated fairly, consistently and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

*While every effort has been made to assure the accuracy of this booklet, it should be understood that it does not have the force and effect of law, rule, or regulation governing the payment of benefits. Should any difference or error occur, the law will take precedence.*

## **Relocation Services**

The California Department of Transportation has two programs to aid businesses, farms and nonprofit organizations which must relocate.

These are:

1. The Relocation Advisory Assistance Program, which is to aid you in locating a suitable replacement property, and
2. The Relocation Payments Program, which is to reimburse you for certain costs involved in relocating. These payments are classified as:
  - Moving and Related Expenses (costs to move personal property not acquired).
  - Reestablishment Expenses (expenses related to the replacement property).
  - In-Lieu Payment (a fixed payment in lieu of moving and related expenses, and reestablishment expenses).

**NOTE:** *Payment of loss of goodwill is considered an acquisition cost. California law and the federal regulations mandate that relocation payments cannot duplicate other payments such as goodwill. You will **not** be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. You will also receive at least 90 days' written notice before you must move.*

## Some Important Definitions...

Your relocation benefits can be better understood if you become familiar with the following terms:

**Business:** Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease and rental of personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property, or for the sale of services to the public, or solely for the purpose of this Act, and outdoor advertising display or displays, when the display(s) must be moved as a result of the project.

**Displaced Person or Displacee:** Any person who moves from real property or moves personal property from real property as a result of the acquisition of the real property, in whole or in part, or as the result of a written notice from the agency to vacate the real property needed for a transportation project. In the case of a partial acquisition, Caltrans shall determine if a person is displaced as a direct result of the acquisition.

Owners and tenants **not lawfully present** in the United States are not eligible to receive relocation payments and assistance.

**Contributes Materially:** A business or farm operation must have had average annual gross receipts of at least \$5,000 **or** average annual net earnings of at least \$1,000, or their income must have contributed at least 33 1/3 percent of the owner's or operator's average annual gross income from all sources, in order to qualify as a bona-fide operation.

**Farm Operation:** Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

**Nonprofit Organization:** A public or private entity that has established its nonprofit status under applicable law.

## MOVING EXPENSES

If you qualify as a displaced business, farm or nonprofit organization, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. To qualify you must legally occupy the property as the owner or lessee/tenant when Caltrans initiates negotiations for the acquisition of the property **OR** at the time Caltrans acquires title or takes possession of the property. However, to assure your eligibility and prompt payment of moving expenses, you should contact your Relocation Agent before you move.

### You Can Choose Either:

**Actual Reasonable Moving Costs** – You may be paid for your actual reasonable moving costs and related expenses when a commercial mover performs the move. Reimbursement will be limited to a move of 50 miles or less. Related expenses, with limitations, **may** include:

- Transportation.
- Packing and unpacking of personal property.
- Disconnecting and reconnecting personal property related to the operation.
- Temporary storage of personal property.
- Insurance while property is in storage or transit, or the loss and damage of personal property if insurance is not reasonably available.
- Expenses in finding a replacement location.
- Professional services to plan and monitor the move of the personal property to the new location.
- Licenses, permits and fees required at the replacement location.

### OR

**Self-Move Agreement** – You may be paid to move your own personal property based on the lower of two acceptable bids obtained by Caltrans.

Under this option, you will still be eligible for reimbursement of related expenses listed above that were not included in the bids.

## **OR**

**In-Lieu Payment** – You can accept a fixed payment between \$1,000 and \$20,000, based on your annual earnings IN LIEU OF the moving cost, related expenses and reestablishment cost.

## **Actual Reasonable Moving Costs**

You may be paid the actual reasonable and necessary costs of your move when a professional mover performs the move. All of your moving costs must be supported by paid receipts or other evidence of expenses incurred. In addition to the transportation costs of your personal property, certain other expenses may also be reimbursable, such as packing, crating, unpacking and uncrating, and the disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property.

Other expenses such as professional services necessary for planning and carrying out the move, temporary storage costs, and the cost of licenses, permits and certifications may also be reimbursable. This is not intended to be an all-inclusive list of moving related expenses. Your Relocation Agent can provide you with a complete explanation of reimbursable expenses.

## **Self-Move Agreement**

If you agree to take full responsibility for all or part of the move of your business, farm, or nonprofit organization, the Department may approve a payment not to exceed the lower of two acceptable bids obtained by the Department from qualified moving firms or a qualified Department staff employee. A low-cost or uncomplicated move may be based on a single bid or estimate at the Department's discretion. The advantage of this moving option is the fact that it relieves the displaced business, farm or nonprofit organization operator from documenting all moving expenses. The Department may make the payment without additional documentation as long as the payment is limited to the amount of the lowest acceptable bid or estimate. Other expenses, such as professional services for planning, storage costs, and the cost of licenses, permits, and certifications may also be reimbursable if determined to be necessary. These latter expenses must be pre approved by the Relocation Agent.

## Requirements:

Before you move, you must provide Caltrans with the:

- Certified inventory of all personal property to be moved.
- Date you intend to vacate the property.
- Address of the replacement property.
- Opportunity to monitor and inspect the move from the acquired property to the replacement property.

## Related Expenses

1. **Searching Expenses for Replacement Property:** Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to the real estate agents, brokers or consultants; and other expenses determined to be reasonable and necessary by the Department.
2. **Direct Loss of Tangible Personal Property:** Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property which is incurred as a result of the move or discontinuance of the operation. This payment will be based upon the lesser of:
  - a. The fair market value of the item for continued use at the displacement site minus the proceeds from its sale.

**OR**

  - b. The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department for eligible moving and related expenses, including dismantling and reassembly, but with no allowance for storage, cost of code requirement betterments or upgrades at the replacement site.



**EXAMPLE:**

You determine that the "document shredder" cannot be moved to the new location because of its condition, and you will not replace it at the new location.

Fair Market Value of the Document Shredder	
Based on its use at the current location	\$ 1,500
Proceeds: Price received from selling the Document Shredder	-
	<u>\$ 500</u>
Net Value	\$ 1,000

**OR**

Estimated cost to move	\$ 1,050
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Based on the "lesser of", the amount of the "Loss of Tangible Personal Property" =	<b>\$ 1,000</b>
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Note: You are also entitled to all reasonable costs incurred in attempting to sell the document shredder (e.g. advertisement).

3. Purchase of Substitute Personal Property: If an item of personal property, which is used as part of the business, farm, or nonprofit organization, is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, the displacee is entitled to payment of the lesser of:

- a. The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item;

**OR**

- b. The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department for eligible moving and related expenses, including dismantling and reassembly, but with no allowance for storage, cost of code requirement betterments or upgrades at the replacement site.

**EXAMPLE A:**

You determine that the copying machine cannot be moved to the new location because it is now obsolete and you will replace it.

Cost of a substitute copy machine	
Including installation costs at the replacement site	\$ 3,000
Trade-in Allowance	- \$ 2,500
Net Value	\$ 500

OR

Estimated cost to move	\$ 550
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Based on the "lesser of", the amount of the "Substitute Personal Property" =	\$ 500
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**EXAMPLE B:**

You determine that the chairs will not be used at the new location because they no longer match the décor and you will replace them.

Cost of substitute chairs	\$ 1,000
Proceeds from selling the chairs	- \$ 100
Net Value	\$ 900

OR

Estimated cost to move	\$ 200
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Based on the "lesser of", the amount of the "Substitute Personal Property" =	\$ 200
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Note: You are also entitled to all reasonable costs incurred in attempting to sell the copy machine and/or chairs.

4. **Disconnecting and Reinstallation:** You will be reimbursed for your actual and reasonable costs to disconnect, dismantle, remove, reassemble and reinstall any machinery, equipment or other personal property in relation to its move to the new location. This includes connection to utilities available nearby and any modifications to the

personalty that is necessary to adapt it to utilities at the replacement site.

5. **Physical changes at the new location:** You may be reimbursed for certain physical changes to the replacement property if the changes are necessary to permit the reinstallation of machinery or equipment necessary for the continue operation of the business. **Note:** *The changes cannot increase the value of the building for general purposes, nor can they increase the mechanical capability of the buildings beyond its normal requirements.*
6. The cost of installing utilities from the right of way line to the structure(s) or improvements on the replacement site.
7. Marketing studies, feasibility surveys and soil testing.
8. Professional real estate services needed for the purchase or lease of a replacement site.
9. One-time assessments or impact fees for anticipated heavy utility usage.

### Reestablishment Expenses

A small business, farm or nonprofit organization may be eligible for a payment, not to exceed \$10,000, for expenses actually incurred in relocating and reestablishing the enterprise at a replacement site.

Reestablishment expenses may include, but are not limited to, the following:

1. Repairs or improvements to the replacement real property required by Federal, State or local laws, codes or ordinances.
2. Modifications to the replacement real property to make the structure(s) suitable for the business operation.
3. Construction and installation of exterior signing to advertise the business.
4. Redecoration or replacement such as painting, wallpapering, paneling or carpeting when required by the condition of the replacement site or for aesthetic purposes.

5. Advertising the new business location.
6. The estimated increased costs of operation at the replacement site during the first two years, for items such as:
  - a) Lease or rental charges
  - b) Personal or real property taxes
  - c) Insurance premiums, and
  - d) Utility charges (excluding impact fees).
7. Other items that the Department considers essential for the reestablishment of the business or farm.

**Note:** A nonprofit organization must substantiate that it cannot be relocated without a substantial loss of existing patronage (membership or clientele). The payment is based on the average of two years annual gross revenues less administrative expenses.

### In-Lieu Payment (Fixed)

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of (in place of) actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than \$1,000 or more than \$20,000.

For a business to be eligible for a fixed payment, the Department must determine the following:

1. The business owns or rents personal property that must be moved due to the displacement.
2. The business cannot be relocated without a substantial loss of existing patronage.
3. The business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity, which are under the same ownership and are not being displaced by the department.
4. The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

Any business operation that is engaged solely in the rental of space to others is not eligible for a fixed payment. This includes the rental of space for residential or business purposes.

Eligibility requirements for farms and nonprofit organizations are slightly different than business requirements. If you are being displaced from a farm or your represent a nonprofit organization and are interested in a fixed payment, please consult your relocation counselor for additional information.

### The Computation of Your In-Lieu Payment:

The fixed payment for a displaced business or farm is based upon the average annual net earnings of the operation for the two taxable years immediately preceding the taxable year in which it is displaced. Caltrans can use a different two year period if it is determined that the last two taxable years do not accurately reflect the earnings of the operation.

**EXAMPLE:** Caltrans acquires your property and you move in 2005:

2003 Annual Net Earnings	\$ 10,500
2004 Annual Net Earnings	<u>\$ 12,500</u>
TOTAL	\$ 23,000
<b>Average over two years</b>	<b>\$ 11,500</b>

This would be the amount of your in-lieu payment. Remember – this is in-lieu of all other moving benefits, including reestablishment expenses. You must provide the Department with proof of net earnings to support your claim.

Proof of net earnings can be documented by income tax returns, certified financial statements, or other reasonable evidence of net earnings acceptable to the Department.

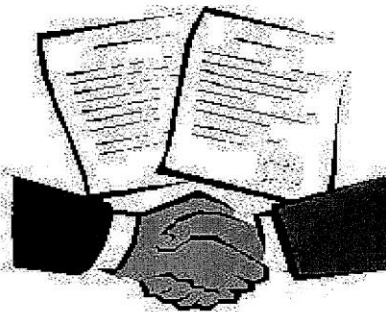
*Note: The computation for nonprofit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two year period specified above.*

### Before You Move:

- A. Request a determination of entitlement for in-lieu payment from your Relocation Agent.
- B. Include a written statement of the reasons the business cannot be relocated without a substantial loss in net earnings.

- C. Provide certified copies of tax returns for the two tax years immediately preceding the tax year in which you move. (If you move anytime in the year 2005, regardless of when negotiations began or the State took title to the property, the taxable years would be 2003 and 2004).
- D. You will be notified of the amount you are entitled to after the application is received and approved.
- E. You cannot receive the payment until after you vacate the property, AND submit a claim for the payment within 18 months of the date of your move.

### **Relocation Advisory Assistance**



Any business, farm or nonprofit organization displaced by Caltrans shall be offered relocation advisory assistance for the purpose of locating a replacement property. Relocation services are provided by qualified personnel employed by Caltrans. It is their goal and desire to be of service to you and assist in any way possible to help you successfully relocate.

A Relocation Agent from Caltrans will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview with you, your needs and desires will be determined as well as your need for assistance.

You can expect to receive the following services, advice and assistance from your Relocation Agent who will:

- Determine your needs and preferences.
- Explain the relocation benefits and eligibility requirements.
- Provide information on replacement properties for your consideration.
- Provide information on counseling you can obtain to help minimize hardships in adjusting to your new location.
- Assist you in completing loan documents, rental applications or Relocation Claims Forms.

AND provide information on:

- Security deposits
- Interest rates and terms
- Typical down payments
- Permits, fees and local planning
- SBA loan requirements
- Real property taxes.
- Consumer education literature

If you desire, your Relocation Agent will give you current listings of other available replacement property. Transportation will be provided to inspect available property, especially if you are elderly or handicapped. Though you may use the services of a real estate broker, Caltrans cannot provide a referral.

Your Relocation Agent is familiar with the services provided by others in your community and will provide information on other federal, state, and local programs offering assistance to displaced persons. If you have special needs, your Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you.

If the highway project will require a considerable number of people to be relocated, Caltrans will establish a temporary Relocation Field Office on or near the project. Project relocation offices will be open during convenient hours and evening hours if necessary.

In addition to these services, Caltrans is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

Remember - YOUR RELOCATION AGENT is there to offer advice and assistance. Do not hesitate to ask questions. And be sure you fully understand all of your rights and available benefits.



## YOUR RIGHTS AS A DISPLACEE

It is important to remember that your relocation benefits will not have an adverse affect on your:

- Social Security Eligibility
- Welfare Eligibility
- Income Taxes

In addition, the Title VIII of the Civil Rights Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin.

Caltrans' Non-Discrimination Policy ensures that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act (42 USC 2000d. et seq.).

And you always have the Right to Appeal any decision by Caltrans regarding your relocation benefits and eligibility.

Your Right of Appeal is guaranteed in the "Uniform Act" which states that any person may file an appeal with the head of the responsible agency if that



person believes that the agency has failed to properly determine the person's eligibility or the amount of a payment authorized by the Act.

If you indicate your dissatisfaction, either verbally or in writing, Caltrans will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or other representative in connection with the appeal (but solely at your own expense).

Caltrans will consider all pertinent justifications and materials submitted by you and other available information needed to ensure a fair review. Caltrans will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, Caltrans will advise you that you may seek judicial review.

NOTES

## **Appendix D** Minimization and/or Mitigation Summary

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## Route 1/9 Intersection Improvement Project Mitigation Monitoring Plan and Environmental Commitments Record

<b>Project Name</b>	Route 1/9 Intersection Improvement Project	<b>Lead Agency; Responsible Agency</b>	California Department of Transportation, Environmental Central Coast Branch (Caltrans); City of Santa Cruz, Department of Public Works
<b>Caltrans Expenditure Authorization #</b>	465800	<b>Agency Contacts and Phone Numbers</b>	Matt Fowler, Caltrans, 805-542-4603 Chris Schneider, Santa Cruz, 831-420-5422

**Project Description** Improve traffic operations at the Route 1/9 intersection by widening the intersection to accommodate additional turning vehicle lanes, bicycle lanes, and shoulders from post miles 17.5 to 17.7 on Route 1 and from PM 0.0 to 0.2 on Route 9 in the City of Santa Cruz

Task and Brief Description	Document	Timing/Phase	Specific Action(s) Taken to Comply with Task	Certification of Task Completion	
				Initial	Date
HUMAN ENVIRONMENT					
Community Impacts—Relocations and Real Property Acquisition					
Project includes replacement and relocation assistance for renter-occupied home located at 744 River Street. If the Central Home Supply business is fully displaced by project, the project includes replacement and relocation assistance for this business.	Initial Study under Relocations and Real Property Acquisition	Prior to construction			
Traffic and Transportation/Pedestrian and Bicycle Facilities					
Project includes: 1. The City will develop a Traffic Management Plan to assess stage construction and traffic handling, to minimize impacts to vehicular, bicycle, and pedestrian traffic during project construction. To prepare the plan, the City will coordinate with affected local entities to develop necessary strategies to maintain efficient and safe movement of vehicles through the construction zone. Measures that may be included in the plan are a public awareness campaign, portable changeable message signs, and a Construction Zone Enhanced Enforcement Program. 2. Pedestrian and bicycle access during construction will be staged in order to preserve existing or similar access points and travel routes to the	Initial Study under Traffic and Transportation/Pedestrian and Bicycle Facilities	1. Prior to and during construction 2. During construction			

Task and Brief Description	Document	Timing/Phase	Specific Action(s) Taken to Comply with Task	Certification of Task Completion	
				Initial	Date
maximum extent. The San Lorenzo River Multipurpose Path along the San Lorenzo River will also be available as an alternative route to bypass the construction area along River Street and Route 9.					
<b>Visual/Aesthetics</b>					
<p>The City of Santa Cruz/Caltrans will implement the following mitigation measures:</p> <ol style="list-style-type: none"> <li>1. Loss of landscaping will be replaced where space allows, or owners will be compensated for their loss of landscaping. Project landscaping shall adhere to the following: <ul style="list-style-type: none"> <li>– Seventy-five percent of the plants shall be species that are native and indigenous to the project area and California.</li> <li>– Invasive plant species shall not be used at any location.</li> <li>– Vegetation shall be planted within the first year following project completion.</li> <li>– Irrigation for the replanted areas shall utilize a smart watering system that evaluates the existing site conditions and plant material along with weather conditions in order to avoid overwatering. Broken spray head, pipes, or other components would be repaired within 1 to 2 days or shut down to avoid wasteful watering practices.</li> </ul> </li> <li>2. Any retaining walls that would be visible to viewers will be treated with aesthetic treatments, to the extent feasible, in order for the walls to blend with the surroundings. Aesthetics and color will be context sensitive. Walls will be matte and roughened. Low-sheen and non-reflective surface materials will be used to avoid the potential for glare.</li> <li>3. Caltrans/City shall move the River Street gateway sign to the reconstructed River Street median considering available space and City and State design and roadway safety standards.</li> <li>4. To mitigate impacts to visual resources and biological resources, Caltrans/City would identify heritage</li> </ol>	Initial Study under Visual/Aesthetics	<ol style="list-style-type: none"> <li>1. After construction</li> <li>2. During construction</li> <li>3. During construction</li> </ol>			

Task and Brief Description	Document	Timing/Phase	Specific Action(s) Taken to Comply with Task	Certification of Task Completion	
				Initial	Date
trees to be removed once project design is finalized and comply with the City's ordinance for the preservation of heritage trees and heritage shrubs (City of Santa Cruz Municipal Code Section 9.56). Under this ordinance, a tree permit from the City Parks and Recreation Department is required for trimming or removing any heritage tree or shrub, including the redwood tree in the southeast quadrant of the intersection. Mitigation is required for heritage tree removal, with the option of either paying a \$250.00 bond for each tree to be removed and then replanting onsite or making a \$150.00 donation to the City's Tree Trust fund for each tree to be removed. The replanting option requires the applicant to plant three 15-gallon trees (representing a 3:1 ratio) or one 24-inch-box-size specimen tree (representing a 1:1 ratio) for each approved tree removal.					
<b>PHYSICAL ENVIRONMENT</b>					
<b>Water Quality and Storm Water Runoff</b>					
<p>The project includes:</p> <ol style="list-style-type: none"> <li>To minimize the mobilization of sediment and construction-related contaminants to the adjacent water body, Caltrans/City will require that erosion and sediment control measures be specified in the construction and project performance specifications based on standard Caltrans/City requirements. These may include but are not be limited to the following: <ul style="list-style-type: none"> <li>To prevent fertilizers used on landscaped areas from contributing nutrients to the impaired San Lorenzo River, contain runoff from landscaped onsite. This containment can be achieved by irrigating at an agronomic rate so as to prevent runoff.</li> <li>Develop a hazardous material spill prevention control and countermeasure plan before construction begins that will minimize the potential for and the effects of hazardous or toxic substances spills during construction. The plan will include storage and containment</li> </ul> </li> </ol>	Initial Study under Water Quality and Storm Water Runoff	<ol style="list-style-type: none"> <li>During final design and construction</li> <li>During final design and construction</li> </ol>			

Task and Brief Description	Document	Timing/Phase	Specific Action(s) Taken to Comply with Task	Certification of Task Completion	
				Initial	Date
<p>procedures to prevent and respond to spills, and will identify the parties responsible for monitoring the spill response. During construction, any spills will be cleaned up immediately according to the spill prevention and countermeasure plan. The City/Caltrans will review and approve the contractors' toxic materials spill prevention control and countermeasure plan before allowing construction to begin. The City/Caltrans will routinely inspect the construction site to verify that Best Management Practices specified in the plan are properly implemented and maintained. The City/Caltrans will notify the contractor immediately if there is a noncompliance issue and will require compliance.</p> <ul style="list-style-type: none"> <li>– Cover or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more) that could contribute sediment to waterways.</li> <li>– Enclose and cover exposed stockpiles of dirt or other loose, granular construction materials that could contribute sediment to waterways.</li> <li>– Contain soil and filter runoff from disturbed areas by berms, vegetated filters, sediment control BMPs, straw wattle, catch basins, or other means necessary to prevent the escape of sediment from the disturbed area.</li> <li>– Use other temporary sediment control measures (such as large sediment barriers, staked straw wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes), and install permanent erosion control or other ground cover as soon as soil disturbing activities are complete to control erosion from disturbed areas as necessary.</li> <li>– Avoid earth or organic material from being deposited or placed where it may be directly carried into the channel.</li> <li>– Prohibit the following types of materials from being rinsed or washed into the streets,</li> </ul>					

Appendix D • Minimization and/or Mitigation Summary

Task and Brief Description	Document	Timing/Phase	Specific Action(s) Taken to Comply with Task	Certification of Task Completion	
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<p>shoulder areas, or gutters: concrete; solvents and adhesives; thinners; paints; fuels; sawdust; dirt; gasoline; asphalt and concrete saw slurry and wash water; heavily chlorinated water.</p> <ul style="list-style-type: none"> <li>– Measure baseline turbidity, pH, specific conductance, and temperatures in the channel when flow is present, and sample water from dewatering activities. As required by the Regional Water Quality Control Board, avoid exceeding water quality standards specified in the Basin Plan standards over the natural conditions.</li> <li>– The following temporary construction site BMPs, that will address the above concerns, to be included as contract bid items are anticipated to be: Prepare Water Pollution Control Program (WPCP), Job Site Management, Temporary Check Dam, Temporary Gravel Bag Berm, Temporary Drainage Inlet Protection, Temporary Hydraulic Mulch (BFM), Temporary Large Sediment Barrier, Street Sweeping, Temporary Concrete Washout, and Temporary Fence (type ESA). The City/Caltrans shall perform routine inspections of the construction area to verify that the BMPs are properly implemented and maintained. The City/Caltrans will notify contractors immediately if there is a noncompliance issue and will require compliance.</li> </ul> <p>2. As this project does not add an acre or more of net new impervious surfaces, it is not required to consider incorporation of permanent storm water treatment BMPs. As per the Caltrans Work Plan for compliance with the San Lorenzo River TMDLs, the project will incorporate design pollution prevention BMPs (DPPBMPs) to reduce or eliminate the potential for sediment discharge to the San Lorenzo River and its tributaries. DPPBMPs under consideration are: compost based soil modification to reduce run-off and increase infiltration, reduction</p>					