



Transportation Agency for Monterey County

55-B Plaza Circle, Salinas CA 93901 / (831) 775-0903 / info@tamcmonterey.org

NOTICE OF PREPARATION AND SCOPING MEETING

NOTICE IS HEREBY GIVEN that the Transportation Agency for Monterey County (TAMC) will serve as the Lead Agency, consistent with Section 15020 and 15021 of the California Environmental Quality Act (CEQA), in preparing an Environmental Impact Report (EIR) for the proposed **Fort Ord Regional Trail & Greenway (FORTAG)** project (proposed project or FORTAG trail). TAMC is requesting your input on the scope and content of the environmental issues and alternatives to be evaluated in the EIR. Responsible agencies may need to use the EIR to be prepared by TAMC when considering permits or other approvals for the project, and trustee agencies should plan to review and comment on the EIR with respect to trust resources within their jurisdiction.

PROJECT LOCATION: The proposed project consists primarily of an approximately 27-mile-long trail in northwestern Monterey County, including the preferred alignment and spur trails shown in Figure 1. Several optional alignments are also being considered, which total approximately 11.6 miles. The FORTAG trail would traverse the cities of Monterey, Del Rey Oaks, Seaside, and Marina, as well as unincorporated Monterey County and areas under the jurisdiction of California State University Monterey Bay (CSUMB), the Fort Ord Reuse Authority, the Army, Caltrans, and the Monterey Peninsula Regional Park District. The FORTAG trail would connect to the existing Monterey Bay Scenic Coastal Trail under the jurisdiction of State Parks.

PUBLIC REVIEW PERIOD: This NOP is available for public review and comment pursuant to California Code of Regulations, Title 14, Section 15082(b). The 32-day public comment period, during which time TAMC will receive comments on the NOP for the FORTAG EIR, begins June 13, 2019 and ends on July 15, 2019. Comments should be sent to the address provided at the end of this notice.

PROJECT DESCRIPTION: The intended purposes of the FORTAG trail are to: connect people to open space from their homes, workplaces, and hospitality bases; connect core habitat areas; facilitate social interaction between the former Fort Ord, Monterey Peninsula, and the Salinas Valley communities; and function as an artery for non-vehicular travel for commuting and from which to launch numerous other recreational activities. The trail is intended to be a pleasant and visually obvious route that invites safe and accessible use by families, pedestrians, commuter cyclists, and recreational cyclists of all physical abilities.

The proposed FORTAG trail alignment includes approximately 27 miles of new paved trail, primarily on the inland side of State Route 1 (SR 1) (Figure 1). The FORTAG trail would connect with the existing Monterey Bay Coastal Recreation Trail at several locations on the coastal side of SR 1, but there would be no improvements to the coastal trail as part of the proposed project. The FORTAG trail would primarily consist of three loops – a northern, central, and southern loop – that roughly encircle the City of Marina, the CSUMB campus, and the City of Seaside, respectively. On the north side of South Boundary Road, the trail would extend east to Rancho Saucito in Monterey and link to bike facilities in the Ryan Ranch Business Park. The proposed trail alignment also includes several spurs (included in the 27-mile length) that extend from the three loops to connect with existing bicycle/pedestrian infrastructure. Prominent spurs are intended to connect neighborhoods to the trail at Broadway Avenue/General Jim Moore Boulevard and Kimball Avenue/General Jim Moore Boulevard in Seaside; Plumas Avenue and Carlton Drive in Seaside and Del Rey Oaks. The preferred alignment would also connect to the planned North Fremont Street bicycle and pedestrian improvements in Monterey. Optional alignments are

also shown in certain areas, which may be pursued as a substitute for the preferred alignment in those locations.

The proposed trail alignment would cross public roadways in several locations. Most of these crossings would consist of at-grade crossings. In some areas, several design options are being considered for each crossing, including: an undercrossing or roundabout at the intersection of 2nd Avenue and 8th Street along the northern end of the central loop; either an at-grade crossing or roundabout at 2nd Avenue and Divarty Street, at the southern end of the central loop; and an undercrossing, roundabout, or at-grade crossing at SR 218 near Frog Pond, along the southern end of the southern loop. The alignment would cross SR 1 in two locations: at 9th Street and at 1st Street/Divarty Street, both generally west of the CSUMB campus. At 9th Street the trail would utilize an existing SR 1 freeway overcrossing; at 1st Street/Divarty Street the trail would utilize an existing SR 1 undercrossing. An undercrossing is also proposed beneath General Jim Moore Boulevard north of SR 218/Canyon Del Rey Boulevard. An undercrossing is proposed to cross Reservation Road at Inter Garrison Road. A new traffic signal is proposed on Del Monte Avenue between English Avenue and SR 218 to connect the FORTAG trail to the Monterey Bay Scenic Coastal Trail. The proposed project includes two new bicycle/pedestrian bridges: one over Blanco Road, between the Marina Airport and Salinas River; and one over Imjin Road between Imjin Parkway and 8th Street. At-grade street crossings may modify roadway and lane alignments and construct medians, curb extensions, warning devices, traffic control devices, and changes to signing and striping that enhance bike and pedestrian crossing safety.

The FORTAG trail would accommodate pedestrians and bicyclists of all abilities, and equestrians in some segments. The majority of the trail would be 12-foot wide paved path with an unpaved two-foot-wide shoulder on both sides. Approximately 2,000 feet of the trail would be on existing paved roadways in two locations: in Del Rey Oaks on Angelus Way between Rosita Road and Del Rey Gardens; and on Beach Road between Del Monte Boulevard and De Forest Road in Marina. In the Frog Pond area of Del Rey Oaks, the proposed trail width would be reduced to eight feet, and decomposed granite would be used in lieu of pavement. Where space allows, the trail would be surrounded by an open space buffer (greenway) on both sides. Portions of the greenway would support unpaved paths for use by hikers, mountain bikers, equestrians, and naturalists. Fencing would be added only where necessary to separate trail users from conflicting vehicle traffic or from equestrian use on the greenway. Fencing may also be used to protect habitats with sensitive species or to channelize bike riders and pedestrians in locations where the trail is adjacent to private property and access control is required. Retaining walls may be needed to retain slopes at certain locations. Trail lighting is anticipated to be used at conflict points with vehicular travel, such as street crossings, and at locations where lighting would aid crime prevention. In open space areas, trail lighting is intended to be at levels that respect wildlife and the natural setting.

PROJECT ALTERNATIVES: As required by CEQA, TAMC will consider project alternatives, which must meet most of the project objectives while avoiding or substantially lessening significant environmental impacts of the proposed project. As part of this scoping process, TAMC is soliciting input from agencies and the public on alternatives that should be considered for evaluation within the alternatives section of the EIR. Comments regarding alternatives should include a clear narrative and graphic description to the extent possible. Comments on this subject will be most helpful if they include the author's thoughts regarding how well they might meet the project purpose (described above) and reduce environmental impacts.

PROBABLE ENVIRONMENTAL EFFECTS: The EIR will address the potential physical environmental effects of the proposed project for each of the environmental topics outlined in the CEQA Guidelines, Appendix G. The EIR will also address the cumulative impacts resulting from other past, present and reasonably foreseeable future projects. As of the date of this NOP and based on currently available information, it is anticipated that the proposed project may have potentially significant impacts in connection with Aesthetics, Biological Resources,

Cultural Resources, Hydrology and Water Quality, Hazardous Materials, Geology and Soils, Land Use, Public Services, and Traffic.

PUBLIC SCOPING MEETING: Pursuant to the public participation goals of CEQA, as set forth in particular in Public Resources Code Section 21083.9, subdivision (a), TAMC, in its role as Lead Agency, will hold two public scoping meetings to provide an opportunity for the public and representatives of public agencies to address the scope of the Environmental Impact Report. Both Scoping Meetings are scheduled for Thursday, June 27, at the following times and locations:

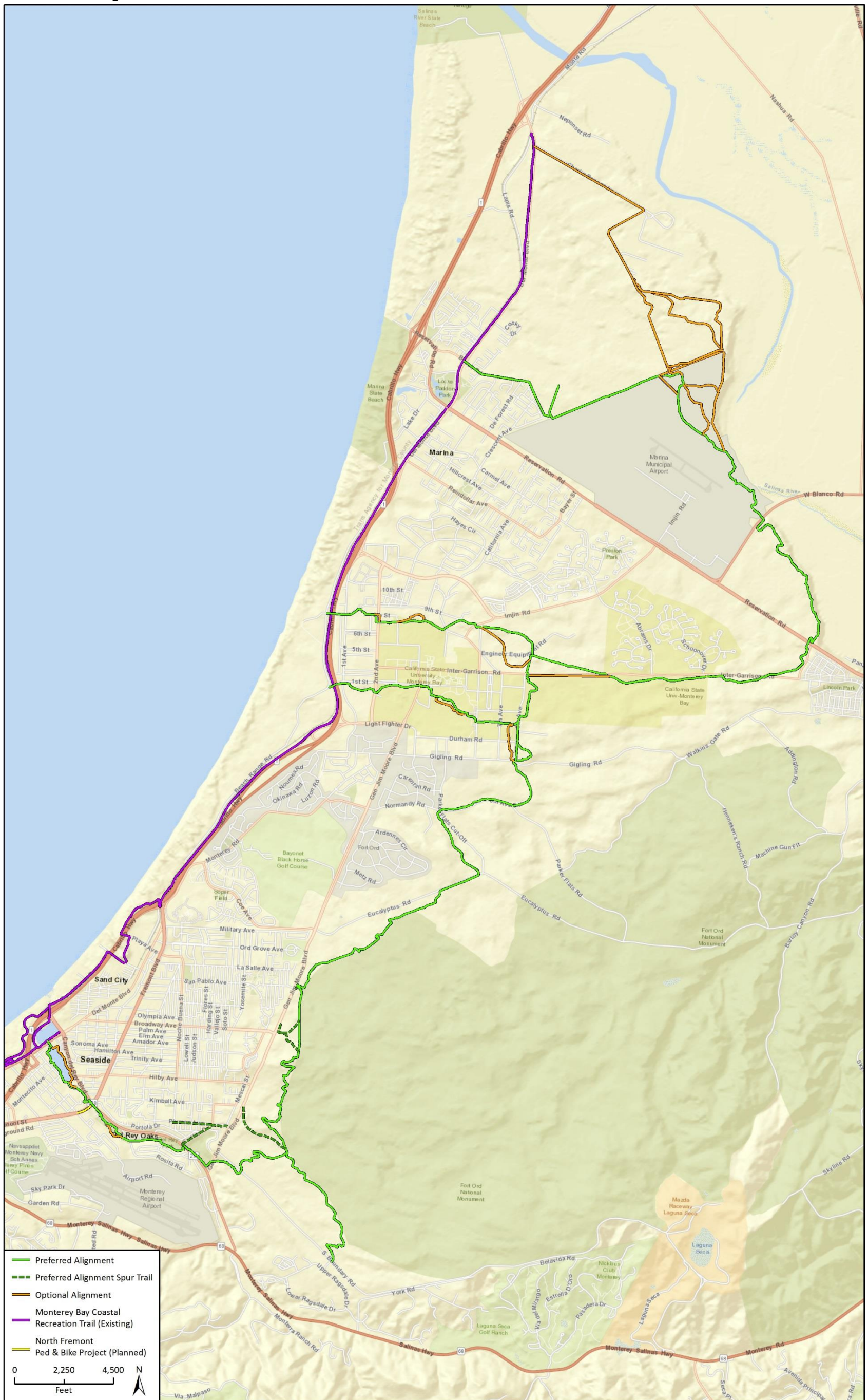
Thursday, June 27, 2:00-4:00 p.m.
Oldemeyer Center, Blackhorse Meeting Room
986 Hilby Avenue
Seaside, California 93955

Thursday, June 27, 6:00-8:00 p.m.
Marina Library Meeting Room
188 Seaside Circle
Marina, California 93933

COMMENTING ON THE SCOPE OF THE EIR. TAMC welcomes agency and public input regarding environmental factors potentially affected (listed above) and project alternatives to be considered for evaluation. All written comments will be considered and must be submitted by 5:00 PM on Monday, July 15, 2019, to TAMC at:

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, California 93901
rich@tamcmonterey.org

Figure 1 FORTAG Alignment



Imagery provided by ESRI and its licensors © 2019. Additional data provided by Alta, 2019.

Fig 1 FORTAG Proposed Alignment

DEPARTMENT OF TRANSPORTATION
CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
www.dot.ca.gov/dist05/



*Making Conservation
a California Way of Life.*

July 1, 2019

MON-1/218/Var.
SCH#2019060053

Rich Deal
Monterey County Transportation Agency
55-B Plaza Circle
Monterey, CA 93901

Dear Mr. Deal:

**COMMENTS FOR THE NOTICE OF PREPARATION (NOP) – FORT ORD REGIONAL TRAIL
AND GREENWAY PROJECT, MONTEREY COUNTY, CA**

1. Caltrans supports local projects that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.
2. Please be aware that if any work is completed in the State's right-of-way it will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: <http://www.dot.ca.gov/trafficops/ep/index.html>.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3157 or email christopher.bjornstad@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Chris Bjornstad".

Chris Bjornstad
Transportation Planner
District 5 Development Review

Stefania Castillo

From: Rich Deal
Sent: Wednesday, July 03, 2019 4:01 PM
To: Stefania Castillo; Megan Jones
Subject: FW: FORTAG Comments

Follow up info from state parks explaining the reason for their request at the Scoping meeting...

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC)
55-B Plaza Circle, Salinas, CA. 93901
Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

From: Bachman, Stephen@Parks <Stephen.Bachman@parks.ca.gov>
Sent: Wednesday, July 03, 2019 3:47 PM
To: Rick Riedl <RRiedl@ci.seaside.ca.us>
Cc: Rich Deal <rich@tamcmonterey.org>; Scott Ottmar <SOttmar@ci.seaside.ca.us>
Subject: RE: FORTAG Comments

If the city is developing the parcel, which we understand it will, then opening this would be to the benefit of that development by providing access to the park unit. Funneling all pedestrian and bike traffic through the main underpass will just place people in more close contact with vehicles. The pedestrian underpass would give a degree of separation between cars and pedestrians/bikes. Since we don't own this ease parcel any longer it really would be up to the City. My comment was for FORTAG to talk to the City about using this underpass as part of their FORTAG trail system. WE own the western paved trail section leading up to it so we would take care of that section.

Thanks

Stephen Bachman
Senior Park & Recreation Specialist
2211 Garden Road
Monterey, CA 93940
Phone (831) 649-2862
Cell (831) 277-3037



Stephen.bachman@parks.ca.gov

State Parks Mission Statement

The mission of California State Parks is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

This communication (including any attachments) may contain privileged or confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying, or distribution of this communication, or the taking of any action based on it, is strictly prohibited.

From: Rick Riedl <RRiedl@ci.seaside.ca.us>
Sent: Wednesday, July 3, 2019 3:41 PM
To: Bachman, Stephen@Parks <Stephen.Bachman@parks.ca.gov>
Cc: Rich Deal <rich@tamcmonterey.org>; Scott Ottmar <SOttmar@ci.seaside.ca.us>
Subject: RE: FORTAG Comments

Is the undercrossing a feature that would benefit the State Parks future development? If so, are there any steps being undertaken to open the tunnel?

Thank you
Rick

>>> "Bachman, Stephen@Parks" <Stephen.Bachman@parks.ca.gov> 7/3/2019 3:16 PM >>>
I believe this is the section of paved trail leading down to the undercrossing that is about 120 feet south of the First Street Caltrans undercrossing. It is overgrown and if opened will need to be trimmed to get the vegetation off of the paved surface.

Stephen Bachman
Senior Park & Recreation Specialist
2211 Garden Road
Monterey, CA 93940
Phone (831) 649-2862
Cell (831) 277-3037



Stephen.bachman@parks.ca.gov

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From: Rick Riedl <RRiedl@ci.seaside.ca.us>
Sent: Wednesday, July 3, 2019 3:07 PM
To: Rich Deal <rich@tamcmonterey.org>; Bachman, Stephen@Parks <Stephen.Bachman@parks.ca.gov>
Cc: Scott Ottmar <SOttmar@ci.seaside.ca.us>
Subject: RE: FORTAG Comments

What does the following statement mean?

"The City of Seaside should also be contacted to trim the paved trail leading down to this undercrossing."

Thank you
Rick

>>> Rich Deal <rich@tamcmonterey.org> 7/2/2019 3:27 PM >>>
Hi Steve,

We captured your comment at the scoping meeting, but your email is much appreciated. The tunnel evaluation will be added to the scope of the EIR and discussions will occur with Caltrans and the City of Seaside.

Much appreciated! --- Rich

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC)
55-B Plaza Circle, Salinas, CA. 93901
Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

From: Bachman, Stephen@Parks <Stephen.Bachman@parks.ca.gov>
Sent: Tuesday, July 02, 2019 3:24 PM
To: Rich Deal <rich@tamcmonterey.org>
Subject: FORTAG Comments

Hi Rich,

The comment I made at the meeting is:

FORTAG should contact Caltrans about providing dedicated public pedestrian and bike access through the underpass 120 feet to the south of the First Street Caltrans underpass. The City of Seaside should also be contacted to trim the paved trail leading down to this undercrossing. By providing this additional underpass access it would provide separation between the vehicle underpass.

Thanks

Stephen Bachman
Senior Park & Recreation Specialist
2211 Garden Road

Monterey, CA 93940
Phone (831) 649-2862
Cell (831) 277-3037



Stephen.bachman@parks.ca.gov

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Untitled Map

Write a description for your map.

Legend

 Monterey County Board of Supervisor, District 4

1st Street Undercrossing

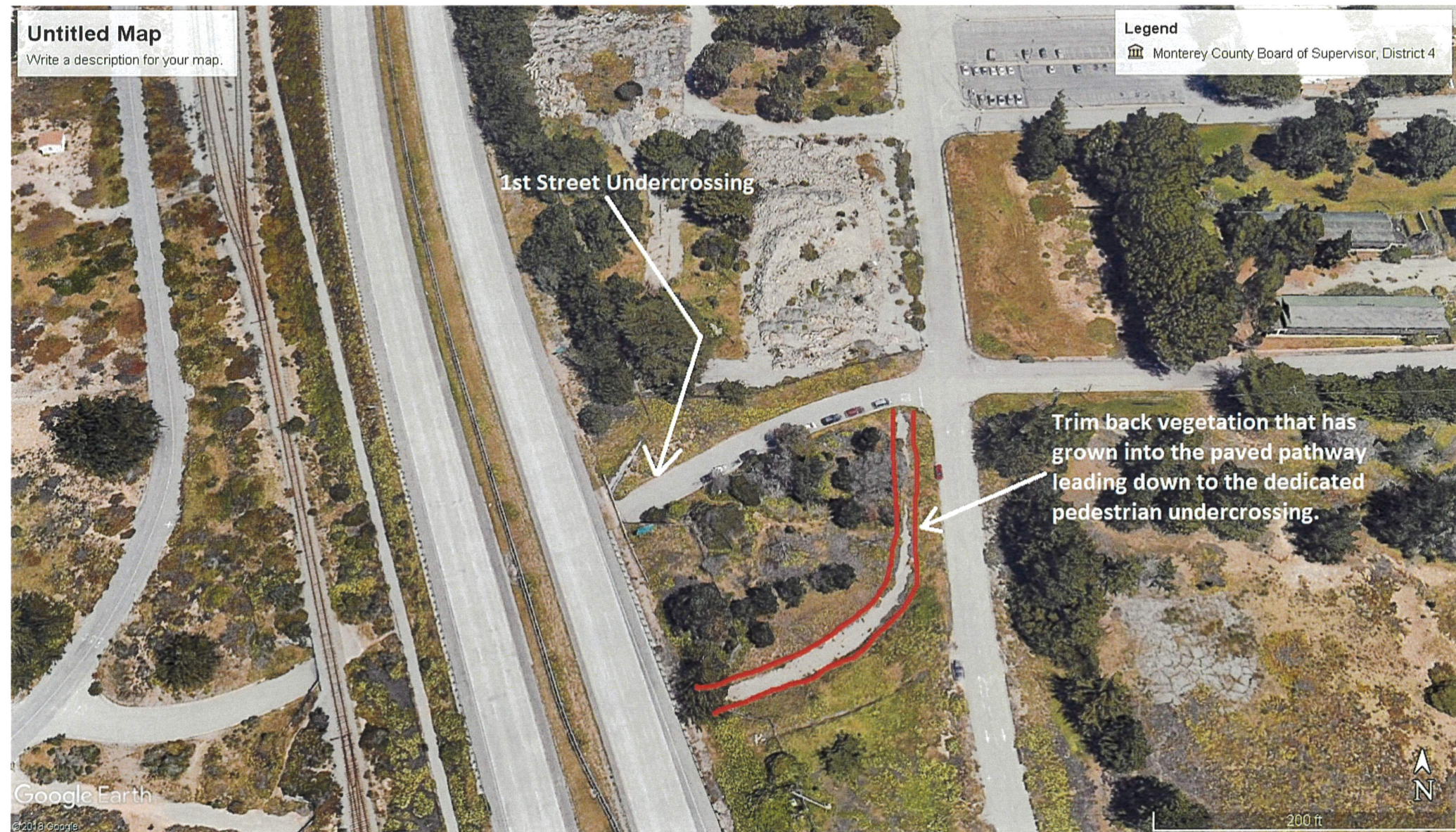
Trim back vegetation that has grown into the paved pathway leading down to the dedicated pedestrian undercrossing.



200 ft

Google Earth

© 2018 Google



Stefania Castillo

From: Rich Deal
Sent: Monday, July 08, 2019 11:46 AM
To: Stefania Castillo
Subject: FW: FROG POND BIKES

info

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC)
55-B Plaza Circle, Salinas, CA. 93901
Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

From: Don Gruber <mrycrow@hotmail.com>
Sent: Monday, July 08, 2019 11:43 AM
To: Rich Deal <rich@tamcmonterey.org>
Subject: FROG POND BIKES

Hi, Rich,

As I expressed at the TAMC/FORTAG meeting at the park in Del Rey Oaks a couple of months ago, I am solidly opposed to routing of bikes through the Frog Pond. It would absolutely negatively impact the environment there, diminishing life for the many creatures who live there, and for the many families and small children who scamper unwarily on its trails.

While supporting the bike trails in general, routing through the Frog Pond would be a major negative. Please find another route.

Don Gruber
Del Rey Oaks

831-238-2787

Stefania Castillo

From: Rich Deal
Sent: Monday, July 08, 2019 10:02 AM
To: Stefania Castillo
Subject: FW: Frog Pond- PLEASE BAN BIKING on the FROG POND TRAIL

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC)
55-B Plaza Circle, Salinas, CA. 93901
Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

From: James <chilsu@yahoo.com>
Sent: Monday, July 08, 2019 9:39 AM
To: Rich Deal <rich@tamcmonterey.org>
Cc: chilsu@yahoo.com
Subject: Frog Pond- PLEASE BAN BIKING on the FROG POND TRAIL

TAMC STAFF... Frog Pond- PLEASE BAN BIKING on the FROG POND TRAIL.

Family's and Children's and Seniors Safety/
created by your staff.
damage. \$\$\$\$
bikers.
much,
Street.

- * 1. Dangerous for Hikers and their
- 2. Destroys the good Ranger Trail work
- 3. Expensive to reconstruct trail
- 4. Potential injuries for hikers and also

Thanks very

James and Insuk Waidler.
Seaside, Ca. 93955. (831)899-2226

1245 Lowell

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691 Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC

JUL 8 2019



July 1, 2019

Rich Deal
Monterey County Transportation Agency
55-B Plaza Circle
Monterey, CA 93901

RE: SCH# 2019060053 Fort Ord Regional Trail and Greenway Project, Monterey County

Dear Mr. Deal

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email

address: Gayle.Totton@nahc.ca.gov.

Sincerely,



for
Gayle Totton
Associate Governmental Program Analyst

cc: State Clearinghouse

JUL 8 2019

Roberta Freeman
934 Angelus Way
Del Rey Oaks, CA 93940
27 June 2019

Mr. Rich Deal
Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, CA 93901

To Mr. Rich Deal:

This letter is regarding the Fort Ord Regional Trail & Greenway (FORTAG) project as directly related to the portion that would run through Del Rey Oaks, specifically along Angelus Way. As stated in previous communication to FORTAG, the Transportation Agency for Monterey County (TAMC) and the City of Del Rey Oaks, it is my steadfast opinion that the trail should run along Canyon Del Rey (SR 218), not a neighborhood, residential street. The quotations below are from "Notice of Preparation and Scoping Meeting" document from TAMC with my comments to follow.

1. "connect people to open space from their homes, workplaces, and hospitality bases . . . and function as an artery for non-vehicular travel for commuting . . ."
 - a. This portion of the trail is proposed to become a commuter route through a residential neighborhood. How is this the best choice as a commuter route when a straight-shot, thoroughfare road, that has minimal change in elevation, already exists as Canyon Del Rey (SR 218)? Del Rey Park is closed from sunrise to sunset which would render this portion of the project useless for work commuters, particularly during the short winter months, if their commute time falls outside of daylight hours.
 - b. Have FORTAG proponents considered the usefulness of a commuter trail for workers in Ryan Ranch Business Park? Where do they commute from? Is it feasible for them to commute via bicycle? This seems like a "build it and they will come" strategy that sounds good and green in theory, but has limited practical use.

2. "intended to be a pleasant and visually obvious route . . ."
 - a. Who is this intended to be pleasant for? It is pleasant to see my neighbors walking with their pets and families through the neighborhood. I do not see a public use trail for commuters, strangers, and tourists as a pleasant addition to our neighborhood. Again, see the recorded statement here that outlines my unpleasant experiences on parts of the Monterey Bay Coastal Recreation Trail: <https://youtu.be/4baCQ4vc8u8>
 - b. We have been reassured by the ALTA firm that the trail could be designed to be as unobtrusive as possible down Angelus Way. This is contrary to the "visually obvious" goals of FORTAG. Is it going to be unobtrusive or visually obvious? It can't be both.

3. "Prominent spurs are intended to connect neighborhoods to the trails . . ."
 - a. No one asked the residents of Angelus Way, en masse, how we felt about this portion of the project until map lines had been drawn, funding had been secured, and decisions were made.
 - b. One of the beautiful things about the Monterey Bay Coastal Recreation Trail is that it allows the public to enjoy the scenery of Monterey Peninsula without intruding in neighborhoods or on private property. Folks are free to use the trail regardless of the hour and the trail is a destination as much as it is a journey. It is intrusive and inconsiderate to assume that our neighborhood wants to be a prominent part of the FORTAG project.

4. "Approximately 2,000 feet of the trail would be on existing paved roadways in two locations: in Del Rey Oaks on Angelus Way between Rosita Road and Del Rey Gardens . . ."
 - a. If the project proceeds as planned, who will be responsible for the public works and maintenance of Angelus Way as it is converted to a trail? Is the City of Del Rey Oaks prepared to shoulder increased public works and maintenance costs as it relates to increased traffic on the existing paved roadway?
 - b. In the past five years, at least 4 sinkholes have opened up along Angelus Way, as well as in the open space between Safeway and Del Rey Gardens. It often coincides with copious rain and the most recent sinkhole cost the City of Del Rey Oaks thousands of dollars to repair. This stretch of paved pathway is built on and near ground that is subject to erosion and shifting. The waterway that runs along Angelus Way eats away at the banks that flank it every single day. This does not seem like the best location to build a trail meant for future generations. I have yet to see a sinkhole open up on SR 218.

5. "Fencing may also be used to protect habitats with sensitive species or to channelize bike riders and pedestrians in locations where the trail is adjacent to private property and access control is required."
 - a. What regard has been given to private property owners along Angelus Way and for safety and liability issues that may arise if people trespass onto said property? Will TAMC and ALTA put fences in front of private property to discourage people from trespassing onto our bridges and driveways? Or will they install unsightly signage as deterrents? Who is liable if someone falls into or is injured by the waterway that runs along the street? With over 30 deaths in recent years, Monastery Beach in Carmel is a prime example of how ineffective signs are at deterring people from engaging in risky behavior.

6. "mountain bikers"
 - a. Some of our county parks, Toro park in particular, face conflict with mountain bikers who cut illegal trails through land, damaging flora and disturbing fauna. Park rangers are

unable to deter it effectively and signage prohibiting such illegal trails has been damaged and defaced. Bikes are prohibited at the Frog Pond. What is the plan to protect the Frog Pond from bikers?

7. "As required by CEQA, TAMC will consider project alternatives, which must meet most of the project objectives while avoiding or substantially lessening significant environmental impacts of the proposed project."
 - a. The suggestion to run the trail along Canyon Del Rey (SR 218) instead of a residential neighborhood addresses the concerns I have about the trail barreling down our neighborhood street. This alternative meets the objectives and has a neutral to positive environmental impact on the project.
 - b. My suggestion has been scoffed at, with project individuals citing Canyon Del Rey as less aesthetically pleasing than a residential street, that it would be too hard to work with CALTRANS, and that the current route favored by TAMC, FORTAG and the City of Del Rey Oaks would be easier to complete the project and just looks better on paper. This translates to me understanding that the aforementioned bureaucratic entities are more interested in spending millions of dollars and achieving their own objectives than listening to and working to address the concerns of their constituents and the residents who would be directly impacted by decisions made in their offices. During the FORTAG demonstration on April 13, 2019, none of the concerns in this letter or my previous letter were listed as "cons" on the ALTA design board for the Angelus Way portion of the trail. The only concern listed on this board was "increased traffic." All the other alternative routes were presented with more cons than pros. This was misleading and it was disappointing to see TAMC and ALTA spin things to favor their preference.

Not addressed in the Notice of Preparation and Scoping Meeting are the issues of homelessness and community safety. There has been a dramatic rise in homelessness in and in close proximity to the Del Rey Oaks community in recent years. Between 2015 and 2017, there has been a 102% increase in homeless in Del Rey Oaks and a 37% increase Seaside. We have homeless encampments on the former Fort Ord property owned by Del Rey Oaks and on the corner of Fremont Boulevard and Canyon Del Rey (SR 218) at Laguna Grande Park. Both have required increased attention from our law enforcement and first responders. Why would you ignore the current homelessness crisis this area faces and build a pathway through a residential neighborhood and park to connect these two encampments? It would be ideal to find shelter for these people in our community, but the reality is that the Peninsula is far from a solution to the situation and it is irresponsible to ignore the ramifications of creating ease of passage through a neighborhood. The cities of Los Angeles and San Francisco have people urinating and defecating in the street with that waste flowing untreated into waterways, infectious disease such as typhoid and hepatitis are spreading rapidly, and there is open drug use. This FORTAG project, while nice in its ideals and appropriate for much of its proposed locations, ignores the issues we have in Del Rey Oaks and Seaside, threatening to bring the sad consequences of homelessness into our neighborhood.

Mr. Rich Deal
27 June 2019
Page 4 of 4

I hope that this second communication is taken into serious consideration regarding the FORTAG project and my concerns for the Del Rey Oaks portion that would include Angelus Way.

Sincerely,

A handwritten signature in black ink, appearing to read "Roberta Freeman", with a long horizontal flourish extending to the right.

Roberta Freeman

Stefania Castillo

From: Rich Deal
Sent: Monday, July 08, 2019 8:22 AM
To: Stefania Castillo
Subject: FW: Comments on NOP for FORTAG

FORTAG

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC)
55-B Plaza Circle, Salinas, CA. 93901
Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

From: Gage Dayton <ghdayton@ucsc.edu>
Sent: Sunday, July 07, 2019 8:31 AM
To: Rich Deal <rich@tamcmonterey.org>
Cc: Kari Zajac <zkajac@rinconconsultants.com>; Joseph Miller <jotmille@ucsc.edu>
Subject: Comments on NOP for FORTAG

Dear Rich,

I am writing to provide comments on the FORTAG NOP project. I have two comments/questions I would like addressed:

1. What dates were the biological surveys conducted in 2019? Was this period adequate to capture the phenology of annual rare plants.
2. For the section adjacent to the Fort Ord Natural Reserve, we are concerned about trespass onto the reserve by bikers, hikers, and pets. In previous discussions with FORTAG members we have requested confirmation that the plan includes appropriate fencing along this section in order to eliminate trespass onto the reserve.

Thank you,

Gage

--

Admin. Director, UCSC Natural Reserves
Wilton W. Webster Jr. Presidential Chair
1156 High Street, ENVS
Santa Cruz, CA 95062
Of: (831) 459-4867
Cell: (831) 227-5887
<https://bigcreek.ucnrs.org/>
<https://www.facebook.com/ucscnaturalreserves>



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Central Coast Field Office
Fort Ord National Monument
920 2nd Ave
Marina, California 93933
www.blm.gov/fort-ord
July 9, 2019

In Reply Refer To:
6240 (CA190.50)P

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, California 93901

Dear Mr. Deal:

Thank you for the opportunity to comment on the scope of the Environmental Impact Report for the proposed Fort Ord Recreation Trail and Greenway (FORTAG) project. This important recreation and transportation trail facility connects the Fort Ord National Monument to the surrounding residential communities and is a project that we hope to partner with surrounding jurisdictions on.

The stated purpose of the FORTAG project is a trail system that connects people to open space from their homes, workplaces, and hospitality bases; connects core habitat areas; facilitates social interaction between the former Fort Ord, Monterey Peninsula, and the Salinas Valley communities; and functions as an artery for non-vehicular travel for commuting and from which to launch numerous other recreational activities. Because travelers using the trail system for commuting purposes would have different goals and objectives than travelers using the trail system primarily for recreational enjoyment, we encourage planners to model projected use patterns of various segments of route and consider design features (or trail segment rules) that can reduce conflict between users on the same path for different reasons. Commuters on bicycles are likely to desire travelling at higher rates of speed than travelers using the trail for general recreation purposes.

One segment of proposed FORTAG route is adjacent to the Fort Ord National Monument along or near a road that is referred to by the BLM, Army, and local jurisdictions as the “Blue Line Road”. This 15’ wide gravel and natural surfaced road plays an important function by providing maintenance and patrol access along a security fence managed by the Army that restricts unauthorized access into hazardous munitions areas on the National Monument. This roadway also provides access for federal, state and local fire departments to contain wildfires from entering into (or exiting from) the National Monument. Please consider how the FORTAG route alignment will affect access to this important road, or be used in lieu of the road.

The portion of FORTAG route along the western edge of the National Monument in Seaside and Del Rey Oaks traverses parcels identified as “Borderland Parcels” within the *Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California (HMP)*. These HMP parcels have the following requirements that should be evaluated within the FORTAG plan:

“FORA or other recipients of the land will either arrange to have existing native habitat managed in an interim period before development, or construct and maintain firebreaks and vehicle barriers to separate developed and developing areas from both interim and permanent habitat areas...A barrier will be installed and maintained along the NRMA (i.e. National Monument) where topography would allow vehicle access. Gates will allow emergency access into the NRMA. Keys to gates will be provided to BLM or other appropriate agencies...Populations of ice plant, scotch broom, and pampass grass will be controlled to avoid spread into the NRMA. To minimize the possibility of fire damage to the NRMA as well as structures on the development parcels, parking lots, greenbelts, or other nonflammable or fire resistant land uses will be located as a buffer between the NRMA and development...”

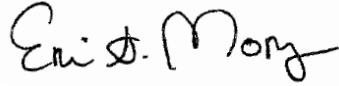
Because the FORTAG within the Borderland Parcel along and/or across the Blue Line Road may be serving multiple functions (i.e. recreation trail, commuter path, fence maintenance access road, firebreak, and habitat corridor), special care needs to be taken with this segment to ensure proper function. The route itself should be constructed to support periodic vehicle use by personnel inspecting and maintaining the security fences, and loaded fire engines that might need to work from the path for fire suppression efforts. The vegetation adjacent to the route should be largely free of noxious weeds and fire-resistant.

Finally, there might be opportunities to provide more direct connections of this trail system to the National Monument and we look forward to working with planners for these opportunities. As currently envisioned, the trail passes by the Jerry Smith Access Trail along Intergarrison Road, but that is one mile away from the National Monument. A consideration would be to use the Jerry Smith Access Trail as a segment to the FORTAG and, by doing so, Watkins Gate Road and

Gigling Road segments could contribute to an existing loop of the non-motorized, paved trail system.

Thanks for your attention to these comments and we look forward to coordinating more. If you have any questions, feel free to contact me at (831)582-2212.

Sincerely,

A handwritten signature in black ink that reads "Eric D. Morgan". The signature is written in a cursive style with a large, looped "M" at the end.

Eric Morgan
BLM's Fort Ord Manager

CC:

Dino Pick, Del Rey Oaks City Manager
Craig Malin, Seaside City Manager.

Stefania Castillo

From: Rich Deal
Sent: Tuesday, July 09, 2019 7:57 AM
To: Cameron Stormes
Cc: Stefania Castillo; Megan Jones; Debbie Hale; Todd Muck
Subject: RE: Frog Pond - Del Rey Oaks

Hi Cameron,

I appreciate your email clarifying your position against the FORTAG trail through the Frog Pond, which is helpful for our understanding. I will include your additional comments to the EIR as well.

Thank you - Rich

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC)
55-B Plaza Circle, Salinas, CA. 93901
Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

From: Cameron Stormes <humboldtstormes@gmail.com>
Sent: Monday, July 08, 2019 10:33 PM
To: Rich Deal <rich@tamcmonterey.org>
Cc: Stefania Castillo <Stefania@tamcmonterey.org>; Megan Jones <mjones@rinconconsultants.com>; Debbie Hale <debbie@tamcmonterey.org>; Todd Muck <todd@tamcmonterey.org>
Subject: Re: Frog Pond - Del Rey Oaks

Thanks Rich for the response. Personally I would describe myself as a bicycle advocate. I like to see the public using this form of transportation as much as possible. During my four years of college, three of those four years were spent using a bicycle for transportation as I did not own a car.

As a Seaside resident since 2009, my family and I currently use the Frog Pond Loop Trail to spend time peacefully walking the 4 foot wide decomposed granite trail, walking the dog, picking berries, looking for birds, etc. The city of Seaside lacks a gem of a nature preserve such as the Frog Pond. Because of its close proximity to our house, we find it a convenient place to relax and take life at a slower pace.

With this being said, I can only imagine the amount of riparian vegetation that would have to be removed in order to construct a "shared use" trail that would be safe enough for a mix of users to use at the same time. I am against any changes to the current trail or the destruction of riparian vegetation that surrounds it for anything other than requirements of the Americans with Disabilities Act. I do understand the importance of incorporating bicycles into the Monterey Bay Area traffic flow, but I do not see bicycles adding value to the peaceful nature of the Frog Pond. Bicyclists can enjoy the current trails by simply locking their bikes to the Hwy 218 wooden fence line and walk the trails on foot.

Sincerely,

Cameron Stormes

On Monday, July 8, 2019, Rich Deal <rich@tamcmonterey.org> wrote:

Hi Cameron Stormes,

The FORTAG project proposes to construct a shared use trail through the Frog Pond and under General Jim Moore Blvd, which would expand the size of the current Frog Pond. The trail does not propose a bike trail around the existing Frog Pond. We are hearing concerns that bikes are unwanted through the Frog Pond from others as well. Your comments opposing the trail will be included in the environmental Impact report. You will also have additional opportunities to voice your opposition when the draft environmental impact report is released for public comment in the fall.

Thank you for your input.

Rich Deal, PE, TE, PTOE

Principal Engineer

Transportation Agency for Monterey County(TAMC)

55-B Plaza Circle, Salinas, CA. 93901

Direct Phone: 831-775-4413

Fax: 831-775-0897

Main: 831-775-0903

email: rich@tamcmonterey.org

website: www.tamcmonterey.org

From: Cameron Stormes <humboldtstormes@gmail.com>

Sent: Sunday, July 07, 2019 12:56 PM

To: Rich Deal <rich@tamcmonterey.org>

Subject: Frog Pond - Del Rey Oaks

Hi Rich,

Is this sign that was posted at the Frog Pond legitimate? My family and I use the Loop Trail at the Frog Pond daily.

Thank you,

Cameron Stormes

Stefania Castillo

From: Rich Deal
Sent: Tuesday, July 09, 2019 7:59 AM
To: N. Muñoz
Cc: Stefania Castillo; Megan Jones
Subject: RE: Bikes in Frog Pond in Del Rey Oaks

Hi Nina Munoz,

Thank you very much for your email regarding the FORTAG Trail. Your comments have been received and will be included in the environmental impact report.

If you would like to follow the environmental process, please go to:

<https://www.tamcmonterey.org/tamc-seeks-public-input-for-the-fort-ord-regional-trail-greenway-environmental-impact-report/>

Rich Deal, PE, TE, PTOE
Principal Engineer
Transportation Agency for Monterey County(TAMC) 55-B Plaza Circle, Salinas, CA. 93901 Direct Phone: 831-775-4413
Fax: 831-775-0897
Main: 831-775-0903
email: rich@tamcmonterey.org
website: www.tamcmonterey.org

-----Original Message-----

From: N. Muñoz <dabnrm@yahoo.com>
Sent: Monday, July 08, 2019 6:19 PM
To: Rich Deal <rich@tamcmonterey.org>
Subject: Bikes in Frog Pond in Del Rey Oaks

Dear Rich,

I am a resident of Del Rey Oaks and am NOT in favor of a bike path in or through the frog pond. That is a beautiful area that should've enjoyed by walking. Please reconsider this as an option Thank you, Nina Munoz Del Rey Oaks Resident

Nina Muñoz



July 11, 2019

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, California 93901

Re: Proposed Fort Ord Regional Trail & Greenway (FORTAG) Project

Greetings,

Fort Ord Reuse Authority's (FORA's) Planning Department has completed a review of the FORTAG Environmental Impact Report (EIR) Notice of Preparation (NOP). We compared it to the Fort Ord Regional Urban Design Guidelines (RUDG) and Volume I and II of the Base Reuse Plan (BRP). Since the FORTAG proposed plan enters and connects Habitat Management Areas (HMAs), we have some comments pertaining to the framing of the FORTAG's purpose, its entry into those areas, and connection between the areas, in light of the Habitat Management Plan and the pending draft Habitat Conservation Plan (FORA, 2019). We share these and other comments below.

We appreciate the potential integration of the FORTAG trail into the Southern Endowment parcel of the CDVA Central California Coast Veterans Cemetery, as a potential fulfillment of Seaside and Monterey County's Recreation policy C-1, "Monterey County/City of Seaside shall establish an oak tree protection program to ensure conservation of existing coastal live oak woodlands in large corridors within a comprehensive open space system. Locate local and regional trails within this system."

We also appreciate the way the FORTAG, unlike prior regional trail planning efforts of the 1970s, includes the sense that trails need not be along roads, exclusively. This is congruent with the BRP's description of Objective F of the Recreation and Open Space Element (Vol. I):

"The extensive system of reserved open space, including local, state, and federally owned recreation lands, habitat management lands, and institutional settings provides a unique opportunity to create a network of trails which can serve as an alternative means of transportation and as recreation, serving the needs of residents, workers, and visitors alike. The potential of the former Fort Ord's major open space attractions as an ecotourism draw will be reinforced by such a system, and the provision of an attractive alternative transportation network will reduce the impact of development on the transportation system."

In many instances, the FORTAG shows continuity with the RUDG and its source material in the BRP. For example, Connectivity objectives "link new neighborhoods with the surrounding cities' development fabric," "create strong physical linkages from villages to CSUMB and other major activity areas," and "connect new residential neighborhoods via continuous streets and/or open space linkages to surrounding neighborhoods

and districts,” and “ensure open space connections link major recreation and open space resources” are all met by the FORTAG plan. FORA staff encourage the plan development to continue on the path of fulfilling these objectives.

Another continuity between the FORTAG and the RUDG is in the Trails objectives. “Establish trail systems for non-motorized transit alternatives to former Fort Ord neighborhoods” is achieved with the trail connecting General Jim Moore Blvd to the CSUMB area (and future Campus Town) and East Garrison. Also, the RUDG objective to “link former Fort Ord trails to regional bike/pedestrian trails wherever possible” is reflected in the NOP with the connection to the existing Monterey Bay Coastal Recreation Trail, and the proposed alignment’s proximity to the edge of BLM’s western portion, where some historic trails will likely be accessible after the Army completes the transfer of the lands to BLM.

There is a component of the RUDG that we recommend you incorporate into the FORTAG. The RUDG includes the measure “trailhead facilities sited for key access points to the Fort Ord National Monument and Fort Ord Dunes State Park and other recreation and natural resource assets.” There was no evidence in the NOP of such facilities along the FORTAG, so FORA staff inquired about it at the Seaside Scoping Meeting on June 27, and was told that there were no facilities planned beyond benches and wayfaring signs. We recommend at least one trailhead facility, including a bathroom, be added to the project particularly along the eastern edge of the southern loop. A trailhead facility, including a bathroom, should also be added to the northern loop, close to the border with the Marina Airport. It may be best to build composting toilets, rather than running water.

As lead agency on the Fort Ord Multispecies HCP, the NOP purpose statement “to connect core habitat areas” was of utmost interest to us at FORA. The April 1997 Habitat Management Plan established a habitat conservation area and corridor system and parcel-specific land use categories and management requirements for all lands on former Fort Ord. The conservation areas were designed through the application of ecological concepts by combining the distributions of the following resources.

- a. Sites supporting high or medium densities of known populations of sand gilia and Monterey spineflower.
- b. Sites supporting high and medium-quality habitat (as defined by the density of buckwheat) or known occurrences of Smith’s blue butterfly.
- c. Sites supporting potential or known coastal nesting habitat for western snowy plover.
- d. Study polygons supporting the highest richness of HMP species (i.e., seven or more of the eighteen HMP species or suitable habitat occurrences).

Resource conservation and management requirements were described and responsible parties for each designated habitat area on the former base were identified in the HMP, and no priority was given to trail connectivity between them. Sensitive sites as described above contributed to the HMA locations. Connectivity is achieved through the close proximity of the areas to each other, including what is now called the Fort Ord National Monument.

The conservation program described in the 1997 HMP provides the basic framework for the conservation strategy of the HCP. In a total of fourteen habitat management areas, the priority is conservation of listed native species and their habitats. Trail access is allowed in some HMAs, but it is not important to the HCP to connect habitat areas by trails.

If the “greenway” element of the project is intended to serve an ecological benefit to the HMA system, is it in the form of allowing a through-fare for native animals? This seems to be the intent of the

underpass at the Frog Pond, and we commend that. However, the purpose statement would be truer to intent if it were to state “connect people to habitat areas,” which Dr. Fred Watson stated in the Scoping Meeting at Oldemeyer Center on June 27, 2019, rather than what is stated in the NOP, “to connect core habitat areas.”

The project’s greenways will increase movement of recreationalists, commuters, and their pets/horses move from disturbed areas into HMAs and between HMAs. This is likely to result in an increase in the spread of invasive non-native species, as seeds and pollen ride on the clothing, boots, tires and fur, as well as in horse feces, to invade new areas. We urge TAMC to fully investigate the increase in non-native invasive species spread to and between HMAs due to the FORTAG, and mitigate the effects by setting up an integrated invasive non-native species control program for the landholding jurisdictions to use in the greenways. Also, we suggest TAMC add information to wayfaring signage about these species and how users can minimize their spread along the routes of the FORTAG.

Thank you for this opportunity to help strengthen the scope of the FORTAG EIR, and suggest alternatives. As we head toward June 30, 2020, we are hopeful that the Plans of TAMC and the underlying land holder jurisdictions will integrate the BRP requirements to the fullest extent. The Planners at FORA remain available to discuss any of the points herein.

Many thanks,



Mary Israel, Senior Planner

cc: Michael A. Houlemard, Jr., Executive Officer
Josh Metz, Planning and Economic Development Manager



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
FORT ORD OFFICE, ARMY BASE REALIGNMENT AND CLOSURE
P.O. BOX 5008, BUILDING #4463 GIGLING ROAD
MONTEREY, CALIFORNIA 93944-5008

JUL 15 2019

JUL 1 0 2019

Fort Ord BRAC Field Office

Rich Deal, Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, CA 93901

Dear Mr. Deal:

Thank you for the opportunity to provide comments on the notice of preparation of an Environmental Impact Report for the proposed Fort Ord Regional Trail & Greenway (FORTAG) project. The notice includes a figure that identifies Preferred Alignment of the proposed FORTAG trails in the vicinity of the Army's ongoing environmental remediation project activities, as well as transferred properties with certain environmental requirements.

Figure 1 shows Preferred Alignment being located along former Fort Ord areas with "borderland development" requirements of *Installation-wide Multispecies Habitat Management Plan for Fort Ord* (HMP; Administrative Record AR number: BW-1787). The requirements include treating invasive weeds along the areas. The actual HMP language reads: "Populations of iceplant, scotch broom, and pampas grass will be controlled on an interim basis and long-term basis in these areas to avoid the spread of these species into the NRMA." The HMP also states that: "Measures will also be taken to reduce potential for erosion in these parcels so as not to affect the NRMA parcel from stormwater runoff that may originate in these parcels." These requirements are also included in deeds to the applicable properties. Please incorporate them in the project evaluation.

Deeds to former Fort Ord properties contain other provisions that should be taken into account during the evaluation. They include:

- Requirements for munitions recognition and safety training and construction support, to be implemented for ground-disturbing activities (applicable to several munitions response sites).
- Reservation by the Army of access to the properties for the purpose of environmental investigation and remediation under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Specifically, Blue Line Road along the western perimeter of the Impact Area Munitions Response Area (MRA) is used by the Army to access the site and to maintain the perimeter fence system as part of the CERCLA remedy. The Army controls all access into the Impact Area MRA; unauthorized access is prohibited. As the FORTAG project

would bring public uses closer to the restricted Impact Area, the Army would like to work with your agency and Bureau of Land Management to ensure that incidences of unauthorized access into the Impact Area MRA will not be increased.

The Army's munitions response in the Impact Area MRA will continue for several more years. This work includes prescribed burning. Depending on the location of the burn, Blue Line Road will be used as part of primary, secondary or tertiary containment lines. The road must be maintained in a manner that can sustain fire truck and other vehicle loads. In addition, during the prescribed burns, roads and areas adjacent to the Impact Area MRA are subject to closure. Please consider this need in the evaluation of the proposed FORTAG project.

The Fort Ord landfill area is an on-going environmental cleanup site (Operable Unit 2). Additionally, a network of groundwater extraction wells and pipelines, and groundwater monitoring wells, are present at various locations. The Army will work with your agency to identify and resolve any potential conflicts with planned FORTAG trail alignments to avoid impacting the landfill operations or groundwater cleanup programs.

Again, than you for the opportunity to provide comments on the proposed project. We look forward to working with your agency to ensure that the Army's environmental remediation program continues to move forward while supporting the reuse of the former Fort Ord. Please feel free to contact me at (831) 242-7920 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "William K. Collins". The signature is written in a cursive style.

William Collins
Base Realignment and Closure
Environmental Coordinator

Stefania Castillo

From: T Foster <tfosterlcs43@gmail.com>
Sent: Monday, July 15, 2019 5:45 PM
To: Stefania Castillo
Subject: HWY 218 is best for bike lane

Hi Stefania,

I'd like to share what I believe to be best solution for the bike lane project. I also want to address the vital and urgent safety hazard that 218 currently presents.

My elderly next door neighbors property has been crashed into three times that I know of in past 5 years. The danger for car crashing into our property or God forbid, into her, other neighbors who share property line with HWY 218 including my children, my family and I.

The HWY is too fast. We need your help. Please give us stop signs or turnabouts, slower speed and cement barrier should be built to protect us.

In addition, to ensure safety of your residents and quality of life of us on the hillside, it would be very helpful to have a turning lane to get off HWY 218 to Rosita.

I can't tell you how many times I have to completely stop of HWY 218 to turn left on Rosita and a car behind me almost crashes into me or the hillside and me even when I slow down wayyyyy before Rosita.

As for quality of life the sound of flying traffic and screeching brakes and honking is horrific daily. It shakes me up every time I'm outside in the garden or even just have my front door open, worried that a car may come crashing into my home.

Please carefully consider implementing safety measures on HWY 218 to slow it down and have more structured safety flow as a priority.

I am confident that the HWY which already has a bike lane could be made more user friendly and would finally be a safe biking environment at much less expensive proposal of the 22 million to include a tunnel and bike lane parade of strangers rising thru and parking directly in our residents front yards. Not to mention the obvious safety hazards and typical crime illegal actions that statistically relate and bring down value and integrity of our quiet well sought after community.

Can you please let me know if there is anything this City is willing to do to protect the safety of all persons sharing property line with the high speed HWY 218 and those who loyaly reside here.

I plea and pray for all hearts involved in these life altering decisions to be softened and hear our hearts cry. Please help slow down traffic and protect your quiet residential community.

Thank you kindly in advance for your help in this matter.

T. Foster

Stefania Castillo

From: Fernanda Roveri <roveri@monterey.org>
Sent: Tuesday, July 16, 2019 8:16 AM
To: Rich Deal; Stefania Castillo
Subject: Re: City of Monterey FORTAG EIR Scoping Comments

Dear Rich and Stefania,

Please accept this email as the City of Monterey comments:

1. Consider motion sensor lighting along the entire trail. Keep lighting levels at a pedestrian scale and low during the night. Avoid a significant aesthetic impact.
2. Conduct a biological assessment for the entire trail.
3. Study how trail crossing at Del Monte Avenue/Roberts Lake will interact with IN-N-OUT driveway and adaptive signals.
4. Include and study rest stops, benches, bicycle repair stations, and any other amenities along the trail.
5. On the project map, add a line and label for the portion of the North Fremont Ped & Bike and Project that is almost completed and call it "**Constructed**", and relabel the yellow line that says "Planned" to "**Preferred Alignment**" as shown below.



6. Study a reconstruction of the Fremont/Canyon Del Rey intersection to make the west corner more square, as shown below:



7. Study the safety of underpasses. They might be an aesthetic impact.

8. Study the widening of South Boundary Road to provide a Class IV bicycle and pedestrian facility instead of zigzagging the trail through Monterey's shark-fin property, as shown below. Or study an alternative that does not bisect the shark-fin property.



Thank you,
Fernanda Roveri
Elizabeth Caraker
Andrea Renny

On Tue, Jul 2, 2019 at 3:21 PM Fernanda Roveri <roveri@monterey.org> wrote:
Please add your comments to the letter below. Our comments are due July 15.

Dear Rich,

Please accept this email as the City of Monterey comments:

1. Consider motion sensor lighting along entire trail. Keep lighting levels at pedestrian scale and low during night.
2. Conduct a biological assessment for entire trail.
3. Study how trail crossing at Del Monte Avenue/Roberts Lake will interact with IN-N-OUT driveway and adaptive signals.
4. Study an alternative that does not bisect the shark fin property in the City of Monterey.
5. Include and study rest stops, benches, bicycle repair stations, and any other amenities along the trail.

Thanks,
Fernanda Roveri, AICP
Senior Associate Planner
City of Monterey

DEPARTMENT OF TRANSPORTATION
CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
www.dot.ca.gov/dist05/



*Making Conservation
a California Way of Life.*

July 1, 2019

MON-1/218/Var.
SCH#2019060053

Rich Deal
Monterey County Transportation Agency
55-B Plaza Circle
Monterey, CA 93901

Dear Mr. Deal:

**COMMENTS FOR THE NOTICE OF PREPARATION (NOP) – FORT ORD REGIONAL TRAIL
AND GREENWAY PROJECT, MONTEREY COUNTY, CA**

1. Caltrans supports local projects that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.
2. Please be aware that if any work is completed in the State's right-of-way it will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: <http://www.dot.ca.gov/trafficops/ep/index.html>.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3157 or email christopher.bjornstad@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Chris Bjornstad".

Chris Bjornstad
Transportation Planner
District 5 Development Review



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 15, 2019

Rich Deal, Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, California 93901
rich@tamcmonterey.org

**Subject: Fort Ord Regional Trail and Greenway (Project)
NOTICE OF PREPARATION (NOP)
SCH No.: 2019060053**

Dear Mr. Deal:

The California Department of Fish and Wildlife (CDFW) received an NOP for the Project from the Transportation Agency for Monterey County (TAMC) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through exercise of our own regulatory authority under the Fish and Game Code. Although the comment period for your request has passed, CDFW respectfully requests that the following comments be considered.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in the trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. For example, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G.Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Water Pollution: Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into “Waters of the State” any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that without mitigation measures, implementation of the Project could result in pollution of Waters of the State from storm water runoff or construction-related erosion. Potential impacts to the wildlife resources that utilize these watercourses include the following: increased sediment input from road or structure runoff; toxic runoff associated with development activities and implementation; and/or impairment of wildlife movement along riparian corridors. The Regional Water Quality Control Board and United States Army Corps of Engineers (USACE) also have jurisdiction regarding discharge and pollution to Waters of the State.

PROJECT DESCRIPTION SUMMARY

Proponent: Transportation Agency for Monterey County (TAMC).

Objective: The proposed Fort Ord Regional Trail & Greenway (FORTAG) consists primarily of an approximately 27-mile long new paved trail. The goal of the Project is to provide a connection between residential areas, schools, workplaces, regional parks, and City services. In addition to the 27-mile proposed alignment, several optional alignments, totaling 11.6-miles, are also being considered. It will connect the former Fort Ord, Monterey Peninsula, Cal State University Monterey Bay (CSUMB), and the Salinas Valley communities and serve as an artery for non-vehicular travel for commuting and recreational activities. It will also connect to the existing Monterey Bay

Scenic Coastal Trail, under the jurisdiction of State Parks. The FORTAG Project will connect with the Monterey Bay Coastal Recreational Trail at several locations on the coastal side of State Route 1 (SR 1), but there would be no improvements to the coastal trail as part of the proposed project. The FORTAG trail will primarily consist of three loops – a northern, central, and southern loop that roughly encircle the City of Marina, the CSUMB campus, and the City of Seaside; respectively.

The proposed trail alignment will cross public roadways in several locations. Most of these crossings will consist of at-grade crossings. In some areas, several design options are being considered for each crossing including: an undercrossing or roundabout at the intersection of 2nd Avenue and 8th Street along the northern end of the central loop; and an undercrossing, roundabout, or at-grade crossing at SR 218 near Frog Street and at 1st Street/Divarty Street, both generally west of the CSUMB campus. At 9th Street the trail will utilize an existing SR 1 freeway overcrossing; at 1st Street/Divarty Street the trail will utilize an existing SR 1 undercrossing. An undercrossing is also proposed beneath General Jim Moore Boulevard north of SR 218/Canyon Del Rey Boulevard. An undercrossing is proposed to cross Reservation Road at Inter Garrison Road. A new traffic signal is proposed on Del Monte Avenue between English Avenue and State Route 218 (SR 218) to connect the FORTAG trail to the Monterey Bay Scenic Coastal Trail. The proposed Project includes two new bicycle/pedestrian bridges: one over Blanco Road, between the Marina Airport and Salinas River; and one over Imjin Road between Imjin Parkway and 8th Street. At-grade street crossings may modify roadway and lane alignments and construct medians, curb extensions, warning devices, traffic control devices, and changes to signing and striping that enhance bike and pedestrian crossing safety.

The FORTAG trail will accommodate pedestrians and bicyclists, and equestrians in some segments. The majority of the trail will consist of a 12-foot wide paved path with an unpaved two-foot-wide shoulder on both sides. Approximately 2,000 feet of the trail will be on existing paved roadways in two locations: in Del Rey Oaks on Angelus Way between Rosita Road and Del Rey Gardens; and on Beach Road between Del Monte Boulevard and De Forest Road in Marina. In the Frog Pond area of Del Rey Oaks, the proposed trail width will be reduced to 8-feet, and decomposed granite will be used in lieu of pavement. Where space allows, the trail will be surrounded by an open space buffer (greenway) on both sides. Portions of the greenway will support unpaved paths for use by hikers, mountain bikers, equestrians, and naturalists. Fencing will be added only where necessary to separate trail users from conflicting vehicle traffic or from equestrian use on the greenway. Fencing may also be used to protect habitats with sensitive species or to channelize bike riders and pedestrians in locations where the trail is adjacent to private property and access control is required. Retaining walls may be needed to retain slopes at certain locations. Trail lighting is anticipated to be used at conflict points with vehicular travel, such as street crossings, and at locations where lighting would aid crime prevention. In open space areas, trail lighting is intended to be at levels that respect wildlife and the natural setting.

Location: Northwestern Monterey County, on the inland side of SR 1. The FORTAG trail will traverse the cities of Monterey, Del Rey Oaks, Seaside, and Marina, as well as unincorporated Monterey County and areas under the jurisdiction of CSUMB, the Fort Ord Reuse Authority, the Army, Caltrans, and the Monterey Peninsula Regional Parks District.

On the north side of South Boundary Road, the trail will extend east to Rancho Saucito in Monterey and link to bike facilities in the Ryan Ranch Business Park. The proposed trail alignment also includes several spurs (included in the 27-mile length) that extend from the three loops to connect with existing bicycle/pedestrian infrastructure. Prominent spurs are intended to connect neighborhoods to the trail at Broadway Avenue/General Jim Moore Boulevard, and Kimball Avenue/General Jim Moore Boulevard in Seaside; Plumas Avenue and Carlton Drive in Seaside and Del Rey Oaks. The preferred alignment will also connect to the planned North Fremont Street bicycle and pedestrian improvements in Monterey. Optional alignments may also be pursued as a substitute for the preferred alignment in those locations.

Timeframe: Unspecified.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist TAMC in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Based on aerial imagery, species occurrence records, and the land cover types that intersect and comprise the project alignment, the Project area is known to and/or has high potential to support numerous special-status species, including CESA-listed species (CDFW 2019, CNPS 2019, UC Davis 2018). Therefore, the Project has the potential to significantly impact these species. Specifically, CDFW is concerned about potential of the Project to significantly impact the State and federally threatened California tiger salamander (*Ambystoma californiense*), the State threatened, federally endangered, and California Rare Plant Ranked (CRPR) 1B.2 Monterey gilia (*Gilia tenuiflora* ssp. *arenaria*), the State endangered and CRPR 1B.1 seaside bird's-beak (*Cordylanthus rigidus* ssp. *littoralis*), the federally threatened and State Species of Special Concern California red-legged frog (*Rana draytonii*); the State Species of Special Concern northern California legless lizard (*Anniella pulchra*), coast horned lizard (*Phrynosoma blainvillii*), western pond turtle (*Emys marmorata*), burrowing owl (*Athene cunicularia*), and American badger (*Taxidea taxus*); and numerous CRPR plant species including, but not limited to, the federally threatened and CRPR 1B.2 Monterey spineflower (*Chorizanthe pungens* var. *pungens*); the CRPR 1B.1 Eastwood's goldenbush (*Ericameria fasciculata*), Pajaro manzanita (*Arctostaphylos pajroensis*), pink Johnny-nip (*Castilleja ambigua* var. *insalutata*), Kellogg's horkelia (*Horkelia cuneata* var.

sericea), Monterey pine (*Pinus radiata*); and the CRPR 1B.2 Hickman's onion (*Allium hickmanii*), Hooker's manzanita (*Arctostaphylos hookeri* ssp. *hookeri*), Jolon clarkia (*Clarkia jolonensis*), northern curly-leaved monardella (*Monardella sinuata* ssp. *nigrescens*), sand-loving wallflower (*Erysimum ammophilum*), sandmat manzanita (*Arctostaphylos pumila*), and Toro manzanita (*Arctostaphylos montereyensis*). Many of these species occur in maritime chaparral, coastal scrub, coastal prairie, and grassland communities which are present within and adjacent to the Project area. In addition, the Salinas Rivers is adjacent to the Project area and is known to support breeding populations of California red-legged frogs (CDFW 2019). Other natural areas where the species mentioned above are known or likely to occur also lie adjacent to the Project area including the Fort Ord Natural Reserve, lands managed by the University of California Natural Reserve System, Fort Ord Dunes State Park, and the Frog Pond Wetland Preserve.

To evaluate impacts of the Project on these species, CDFW recommends that a qualified biologist conduct species-specific focused habitat assessments and, if suitable habitat is present, protocol-level surveys. CDFW further recommends that the results of these surveys be summarized and used to evaluate Project impacts and potential permitting needs in the Project's CEQA document. If results of these surveys indicate significant environmental impacts will occur as a result of Project implementation and cannot be mitigated to less than significant levels, a Mitigated Negative Declaration (MND) would not be appropriate. Further, when an MND is prepared, mitigation measures must be specific and clearly defined and cannot be deferred to a future time. The specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation, when an Environmental Impact Report (EIR) is prepared. Regardless of whether an MND or EIR is prepared, the CEQA document must provide quantifiable and enforceable measures as needed that will reduce impacts to less than significant levels.

I. Environmental Setting and Related Impact

Would the Project 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 CDFW or United States Fish and Wildlife Service (USFWS)?

COMMENT 1: California tiger salamander (CTS)

Issue: CTS are known to occur in the vicinity of the Project area (CDFW 2019). Review of aerial imagery indicates the presence of several wetland features in the Project's vicinity that have the potential to support breeding CTS. In addition, the Project area or its immediate surroundings may support small mammal burrows, a requisite upland habitat feature for CTS.

Specific impact: Without appropriate avoidance and minimization measures for CTS, potential significant impacts associated with the Project's construction include: burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs, larvae and/or young, and direct mortality of individuals. In addition, depending on Project design, the Project has the potential to result in creation of barriers to dispersal.

Evidence impact would be significant: Up to 75% of historic CTS habitat has been lost to development (Shaffer et al. 2013). Loss, degradation, and fragmentation of habitat are among the primary threats to CTS (CDFW 2015, USFWS 2017a). The Project area is within the range of CTS and is both comprised of and bordered by suitable upland habitat. As a result, there is potential for CTS to occupy or colonize the Project area and for the Project to impact CTS.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to CTS associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 1: CTS Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment well in advance of project implementation, to determine if the Project area or its vicinity contains suitable habitat for CTS.

Recommended Mitigation Measure 2: Focused CTS Surveys

If the Project area does contain suitable habitat for CTS, CDFW recommends that a qualified biologist evaluate potential Project-related impacts to CTS prior to ground-disturbing activities using the USFWS's "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (2003). CDFW advises that the survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS.

Recommended Mitigation Measure 3: CTS Avoidance

CDFW advises avoidance for CTS include a minimum 50-foot no disturbance buffer delineated around all small mammal burrows and a minimum 250-foot no disturbance buffer around potential breeding pools within and/or adjacent to the Project area. CDFW also recommends avoiding any impacts that could alter the

hydrology or result in sedimentation of breeding pools. If avoidance is not feasible, consultation with CDFW is warranted to determine if the Project can avoid take.

Recommended Mitigation Measure 4: CTS Take Authorization

If through surveys it is determined that CTS are occupying the Project area and take cannot be avoided, take authorization may be warranted prior to initiating ground-disturbing activities. CDFW is aware that efforts are underway to finalize the Fort Ord Multi-Species Habitat Conservation Plan (HCP) and to secure companion acquisition of a state Incidental Take Permit (ITP) pursuant to Fish and Game Code Section 2081(b) for activities described in the HCP, including planning and construction of the FORTAG trail system. However, absent securing take coverage through these efforts, take authorization would need to occur through issuance of an ITP by CDFW to TAMC, pursuant to Fish and Game Code Section 2081(b) before Project ground or vegetation disturbing activities occur. Alternatively, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project area and obtain an ITP from CDFW at any time.

COMMENT 2: Monterey gilia, Seaside bird's-beak, and CRPR plant species

Issue: Monterey gilia and the CRPR plant species mentioned above are known to occur on and in the vicinity Project area (USFWS 2008, CDFW 2019). Lands designated for development that were transferred from the Department of the Army's former Fort Ord, as is the case with portions of the Project site, contain high quality habitat for the CESA-listed Monterey gilia (USFWS 2008). In addition, the sandy soils and maritime chaparral vegetation community present within portions of the Project area are suitable to support CESA-listed seaside bird's-beak (CDFW 2019, CNPS 2019, UC Davis 2018). The Project area also supports coastal scrub and coastal prairie communities, which have the potential to support numerous CRPR-species including, but not limited to, Monterey spineflower, Eastwood's goldenbush, Pajaro manzanita, pink Johnny-nip, Kellogg's horkelia, Monterey pine, Hickman's onion, Hooker's manzanita, Jolon clarkia, northern curly-leaved monardella, sand-loving wallflower, sandmat manzanita, and Toro manzanita. Therefore, grading and development associated with the Project have the potential to impact special-status plant species.

Specific impact: Without appropriate avoidance and minimization measures potential impacts to special-status plant species include inability to reproduce and direct mortality. Unauthorized take of species listed as threatened, endangered, or rare pursuant to CESA or the Native Plant Protection Act is a violation of Fish and Game Code.

Evidence impact would be significant: Monterey gilia, seaside bird's-beak, and many of the CRPR-listed plant species above are narrowly distributed endemic

species with specific habitat requirements. These species are threatened with habitat loss and habitat fragmentation resulting from development, vehicle and foot traffic, and non-native plant species (CNPS 2019), all of which may be unintended impacts of the Project. Therefore, impacts of the Project have the potential to significantly impact populations of the species mentioned above.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to special-status plants associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 5: Special-Status Plant Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment well in advance of project implementation, to determine if the Project area or its vicinity contains suitable habitat for special-status plant species.

Recommended Mitigation Measure 6: Focused Surveys

CDFW recommends that the Project area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (CDFW 2018). This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 7: Special-Status Plant Avoidance

CDFW recommends special-status plant species be avoided whenever possible by delineation and observing a no-disturbance buffer of at least 50-feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 8: Special-Status Plant Take Authorization

If a State-listed plant species is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. CDFW is aware that efforts are underway to finalize the Fort Ord HCP and to secure companion acquisition of an ITP pursuant to Fish and Game Code Section 2081(b) for activities described in the HCP. However; if take cannot be avoided, absent securing take

coverage through these efforts, take authorization would need to occur through issuance of an ITP by CDFW to TAMC, pursuant to comply with Fish and Game Code.

COMMENT 3: California Red-Legged Frog (CRLF)

Issue: CRLF have been documented to occur within the Salinas River, which is immediately adjacent to a portion of the Project Area (CDFW 2019). CRLF primarily inhabit ponds but can also be found in other waterways including marshes, streams, and lagoons. The species will also breed in ephemeral waters (Thomson et al. 2016). Review of aerial imagery indicates the presence of several ponded wetland features within the vicinity of the Project Area that may be suitable to support CRLF. As a result, the Project has the potential to impact CRLF.

Specific impact: Without appropriate avoidance and minimization measures for CRLF, potentially significant impacts associated with the Project's activities include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs, larvae and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: CRLF populations throughout the State have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF (Thomson et al. 2016, USFWS 2017b). All of these impacts have the potential to result from the Project. Therefore, Project activities have the potential to significantly impact CRLF.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to CRLF associated with the Project, CDFW recommends conducting the following evaluation of the Project Area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 9: CRLF Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project Area or its immediate vicinity contain suitable habitat for CRLF.

Recommended Mitigation Measure 10: CRLF Surveys

If suitable habitat is present, CDFW recommends that a qualified wildlife biologist conduct surveys for CRLF within 48 hours prior to commencing work (two night

surveys immediately prior to construction or as otherwise required by the USFWS) in accordance with the USFWS *“Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog”* (USFWS 2005) to determine if CRLF are within or adjacent to the Project area.

Recommended Mitigation Measure 11: CRLF Avoidance

If any CRLF are found during preconstruction surveys or at any time during construction, CDFW recommends that construction cease and that CDFW be contacted to discuss a relocation plan for CRLF with relocation conducted by a qualified biologist, holding a Scientific Collecting Permit for the species. CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). When ground-disturbing activities must take place between November 1 and March 31, CDFW recommends a qualified biologist monitor construction activity daily for CRLF.

COMMENT 4: Northern California Legless Lizard and Coast Horned Lizard

Issue: Northern California legless lizards and coast horned lizards are known to occur in the vicinity of the Project area (CDFW 2019). Northern California legless lizards are fossorial and inhabit chaparral habitat with sandy or loose loamy soils (Thomson et al. 2016). Coast horned lizards occur in a wide variety of habitat types but require loose, fine soils for burrowing, open areas for thermoregulation, and shrub cover for refugia (Thomson et al. 2016). Review of aerial imagery and soil characteristics indicates that portions of the Project area are comprised of and surrounded by these requisite habitat features (CDFW 2019, UC Davis 2018).

Specific impact: Without appropriate avoidance and minimization measures for Northern California legless lizard and coast horned lizards, potentially significant impacts associated with ground disturbance include burrow abandonment, which may result in reduced health or vigor of eggs and/or young, and direct mortality.

Evidence impact is potentially significant: Habitat loss and fragmentation resulting from development is the primary threat to Northern California legless lizard and coast horned lizard (Thomson et al. 2016). The Project area is within the range of Northern California legless lizard and coast horned lizard and portions of it are comprised of and bordered by suitable habitat (i.e., chaparral with friable soils). As a result, ground-disturbing activities associated with development of the Project area have the potential to significantly impact local populations of this species.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to Northern California legless lizard associated with the Project, CDFW recommends conducting the following evaluation of the Project

area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 12: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if the Project area or its immediate vicinity contain suitable habitat for Northern California legless lizard.

Recommended Mitigation Measure 13: Focused Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for Northern California legless lizard and their requisite habitat features to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 14: Avoidance

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows.

COMMENT 5: Western Pond Turtle (WPT)

Issue: Portions of the Project area lie adjacent to the Salinas River, which may provide suitable aquatic habitat for WPT. Upland areas adjacent to the Salinas River may provide overwintering and nesting habitat for WPT, which are known to overwinter terrestrially, and which require loose soils and/or leaf litter (Thomson et al. 2016). In addition, several occurrence records of WPT are reported within the vicinity of the Project area (CDFW 2019). The presence of these requisite habitat features increases the likelihood of WPT occurrence and the potential for the Project to significantly impact the local WPT population.

Specific impact: Without appropriate avoidance and minimization measures for WPT, potential significant impacts associated with development of the Project include nest abandonment, reduced reproductive success, reduced health and vigor of eggs and/or young, and direct mortality.

Evidence impact would be significant: WPT are capable of nesting up to 1600-feet away from waterbodies. Nesting occurs in spring or early summer and hatching occurs in fall. Hatchlings can remain in the nest throughout the first winter, emerging the following spring. In addition, WPT are slow to reach sexual maturity, which naturally reduces the number of WPT that are recruited into a population each year (Thomson et al. 2016). Threats to WPT include land use changes and habitat fragmentation associated with development, road mortality, as well as a decrease in

suitable upland nesting/overwintering habitat (Thomson et al. 2016), all of which are potential impacts of the Project. As a result, Project development has the potential to significantly impact the local population of WPT.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate the potential for the Project to impact WPT, CDFW recommends conducting the following evaluation of the Project area and including the following measures as conditions of approval in the Project's CEQA document.

Recommended Mitigation Measure 15: Preconstruction Surveys

CDFW recommends that a qualified wildlife biologist conduct focused surveys for WPT during the nesting season (March through August). If any nests are discovered, CDFW recommends that they remain undisturbed until the eggs have hatched, and the nestlings are capable of independent survival. In addition, CDFW recommends conducting pre-construction surveys for WPT immediately prior to initiation of construction activities.

Recommended Mitigation Measure 16: Avoidance

WPT detection during surveys warrants consultation with CDFW to discuss how to implement ground-disturbing activities and avoid take. However, CDFW recommends that if any WPT are discovered immediately prior to or during Project activities they be allowed to move out of the area on their own volition. If this is not feasible, CDFW recommends that a qualified biologist who holds a Scientific Collecting Permit for the species, capture and relocate the turtle(s) out of harm's way to the nearest suitable habitat immediately upstream or downstream from the Project Area.

COMMENT 6: Burrowing Owl (BUOW)

Issue: BUOW have been documented to occur in the vicinity of the Project area (CDFW 2019). Review of aerial imagery reveals that suitable habitat for BUOW is present both within and in the vicinity of the Project area. BUOW inhabit open, treeless areas containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover (Poulin et al. 2011). Habitat both within and bordering portions of the Project area, has the potential to support these habitat features. Therefore, there is potential for BUOW to occupy or colonize the Project area or its vicinity.

Specific impact: Potentially significant direct impacts associated with Project construction include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW in California (Gervais et al. 2008). Therefore, ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to BUOW associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 17: BUOW Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its vicinity contains suitable habitat for BUOW.

Recommended Mitigation Measure 18: BUOW Surveys

If suitable habitat for BUOW is present, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's (CBOC) "*Burrowing Owl Survey Protocol and Mitigation Guidelines*" (CBOC 1993) and CDFW's "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable. In addition, CDFW advises that surveys include a 500-foot buffer around the Project area.

Recommended Mitigation Measure 19: BUOW Avoidance

Should a BUOW be detected, CDFW recommends no-disturbance buffers, as outlined in the "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 20: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. Since BUOW may attempt to colonize or re-colonize an area that will be impacted, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

COMMENT 7: American Badger

Issue: American badger have been documented to occur in the vicinity of the Project area (CDFW 2019). Badgers occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that support fossorial rodent prey populations (i.e., ground squirrels, pocket gophers, etc.) (Zeiner et al 1990). The Project area may support these requisite habitat features. Therefore, the Project has the potential to impact American badger.

Specific impact: Without appropriate avoidance and minimization measures for American badger, potentially significant impacts associated with ground disturbance include direct mortality or natal den abandonment, which may result in reduced health or vigor of young.

Evidence impact is potentially significant: Habitat loss is a primary threat to American badger (Gittleman et al. 2001). The Project will involve construction of an approximately 27-mile long trail, resulting in a high degree of land conversion and potential habitat fragmentation. As a result, ground-disturbing activities have the potential to significantly impact local populations of American badger.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to American badger associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 21: American Badger Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its immediate vicinity contain suitable habitat for American badger.

Recommended Mitigation Measure 22: American Badger Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for American badger and their requisite habitat features (dens) to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 23: American Badger Avoidance

Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?

COMMENT 8: Lake and Streambed Alteration (LSA)

Issue: Portions of the Project area are immediately adjacent to the Salinas River. Project activities conducted within the Salinas River are subject to CDFW's LSA regulatory authority, pursuant Fish and Game Code Section 1600 et seq.

Specific impact: Work within stream channels has the potential to result in substantial diversion or obstruction of natural flows; substantial change or use of material from the bed, bank, or channel (including removal of riparian vegetation); deposition of debris, waste, sediment, toxic runoff or other materials into water causing water pollution and degradation of water quality.

Evidence impact is potentially significant:

Lake and Streambed Alteration

Activities within streams are subject to CDFW's LSA regulatory authority. Construction activities within stream features have the potential to impact

downstream waters. Streams function in the collection of water from rainfall, storage of various amounts of water and sediment, discharge of water as runoff and the transport of sediment, and they provide diverse sites and pathways in which chemical reactions take place and provide habitat for fish and wildlife species. Disruption of stream systems such as these can have significant physical, biological, and chemical impacts that can extend into the adjacent uplands adversely effecting not only the fish and wildlife species dependent on the stream itself, but also the flora and fauna dependent on the adjacent upland habitat for feeding, reproduction, and shelter.

Water Diversion

Water diversions can impact flow regimes. Prolonged low flows can cause streams to become degraded and cause channels to become disconnected from floodplains (Poff et al. 1997). This process decreases available habitat for aquatic species including fish that utilize floodplains for nursery grounds. Prolonged low flows can also increase mortality for species that rely on specific flow regimes, such as endangered salmonids (Moyle 2002). Amphibians can also be sensitive to decreased flows. Kupferberg et al. (2012) reported that low flows were strongly correlated with early life stage mortality and decreased adult densities of California red-legged frogs, a species of special concern in California, and one with potential to occur in the Project area. In addition, alterations to flows can affect the health of riparian vegetation, reducing habitat quality for wildlife species.

Recommended Potentially Feasible Mitigation Measure(s)

Recommended Mitigation Measure 24: Stream and Wetland Mapping, and LSA

CDFW recommends that formal stream mapping and wetland delineation be conducted by a qualified biologist to determine the location and extent of streams (including any floodplain) and wetlands within and adjacent to the Project area. Please note that, while there is overlap, State and Federal definitions of wetlands as well as what activities require Notification pursuant to Fish and Game Code Section 1602 differ. Therefore, it is advised that the wetland delineation identify both State and Federal wetlands in the Project area as well as what activities may require Notification to comply with Fish and Game Code. Fish and Game Code Section 2785 (g) defines wetlands; further, Section 1600 et seq. applies to any area within the bed, channel, or bank of any river, stream, or lake. It is important to note that while accurate wetland delineations by qualified individuals have resulted in more rapid review and response from USACE and CDFW, substandard or inaccurate delineations have resulted in unnecessary time delays for applicants due to insufficient, incomplete, or conflicting data. CDFW advises that site map(s) designating wetlands as well as the location of any activities that may affect a lake or stream be included with any Project site evaluations.

Recommended Mitigation Measure 25: Notification of Lake or Streambed Alteration

Fish and Game Code Section 1600 et seq. requires an entity to notify CDFW prior to commencing any activity that may: (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of an LSA Agreement. For additional information on Notification requirements, please contact our staff in the LSA Program at (559) 243-4593.

II. Editorial Comments and/or Suggestions

Nesting Birds: CDFW encourages Project implementation occur during the bird non-nesting season. However, if ground-disturbing activities must occur during the breeding season (February through mid-September), the project's applicant is responsible for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10-days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250-feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed

from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, CTS, CRLF, Monterey gilia, and Monterey spineflower. Take under the federal Endangered Species Act (ESA) is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS, in order to comply with ESA, is advised well in advance of any ground disturbing activities.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database that may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be emailed to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

If it is determined that the Project will impact fish and/or wildlife, an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the Project to assist TAMC in identifying and mitigating the Project's impacts on biological resources.


More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Should you have questions regarding this letter or for further coordination please contact Renée Robison, Environmental Scientist, at the address provided on this

Rich Deal
Fort Ord Regional Trail and Greenway
July 15, 2019
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letterhead, by telephone at (559) 243-4014 extension 274, or by email at
Renee.Robison@wildlife.ca.gov.

Sincerely,



 Julie A. Vance
Regional Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
State.Clearinghouse@opr.ca.gov

California Department of Fish and Wildlife:
Jeff Cann, jeff.cann@wildlife.ca.gov

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California Native Plant Society

Monterey Bay Chapter, P.O. Box 221303, Carmel, CA 93922

July 15, 2019

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
Transportation Agency for Monterey County
55-B Plaza Circle
Salinas, California 93901
rich@tamcmonterey.org

FORTAG NOP Comments

The Monterey Bay Chapter of the California Native Plant Society notes that the FORTAG project will pass through or near many sensitive plant communities such as riparian, maritime chaparral, and oak woodland. When surveying for sensitive plants and communities, MB-CNPS requests that the list for the project include all potential CNPS List 4 species in addition to List 1 rare plants. These plants are of limited range or abundance and are a watch list for plants that may potentially become rare.

The project will have the great potential to introduce or spread non-native and invasive plants over a large region of native plant communities. Avoidance and successful mitigation measures will need to be carefully considered to reduce long term impact of non-native and invasive plant proliferation on high quality and sensitive native plant communities.

The EIR and analysis needs a good baseline study of the native plant communities to identify disturbed areas that would be more appropriate for the route and reduce the impact on building the trail in more pristine habitats. A pre-survey for the existence of non-native and invasive plants is needed to establish baseline conditions for any mitigation program. Mitigation should be prioritized to identify non-native plants and any invasively-acting plants introduced during trail construction. A dedicated funding source and monitoring program to protect high quality native habitats from the degradation of invasive non-native plants must be established in perpetuity.

MB-CNPS is very concerned about the long term impacts of trailside vegetation clearance activities. Many parks with active trail maintenance have encountered

severe problems with invasive and non-native plants proliferating along the trails. These are then vectored into the surrounding wild lands. We are concerned about the proposed 2-foot shoulders along the paths and the real possibility that these will become weed zones that introduce weeds into previously pristine habitats. Methods to minimize disturbance on the edges of the trails must be incorporated in the Best Management Practices for trailside maintenance. Native plants must be allowed to compete at the trail edge and blanket clear cutting must be discouraged to prevent weedy zones from proliferating.

MB-CNPS has concerns about some FORTAG maps that show a 200-foot fire break zone on the west side of the trail as it extends from Del Rey Oaks to Marina. Is this a component of the project being analyzed? The EIR would need to fully analyze proposed fuel treatments and alternatives that would limit disturbance and control the invasive weeds that might proliferate with routine disturbance of a 200-foot wide zone. Use of prescribed burns would be consistent with the fire adapted chaparral environment, but would also require vigorous control of invasive plants after any burns.

In December 2015, the Board of Directors of the Monterey Bay Chapter of the California Native Plant Society adopted the following language regarding the proposed FORTAG trail through CNPS Plant Reserve #1:

MOTION - Monterey Bay CNPS supports the general concept of a trail through Plant Reserve 1. The Chapter would need to prevent negative impacts on the maritime chaparral, the rare plants and the riparian corridor by working closely on the choice of the route location, approving the trail design and maintenance practices, and creating a trail/habitat corridor to connect with the future BLM portion of Fort Ord National Monument.

Plant Reserve #1 has conserved a unique assemblage of uncommon manzanita species since the reserve's designation by the U.S. Army in the 1970's. Potential impacts a trail would involve such as removal of sensitive maritime chaparral, damage to riparian areas, and introduction of weeds must be considered by the DEIR. The proposed route is very close to or is impacting a riparian corridor, a sensitive plant community. The route could also traverse dense coastal live oak woodland with potential need to remove oaks especially if a wide path is used. To minimize impacts, existing degraded routes through the reserve should be utilized. For the proposed route and the alternatives listed below, to minimize impacts, the path should be non-paved, 6 feet wide, with no shoulders that would encourage weed zones.

We suggest the following alternatives to the proposed route through Plant Reserve #1:

- The proposed alternative that climbs uphill northward to the South Boundary Road corridor should be examined for its potential impacts, which would mainly be on oak woodlands.
- An additional alternative route could use pre-existing spur trails to climb up to old fire breaks atop the ridge in the southern portion of the reserve and continue east and then north to join the proposed alternate route north of South Boundary Road. Utilizing pre-existing roads or fire breaks would avoid carving a new route through the reserve.

We have similar concerns about the path through the Frog Pond Regional Park where a current 3-foot wide path is proposed to be 8 feet wide with 2-foot shoulders (12-foot corridor). This path is entirely within a riparian woodland zone and needs to be limited to a more narrow path such as we proposed for the native plant reserve to minimize its impacts.

Under CEQA, alternative trail alignments must be considered and evaluated if there are potential impacts to sensitive resources. The Least Environmentally Damaging Alternative must be adopted, unless there are over-riding considerations that provide substantial evidence that there are no good alternatives. Mitigations are supposed to offset unavoidable damages.

Sincerely,



Donna Burych, Conservation Chair, Monterey Bay Chapter CNPS



Dedicated to the preservation of California native flora





July 15, 2019

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
55-B Plaza Circle Salinas,
California 93901
rich@tamcmonterey.org

Re: Fort Ord Regional Trail & Greenway (FORTAG) project.

Dear Mr. Deal:

California State University, Monterey Bay (CSUMB) has reviewed the Notice of Preparation (NOP) for the Fort Ord Regional Trail & Greenway (FORTAG) project Environmental Impact Report (EIR). As noted in the NOP, the FORTAG trail would traverse California State University Monterey Bay (CSUMB) campus and provides an important artery for non-vehicular travel for the campus by connecting it to the existing Monterey Bay Scenic Coastal Trail to the west, CSUMB's Main Campus in the center and CSUMB open space and East Campus Housing to the east. The campus has shown its support for the trail by including the conceptual alignment in in CSUMB's draft Master Plan Guidelines.

The University is particularly interested that the EIR analyze and mitigate potential environmental impacts specific to the campus and consider the following comments in the EIR and relevant planning efforts.

1. **Detailed alignment on campus** – The campus would like to work closely with TAMC staff and consultants to determine the exact alignment.
2. **Safe Trail crossings** – CSUMB is concerned about the safe trail crossing of all major roads, especially those on campus referenced below. We ask that the future traffic conditions be looked at in detail when planning over, under or at grade connections.
 - a. **8th Avenue** (at any location) – 8th Avenue poses many challenges including slope, visibility, and potential vehicle conflicts with existing campus functions on the road's west side.
 - b. **Inter-Garrison Road** – The trail crosses the road at both the horse crossing east of 8th Avenue and at 8th Avenue.

3. **Tree replacement** – The campus aims to reduce tree loss on campus and for every one tree over 4” diameter at breast height (dbh) removed; CSUMB requires the replacement and survival rate of 2 new trees.
4. **Veterans Administration (VA) clinic property** – Note that if the trail crosses VA property internal to the campus, TAMC will need to work directly with the VA.
5. **Storm water** – We hope the project will consider prior discussions to use the trail to percolate storm water between 2nd Avenue and General Jim Moore Boulevard, thereby reducing runoff to temporary percolation ponds west of Highway 1.
6. **CSUMB permitting requirements** – A Temporary Permit issued by Campus Planning and Development and evidence of insurance coverage are required prior to working on campus.
7. **Maintenance** - Who is responsible for and how will trail maintenance be handled?
8. **Lighting** – If the trail or portions of the trail require lighting we ask the project consider using LEED light pollution reduction standards as a minimum.

CSUMB looks forward to continue working with TAMC staff on this exciting project and insuring its successful planning, design and implementation. Please contact me at any time if you have any questions or would like to discuss these comments in detail.

Sincerely,



Kevin R. Saunders
VP Administration and Finance, CFO
Executive Director, University Corporation at Monterey Bay
100 Campus Center, Mountain Hall Suite D
Seaside, California 93955-8001
Office: (831) 582-3397



FORT ORD RECREATION TRAILS FRIENDS



July 12, 2019

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
55-B Plaza Circle
Salinas, California 93901
rich@tamcmonterey.org

RE: FORT Friends Comment on NOP for FORTAG Project

Dear Mr. Deal:

On behalf of the Board of Directors of Fort Ord Recreation Trails Friends (FORT Friends), I am writing to express conceptual support for the Fort Ord Regional Trail and Greenway (FORTAG) Project. FORT Friends is a 501(c)(3) non-profit organization that works to preserve and expand public access to Fort Ord trails, serve as a clearinghouse of information, partner with land managers and support sustainable economic development that benefits local residents, businesses and the environment. FORT Friends is comprised of cyclists (road and mountain bikes), hikers, trail runners, equestrians, educators and naturalists who share a passion for the Fort Ord trails. The FORTAG project goals reflect our organization's mission and goals, particularly through high quality bicycle and pedestrian trails connecting residents and visitors to the BLM Fort Ord National Monument and adjacent public open space. We support the goal for residents and visitors of all ages and abilities to reach housing, jobs, schools and community centers in and around the former Fort Ord, the Monterey Peninsula and Salinas.

In refining the project description, FORT Friends recommends means to maximize safety and comfort when different users are sharing the trails in one area (examples: secure dirt footing for horses adjacent to cyclists, runners, strollers on paved trail; minimize bicycle-car interactions). FORTAG trail "rules" should also be consistent from one jurisdiction to another (example: E-bike policy and regulation).

Thank you for your consideration of these comments.

Sincerely,

(original signed by Henrietta Stern)

Henrietta Stern, President
FORT Friends

CC: FORT Friends Board of Directors

FORTF_20190715_FORTAG_NOP_TAMC



Monterey Off-Road Cycling Association (MORCA), a Chapter of IMBA
PO Box 1742, Marina, CA 93933
www.morcantb.org

July 12, 2019

Transportation Agency for Monterey County
Attn: Rich Deal, Principal Engineer
55-B Plaza Circle
Salinas, California 93901
rich@tamcmonterey.org

RE: MORCA Comments on Notice of Preparation for FORTAG Project

Dear Mr. Deal:

I am writing on behalf of the Monterey Off-Road Cycling Association (MORCA) Board of Directors and membership to express support for the Fort Ord Regional Trail and Greenway (FORTAG) Project. MORCA is 501(c)(3) non-profit organization with a mission to advocate for mountain bicycling while giving back to local trails. To that end, MORCA has contributed thousands of hours of volunteer labor on the BLM-managed Fort Ord National Monument trails and obtained grant funding to install signage for the Monterey County trail system at Fort Ord.

The FORTAG is consistent with our organization's mission and goals as it will provide a new, safe connection for mountain bikers (and road cyclists) in our community to access paved, gravel and single-track trails on the Fort Ord National Monument and adjacent non-federal public open space without driving. This project also has direct connections to the Monterey Bay Sanctuary Scenic Trail. The access and active transportation improvements will help foster community appreciation of the National Monument's diverse oak woodlands, open grasslands, and maritime chaparral along with stunning views of the California Coast and Salinas Valley.

We believe the project will have a beneficial effect on the mountain bike community based on the project description in the NOP, specifically the inclusion of unpaved buffer zones adjacent to the paved trail and no removal of existing single-track trails used by mountain bikers and others.

Thank you for your consideration of these comments.

Sincerely,

Original Signed by Henrietta Stern

Henrietta Stern, Secretary
Monterey Off-Road Cycling Association

CC: MORCA Board of Directors

To: Alta Planning, Rich Deal, Stefania Castillo (TAMC), FORTAG Team

CC: Alison Kerr, Dino Pick, and Jeff Hoyne

I am writing this letter primarily in response to the demonstration project at Del Rey Park on April 13, 2019. There was a poster on display at this event showing the route options for FORTAG in and around Del Rey Oaks along with Pros/Cons for each route. Those of us who live on or near Angelus Way were deeply disappointed to see that the only "CON" listed for the route on Angelus Way was something along the lines of "residents would have more bicyclists in their neighborhood." This was a gross under-statement.

Many of us have attended mtgs, written letters/emails, and voiced our concerns regarding the trail coming through Angelus Way. We have been told time and time again that our input matters. Unfortunately, seeing our concerns reduced to "more bikes" is offensive. Why even list pros and cons if you are going to be blatantly biased?

Listed below is a simplified list of concerns that have been shared with you previously regarding the FORTAG route through Del Rey Oaks on Angelus Way. I am also sharing this with Alison Kerr our Mayor, Dino Pick our City Manager, and Jeff Hoyne our Chief of Police. I'm hoping it will help clarify some of the "CONS."

- 1) The residents have voiced their concerns of more people in the neighborhood because FORTAG is not merely a bike path but a MAJOR REC TRAIL in a region with high tourism. I think a clearer description of why we are opposed to this route is **the very real threat of over-tourism**. Del Rey Park is regularly utilized by people who are not Del Rey Oaks residents, and this is NOT a problem. Responsible people are welcomed just as I feel welcomed when I go to all the parks outside of Del Rey Oaks. However, FORTAG is a **MAJOR** project with the potential to introduce an unsustainable level of visitors that will change the character of our neighborhood. It only takes a few hashtags on Instagram to pique the interest of thousands.

If you don't already, read BigSurKate's blog about the issues that plague Big Sur and other beautiful places. No one would have ever imagined that people would literally double park on HWY 1 to take selfies at Bixby Bridge, and it happens all the time now on summer weekends. Sustainable tourism is difficult in the age of social media and I don't trust that FORTAG will be an exception.

The FORTAG website itself claims that aside from use of the path, DRO residents can benefit from something like a future trail-side cafe. More likely, it would only benefit the cafe owner, few employees, and the city with minimal tax revenue unless it is an extremely busy cafe, which no one wants in this residential neighborhood.

Furthermore city's Vision Statement DOES NOT represent any of the residents I know. Instead, it sounds like it was written by someone who was already envisioning FORTAG. It's very disheartening to know that the plan for FORTAG to go through Del Rey Oaks was in the works for years without any outreach to the residents who would actually host the trail. One early meeting in 2015 was with our former City Manager Daniel Dawson. Dawson, as I'm sure you know, is facing felony charges for using his position as City Manager for personal financial gain at the expense of the City of DRO. So residents are understandably very distrustful and cautiously suspicious of any agreements made by city leaders. The needs of our small city have been ignored and FORTAG is one more example of exploiting our town for regional interests.

We are also concerned about the possibility of weekly or monthly marathons and bike events coming through a residential neighborhood. There is already frustration with the constant construction and traffic from recreational events. I am hoping our City Council will adopt a strict ordinance restricting how many events will be hosted on the Del Rey Oaks portion of FORTAG. This is not only regarding Angelus Way, but Canyon Del Rey Blvd/Hwy 218, which is the ONLY outlet for those of us who live on the South side of the HWY.

- 2) **The inevitable increase in crime as a result of more people in the neighborhood combined with the proximity of the trail to a park with (most likely?) the highest crime rate on the peninsula.** The Angelus Way neighborhood is not like the isolated communities along 17 mile drive and Carmel-by-the-Sea. Laguna Grande Park is nearby and the main reason we do not have the same degree of problems in Del Rey Park is the physical inaccessibility of the park. Very few people travel on Angelus Way unless their destination is the Del Rey Park or homes in the neighborhood. I appreciate that our current PD is dedicated to dealing with crime connected to FORTAG use, but who's to say that there will be funding or interest for that level of police presence

10/20/30 years from now? ALL people have the right to enjoy public parks, so it is difficult to identify and deter criminals, especially if they are on a major recreation path. I do not want to live in a neighborhood where the police are harassing people or engaging in profiling, which means that we will have to wait for an actual crime to be committed before the police will engage with suspicious people.

We are concerned that FORTAG will result in an **increase** of crime. Easter weekend, 2018, a man broke into the church and preschool on Rosita near Angelus Way. The man's crimes that day began at Safeway and it is likely that he walked to the church. My son was attending the preschool at the time. I was told that not only did the intruder break in and steal money, switch toys and supplies from one classroom to the other, go through the food pantry, and leave a homemade brass-knuckled glove on the owner's office chair; he also took all the knives out of the kitchen drawer and left them laid out in a neat row on the counter. It was naturally scary leaving our child knowing that the perpetrator had not been apprehended that morning. Our police department did an excellent job of locating and arresting the intruder within a day.

- 3) **Homeowners on the creek-side of Angelus have bridges over the creek and are concerned about the personal and financial liability of people coming onto their property and getting injured.** This is a serious concern since the bridges/driveways over the creek are built, owned, and maintained by the homeowners. An increase in people walking/biking will result in an increase of trespassing and result in possible injuries.

- 4) There have been concerns voiced by residents that have been reduced to a simple opposition to an increase of homeless people in the neighborhood. **I personally am not as worried about homeless people as I am about methamphetamines and heroin addicts utilizing FORTAG to gain access to our neighborhood and Del Rey Park.** We currently have homeless people come through our neighborhood on their way to undeveloped areas to camp. I have not had any issues with these small groups of people and personally know homeless people who either live in their cars, camp RESPONSIBLY, or "couch surf". But, unfortunately, the make-up of a large part of the population that gathers in Laguna Grande overlaps with people with serious and dangerous drug addictions. The Laguna Grande population does not represent the homeless community as a whole. There are a lot of homeless people who would not enter the camps at Laguna Grande

because they know how dangerous it is. I'm sure you have all followed the news stories of the homeless encampment near Ross and River Street in Santa Cruz. The clean-up of the area has uncovered THOUSANDS of needles and now has contaminated soil from human waste. The tents were filled with stolen bicycles and operated as "chop-shops."

Please understand this is not an attack on the homeless population as a whole, but a valid concern about the types of issues that plague a part of the community at Laguna Grande Park. Some of the people engaging in criminal behavior in Laguna Grande are not homeless, but monopolizing on the opportunities a wooded area provides. I would much rather see the \$40 million being spent on FORTAG be spent on sustainable housing for the homeless.

I lived in Santa Cruz for about 7 years, I know what it's like to leave your house and walk up on someone shooting up heroin at the park next door in broad daylight, and I know that kids currently get pricked by needles at Dennis the Menace Park. I also know about the horrific, violent crimes committed by people when on methamphetamines. We are not immune to these issues. FORTAG will undoubtedly bring more drug crimes into our neighborhood park. Ignoring this, which will only get worse with the gentrification of Seaside and as income-inequality in California grows, is, at best, naïve.

- 5) There have been concerns voiced regarding **parking issues** on Angelus Way if there isn't a "share the road" design. There will be many people who will drive to our residential neighborhood to park their cars and hop on the trail. However, I think there are plans to create a big parking lot by City Hall which could mitigate these concerns.

- 6) **Environmental Concerns.** Simply put, humans are bad for the environment. More human activity near the creek and at the Frog Pond is not good. I cherish the Frog Pond and go there often. Frogs need to croak to communicate and are very sensitive to the presence of humans. I know the EIR should address this, but seeing projects like the Sand City "Eco" Resort get approved under a veil of greenwashing leaves me with no faith in the process.

- 7) **The character of the Frog Pond will change.** The folks at the demonstration told me that the trail would go THROUGH the Frog Pond and not up Carlton. I said that bikes weren't allowed there and they checked with each other and told me that bike ARE allowed. I checked the MPRPD website and it states that the trails for hiking only. I messaged MPRPD and the ranger responded that bikes are NOT allowed and that any changes would need board approval. I hope MPRPD does not allow bikes on Frog Pond trails or has the trail widened to 10 feet to accommodate speeding bikes.
- 8) **The proposed tunnel from Del Rey Park to the Frog Pond is unnecessary and will pave the way for more traffic and speeding cars.** Aside from the obvious effect of traffic on quality of life, wildlife will not know to use the tunnel and we will have more road-kill. I think a lighted cross-walk would increase safety and remind drivers to slow down. A lighted crosswalk will not only create safer passage for those who do not know how to cross a two-lane highway, but it will also help to control traffic.

I cross the highway from the park to the Frog Pond on a regular basis with children without issue. We hold hands and wait for traffic. Cars will often stop for us and wave us through. It is only a few yards to cross and we never wait more than one minute. I understand the goals of TAMC may be to get as many cars through Del Rey Oaks as fast as possible, but as a resident who can only leave my neighborhood by accessing Canyon Del Rey/HWY 218, I am naturally concerned about increased traffic.

- 9) Many have stated that FORTAG seems to be designed to benefit a vocal and active special interest group of bikers. I believe that Scott and Fred have good intentions, but IF the goal is to facilitate active transportation options to the local people, then **why isn't the focus on improving the bike lanes and sidewalks that already exist in higher density and/or lower income neighborhoods?** As a local Special Education Teacher I have regularly pushed people in wheelchairs through Seaside for Community-Based Instruction. I know first-hand about the conditions of the sidewalks and ramps. I also know how to adapt and alter my route to for the safest trip. FORTAG simply circles high density areas and will not create a direct route for most people to get to work or school. It is for recreation. As a DRO resident, our district assigned

school is Foothill Elementary, Colton Middle School, and Monterey High. FORTAG will NOT provide a path to our schools.

- 10) Finally, **the main reason there is so much opposition to the trail in our neighborhood is it simply isn't necessary.** We enjoy the current rugged, natural environment, and if we didn't, we probably wouldn't live here. Many homes on the Angelus side of 218 are built on steep hills, with steep driveways, and long stairways leading to the entrance to the house. The narrow dirt trail behind Safeway meets our needs. If money needs to be spent to meet our needs, then we would like to see improvements to 218...namely slower speeds, a lighted crosswalk at the Frog Pond, the current bike lanes maintained, and less traffic. Unfortunately none of these needs will be met with the proposed trail.

I hope that these concerns are taken seriously by all that are involved in this project. I do not know one person in the neighborhood surrounding Angelus Way who approves of this project. I am aware there are other route options (Via Verde, Plumas, etc) but please know that I am not promoting those routes since I do not live in those neighborhoods.

Thank you,

Cindy Hickey