



# Monterey County Board of Supervisors

## Board Order

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A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to:

### **Adopted Resolution No. 20-204 | Agreement No. 14761**

- 1) Certifying that Monterey County considered the Fort Ord Regional Trail and Greenway (FORTAG) Certified Environmental Impact Report;
- 2) Adopting a Mitigation Monitoring and Reporting Plan;
- 3) Approving the Master Agreement for the Fort Ord Regional Trail and Greenway (FORTAG) Project between and among the Transportation Agency for Monterey County; the County of Monterey; the Cities of Seaside, Marina, Monterey, and Del Rey Oaks; California State University Monterey Bay; University of California Santa Cruz; and Monterey Peninsula Regional Park District; and
- 4) Authorizing the Chair of the Board to execute the Agreement.

PASSED AND ADOPTED on this 16<sup>th</sup> day of June 2020, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting June 16, 2020.

Dated: June 16, 2020  
File ID: RES 20-098  
Agenda Item No.: 46.1

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

Joel G. Pablo, Deputy

*Before the Board of Supervisors in and for the  
County of Monterey, State of California*

In the matter of the application of:

**Fort Ord Regional Trail and Greenway (FORTAG)  
(28 miles of paved trails in and around the former Fort Ord)**

**RESOLUTION NO. 20 – 204 | Agreement No.**

Resolution by the Monterey County Board of Supervisors:

- 1) Certifying that the County considered the Environmental Impact Report (SCH# 2019060053) previously certified by the Transportation Agency for Monterey County for the Fort Ord Regional Trail and Greenways Project;
- 2) Adopting a Mitigation Monitoring and Reporting Plan
- 3) Approving the Master Agreement for the Fort Ord Regional Trail and Greenway (FORTAG) Project between and among the Transportation Agency for Monterey County; the County of Monterey; the Cities of Seaside, Marina, Monterey, and Del Rey Oaks; California State University Monterey Bay; University of California Santa Cruz; and Monterey Peninsula Regional Park District; and
- 4) Authorizing the Chair of the Board to execute the Agreement.

**The Fort Ord Regional Trail and Greenway (FORTAG) Project and EIR came on for public hearing before the Monterey County Board of Supervisors on June 16, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CEQA (Previously Adopted EIR)** – The Board of Supervisors has considered the Environmental Impact Report (SCH #2019060053) for the Fort Ord Regional Trail and Greenway (FORTAG) project that was previously certified by the Transportation Agency of Monterey County (TAMC) (hereinafter referred to as “the EIR”).  
**EVIDENCE:** a) A Final EIR (hereafter referred to as EIR) for the project was prepared by TAMC as lead agency under the California Environmental Quality Act (CEQA). TAMC certified the EIR on March 25, 2020. (See Draft Environmental Impact Report (“DEIR”) for the Fort Ord Regional Trail and Greenway project, which was circulated for public review from November 7, 2019 to January 3, 2020, and Final EIR (“FEIR”) for the FORTAG project (SCH#2019060053), dated April 2020. The EIR assessed the current environmental conditions and evaluated the environmental effects associated with the construction and operation of all project components, including 28 miles of new trails in the former Fort Ord area. The TAMC EIR analyzed a no project alternative, an increased use of existing roads alternative, a substitute crossings alternatives, and a frog pond wetland preserve northerly alignment alternative. TAMC approved the 28 miles of new trails project as

proposed, and it is that project before the County and the subject of the CEQA findings herein.

- b) The County is a responsible agency under CEQA due to the County’s permitting authority for some of the project elements that are within the unincorporated area of the County, including portions of the proposed trail alignment. As a responsible agency, the County’s role is more limited than a lead agency. The County has responsibility for mitigating or avoiding only the direct and indirect environmental effects of those parts of the project which it decides to “... approve.” (California Code of Regulations, Title 14 (CEQA Guidelines) sec. 15097(g).) The County has considered the environmental effects of the FORTAG project as analyzed in the EIR and has required all feasible mitigation measures within the County’s powers for the component of the FORTAG project within the County’s jurisdiction.
- c) The EIR includes mitigation measures that will reduce all impacts to a less than significant level. (See findings below.) TAMC adopted a Mitigation Monitoring and Reporting Plan with its decision on March 25, 2020. As a responsible agency, the County is adopting a Mitigation Monitoring and Reporting Program that requires TAMC to verify that all mitigation measures pertaining to the portions of the FORTAG project in the unincorporated area of the County are implemented.
- d) Issues that were analyzed in the EIR include: Aesthetics, Agricultural and Forestry, Air Quality, Biological Resources, Cultural Resource, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, Public Services, Transpiration/Traffic, Tribal Cultural Resources, Utilities and Services, Wildfire, and Mandatory findings.

2. **FINDING:**

**CEQA (NO SUPPLEMENTAL OR SUBSEQUENT EIR IS**

**NEEDED).** The Board of Supervisors finds that no Supplemental or Subsequent EIR is required pursuant to Public Resources Code Section 21166 and CEQA Guidelines, Sections 15162 or 15163 since adoption of the Final EIR. Pursuant to Public Resources Code section 21166, “no subsequent or supplemental environmental impact report shall be required by the lead agency or by the responsible agency” unless major revisions of the EIR are required due to substantial changes in the project or substantial changes in circumstances or “new information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.”

- a) There have not been any substantial changes to the project which require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects. The EIR analyzed the proposed trail alignment including several alternative crossing designs for the project that is being considered by the County.
- b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect.

- c) No new information of substantial importance has been presented, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, that shows any of the following: that “the project will have one or more significant effects not discussed in the previous EIR”; that significant effects previously examined in the EIR “will be substantially more severe than previously shown in the previous EIR”; that “mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative”; or that “mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.” (CEQA Guidelines section 15162.) A Final EIR was adopted by TAMC on March 25, 2020.

3. **FINDING:**

**CEQA: EFFECTS WITH NO IMPACT OR LESS THAN**

**SIGNIFICANT IMPACT** – The FEIR found that construction of the FORTAG project will have no impact or less than significant impacts on the areas listed below and fully detailed in the FEIR.

- a) Detailed evaluation was not necessary for all environmental checklist items as discussed in the EIR. Items that were determined not to be significant are discussed in Section 4.18 of the DEIR, Effects Found Not to be Significant include mineral resources, population and housing, and recreation, as well as one significance criteria for geology and soils.
- b) The following impacts, fully detailed in the FEIR, would be less than significant:

Aesthetics:

- Impact AES-2. The project would not substantially damage scenic resources within a state scenic highway or any route proposed locally for scenic corridor designation. This impact would be less than significant.

Agricultural and Forestry Resources:

- Impact AG-2. The project would not conflict with existing zoning for agricultural use or a Williamson Act contract. This impact would be less than significant.
- Impact AG-3. The project would not conflict with zoning for, or cause rezoning of, forest land or timberland. Some loss of forest land could occur, but compliance with existing regulations would limit impacts to a less than significant level.

Air Quality:

- Impact AQ-1. The project would not conflict with or obstruct implementation of the adopted MBARD AQMP. This impact would be less than significant.
- Impact AQ-2. The project would not result in a cumulatively considerable net increase of any criteria pollutant. This impact would be less than significant

- Impact AQ-3. The project would not expose sensitive receptors to substantial pollutant concentrations. This impact would be less than significant.

Biological Resources:

- Impact BIO-4. The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. This impact would be less than significant.
- Impact BIO-5. Implementation of the proposed project may conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This impact would be less than significant.
- Impact BIO-6. The proposed project would potentially conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. This impact would be less than significant.

Cultural Resources:

- Impact CUL-1. The project would not cause substantial adverse change in the significance of a historical resource. Impacts would be less than significant.
- Impact CUL-3. The project may disturb human remains, including those interred outside of formal cemeteries. Impacts would be less than significant.

Energy:

- Impact E-1. The project would not result in the unnecessary, inefficient, or wasteful use of energy. This impact would be less than significant.
- Impact E-2. The proposed project would not conflict with state or local plans for renewable energy or energy efficiency. This impact would be less than significant.

Geology and Soils:

- Impact GEO-3. The project may result in substantial soil erosion or the loss of topsoil during construction and operation. However, state and local regulations would require implementation of sediment and erosion control. Impacts would be less than significant.
- Impact GEO-4. FORTAG would not exacerbate the existing risk to life or property resulting from expansive soils because the proposed alignment would not overlay soils with a high expansion potential. Impacts would be less than significant.

Greenhouse Gas Emissions:

- Impact GHG-1. The project would not generate new, ongoing sources of GHG emissions that would have a direct or indirect significant impact on the environment. This impact would be less than significant.

- Impact GHG-2. The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. This impact would be less than significant.
- Impact GHG-3. The project would not expose people or structures to substantial risk of loss, injury, or death from projected sea level rise, storm flooding, or fire risk. This impact would be less than significant.

Hazards and Hazardous Materials:

- Impact HAZ-2. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school serving children between kindergarten and 12th grade. Impacts would be less than significant.
- Impact HAZ-5. The project would not substantially alter any roadways such that emergency evacuation would be impaired. Impacts would be less than significant.

Hydrology and Water Quality:

- Impact HYD-2. The project would not deplete groundwater supplies or substantially interfere with groundwater recharge. This impact would be less than significant.
- Impact HYD-5. Trail users may be subject to the release of pollutants by tsunami or seiche, but the project would not exacerbate the risk of inundation by tsunami or seiche compared to existing conditions. This impact would be less than significant.

Land Use and Planning:

- Impact LU-1. The FORTAG alignment would not physically divide an established community. Impacts would be less than significant.

Noise:

- Impact N-2. Operation of the project would not expose persons to or generate excessive noise levels. This impact would be less than significant.
- Impact N-3. The project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels. This impact would be less than significant.
- Impact N-4. The project would not expose people residing or working in the project area to excessive noise levels from aircraft. This impact would be less than significant.

Public Safety and Services:

- Impact PS -2. The project would not result in the need for the construction of new or additional school or library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Impacts would be less than significant.
- Impact PS -3. The project would not result in the need for the construction of new or additional park facilities, nor the

degradation of existing facilities. Impacts would be less than significant.

- Impact PS - 4. The project would not result in the need for the construction of new or additional health service facilities, nor the degradation of existing facilities. Impacts would be less than significant.

Transportation:

- Impact T -1. The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant.
- Impact T -2. The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts would be less than significant.
- Impact T -3. FORTAG would not substantially increase hazards due to geometric design features or incompatible uses. Impacts would be less than significant.
- Impact T -4. FORTAG would not result in inadequate emergency access. Impacts would be less than significant.

Utilities and Services Systems:

- Impact UTIL-1. The project would not require or result in relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities, and would not generate water or wastewater treatment demand in excess of existing supplies. Impacts would be less than significant.
- Impact UTIL-2. The project would not generate solid waste in excess of local landfill capacity, and would comply with applicable regulations. This impact would be less than significant.

Wildfire:

- Impact WFR-1. FORTAG would be located in areas classified as very high fire hazard severity zones, but implementation and operation of FORTAG would not substantially impair the execution of adopted emergency response or evacuation plans. Impacts would be less than significant.
- Impact WRF-3. FORTAG would increase the presence of people in areas designated as High and Very High Wildfire Hazards, but would not expose people or structures to significant wildfire risks. Therefore, impacts would be less than significant.

As described in the EIR for the FORTAG project, the project has been found to have less than significant effects on the above listed environmental topics without the need for mitigation. The County concurs.

- c) Final EIR (“FEIR”) for the FORTAG project, certified by TAMC on March 25, 2020.

4. **FINDING:** **EIR-ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT** - The EIR identified potentially significant impacts to Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Safety and Services, Tribal Cultural Resources, and Wildfire. Changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the potentially significant environmental effects of the FORTAG trail construction and operation as identified in the Final EIR. For each potential impact summarized below, the mitigation measures are identified that reduce that potential impact to less than significant. (For full text of the referenced mitigation measure, see the MMRP, attached hereto as Attachment 2.)

- EVIDENCE:**
- a) Aesthetics. The proposed project would potentially have an adverse effect on Aesthetics.
- Impact AES-1. The project would have a substantial adverse effect on a scenic vista where overcrossing and undercrossing components are installed. This impact would be less than significant with incorporation of Mitigation AES-1. Mitigation Measure AES-1 generally requires the design of all overcrossings and undercrossings to be compatible with the surrounding landscape.
  - Impact AES-3. The proposed retaining walls, undercrossings, overcrossings, and Trail amenities could change the visual character of the public views of the site where the trail alignment is in non-urbanized areas, potentially causing significant impact. In urban/suburban areas, the project would not conflict with applicable zoning, and would support goals and policies in adopted general plans; where no regulation or guidance is in place, the project would be subject to the mitigation measures AES-1 and AES-3. Overall, the impact would be less than significant with incorporation of mitigation measures AES-1 and AES-3 incorporated. Mitigation AES-1 is described above. Mitigation Measure AES-3 generally requires any amenities, shade structures, kiosks, and other ancillary structures to be designed to be compatible with the natural environment or surrounding community character.
  - Impact AES-4. Potential new lighting in some FORTAG segments could adversely affect nighttime views or create glare hazards. This impact would be less than significant with incorporation of Mitigation Measure AES-4. Mitigation Measure AES-4 generally requires dark sky compliant lighting for all Trail lighting, except where the Trail crosses existing roadways and shielded safety lighting is necessary to eliminate conflict zones with vehicles.
- b) Agriculture and Forestry Resources. The proposed project would potentially have an adverse effect on Agriculture and Forestry Resources.



- Impact AG-1. The project would convert Important Farmland to non-agricultural use if a design option is selected for the Northern Marina segment. This impact would be less than significant with incorporation of mitigation measure AG-1. Mitigation Measure AG-1 generally requires that prior to issuance of grading permits for any of the Northern Marina segment alignment design options, that for every 1.0 acre of FMMP Important Farmland (Prime Farmland, Unique Farmland, and Farmland of Statewide Importance) that would be converted to non-agricultural use as a result of Trail development, 1.0 acre of land of comparable agricultural productivity shall be preserved in perpetuity.
  - Impact AG-4. Trail construction and use could adversely affect agricultural operations within 50 feet of the Trail. This impact would be less than significant with incorporation of mitigation measure AG-4. Mitigation Measure AG-4 generally requires: (a) implementation of measures during construction to reduce potential conflicts between construction-related activities and agricultural operations; (b) That wherever the Trail is constructed within 50 feet of agricultural fields, fencing shall be installed between the Trail and adjacent agricultural operations; and (c) That once the Trail is open for public use, the implementing entity shall ensure that solid waste is collected from trash receptacles on a reasonable, periodic basis to ensure that the trash and recycling receptacles located along the Trail do not overflow.
  - Impact AG-5. Agricultural operations could adversely affect Trail users, which may result in conflicts with agricultural operations. This impact would be less than significant with incorporation of Mitigation Measure AG-4 described above.
- c) Air Quality. The project would potentially result in significant impacts to Air Quality.
- Impact AQ-4. The project would potentially create objectionable odors affecting a substantial number of people. This impact would be less than significant with incorporation of mitigation measure AQ-4. Mitigation Measure AQ-4 generally requires that trail construction include installation of dog waste disposal bag dispensers with a waste receptacle at every amenity area where trash cans are provided.
- d) Biological Resources. The EIR identified potentially significant impacts related to biological resources.
- Impact BIO-1. The proposed project would have a substantial adverse effect on species identified as a candidate, sensitive, or special status. Impacts would be less than significant with mitigation BIO-1 incorporated. Mitigation Measure BIO-1 generally requires (a) Prior to issuance of grading permits for each individual segment, surveys for special status plants shall be completed in all natural vegetation communities and in undeveloped areas (including ruderal, and non-native habitats);

(b) If federally and/or state listed or CRPR List 1B or 2 species are found during special status plant surveys [pursuant to Mitigation Measure BIO-1(a)], and listed species would be directly and/or indirectly impacted, or there would be a population-level impact to non-listed species, then the Trail shall be re-aligned within the study area to avoid impacting those plant species where and if feasible; (c) If federally and/or state listed plants or nonlisted special status plant populations [or sensitive natural communities or waters of the U.S. and/or State; see Mitigation Measures BIO-2(b) and BIO-3(b), respectively] cannot be avoided and will be impacted by development of the proposed project, all impacts shall be mitigated by the implementing entity at a minimum ratio of 1:1 for occupied habitat area as a component of habitat restoration or through compensatory mitigation; (d) Pre-construction clearance surveys for northern California legless lizard, coast horned lizard, two-striped garter snake, western pond turtle and American badger shall be conducted within 14 days prior to the start of construction (including staging and mobilization) in areas of suitable habitat; (e) Ground disturbance and vegetation removal activities shall be restricted to the non-breeding season for nesting birds (September 16 to January 31) for all segments when feasible; (f) implementation of avoidance measures; (g) If California tiger salamander habitat cannot be avoided, the implementing entity shall preserve off-site suitable upland habitat and/or purchase credits at an approved conservation bank as compensatory mitigation to offset impacts to suitable California tiger salamander upland habitat; (h) Prior to initiation of construction activities (including staging and mobilization) the implementing entity shall arrange for all personnel associated with project construction to attend WEAP training, conducted by an approved biologist, to aid workers in recognizing special status resources that may occur in the construction area; (i) A qualified biological monitor shall be present for all ground clearing and vegetation removal in areas of natural vegetation within all segment; (j) Implement wildlife avoidance measures.

- Impact BIO-2. The proposed project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. Impacts would be less than significant with mitigation BIO-2 incorporated. Mitigation Measure Bio-2 generally requires: (a) avoidance measures for sensitive natural communities; (b) development and Implementation of a Biological Resources Mitigation and Management Plan for Impacts to Biological Resources Resulting from Trail Construction and Operation; (c) Implementation of Best Management Practices during Construction; and (d) Implementation of an Invasive Weed Prevention and Management Program.

- Impact BIO-3. The proposed project would result in impacts to State or Federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Impacts would be less than significant with mitigation BIO-3 incorporated. Mitigation Measure BIO-3 applies to the segment of the Trial along Canyon Del Rey and route 218 and is not within the jurisdiction of the County of Monterey.
- e) Cultural Resources. The project would potentially result in significant impacts to cultural resources.
- Impact CUL-2. The project may cause a substantial adverse change in the significance of an archaeological resource. Impacts would be less than significant with mitigation CUL-2 incorporated. Mitigation Measure CUL-2 generally requires Archaeological Monitoring during Construction.
- f) Geology and Soils. The project would potentially result in significant impacts related to Geology and Soils.
- Impact GEO-1. The project may exacerbate the exposure of people to seismic hazards by constructing overcrossings and undercrossings that could increase risks from seismic ground shaking. Impacts would be less than significant with mitigation GEO-1 incorporated. Mitigation Measure GEO-1 generally requires Design-level Geotechnical Investigation and Implementation of Geotechnical Recommendations in construction.
  - Impact GEO-2. The project may exacerbate public exposure to liquefaction or landslide hazards which may cause substantial adverse effects. Impacts would be less than significant with mitigation GEO-1 implemented. Mitigation Measure GEO-1 is described above.
  - Impact GEO-5. Ground disturbing activities during project construction may directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Impacts would be less than significant with mitigation GEO-5 incorporated. Mitigation Measure GEO-5 generally requires development and implementation of a paleontological mitigation plan.
- g) Hazards and Hazardous Materials. The project would potentially result in significant impacts to Hazards and Hazardous Materials.
- Impact HAZ-1. Implementation of the project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials specifically related to agriculture. Impacts would be less than significant with mitigation AG-4 (a) and (b) incorporated. Mitigation Measure AG-4 is described in Evidence b above.
  - Impact HAZ-3. Ground disturbance during project construction could release existing soil contaminants and expose construction personnel and the public to health hazards. Impacts would be less than significant with mitigation HAZ-3 incorporated. Mitigation Measure HAZ-3 generally requires: (a) Soil Sampling

and Implementation of Necessary Remediation measures; (b) Preparation and implementation of a Soil Management Plan; and (c) Records Search for Residual Soil and Groundwater Contamination along Canyon Del Rey (subsection (c) of this mitigation is not within the County of Monterey Jurisdiction).

- Impact HAZ-4. The project is located within two miles of the Marina Municipal Airport and Monterey Regional Airport and may result in safety hazards for recreational users. Impacts would be less than significant with mitigation HAZ-4 incorporated. Mitigation Measure HAZ-4 generally requires Installation of Airport Noticing and Fencing Prior to Operation of the trail.
- h) Hydrology and Water Quality. The project would potentially result in significant impacts to hydrology and water quality.
- Impact HYD-1. The project may result in an increase of pollutant discharges to waters of the state. this impact would be less than significant with mitigation HYD-1 incorporated. Mitigation Measure HYD-1 generally requires: (a) Preparation of an Accidental Spill Control Plan and Conducting Environmental Training prior to Construction; (b) maintenance of Vehicles and Equipment During Construction; (c) Conducting Design-Level Drainage Analysis Prior to Construction, and Implementation of Identified Measures to Minimize Runoff During Construction; and (d) Preparation of a Stormwater Control Plan Prior to Construction and Implementation of Identified Stormwater Control Measures.
  - Impact HYD-3. The project would alter drainage patterns in the project corridor, which may impact water quality. This Impact would be less than significant with mitigation HYD-1 incorporated. Mitigation Measure HYD-1 is described above.
  - Impact HYD-4. The project would alter drainage patterns in the project corridor, which may impact Flood Flows. This impact would be less than significant with mitigation Impact HYD-4. The project would alter drainage patterns in the project corridor, which may impact Flood Flows. This impact would be less than significant with mitigation HYD-1 incorporated. Mitigation Measure HYD-1 is described above.
  - Impact HYD-6. The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. This impact would be less than significant with mitigation HYD-1 incorporated. Mitigation Measure HYD-1 is described above.
- i) Land Use and Planning. The project would potentially result in significant impacts concerning land use and planning.
- Impact LU-2. With implementation of mitigation measures identified in this EIR, FORTAG would not cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be

potentially significant but mitigable with implementation of all the mitigation measures applicable to the project.

- j) Noise. The project would potentially result in significant impacts to Noise.
  - Impact N-1. Construction of the project would potentially expose persons to or generate excessive noise levels. This impact would be less than significant with mitigation N-1 incorporated. Mitigation Measure N-1 generally requires implementation of Noise-Reducing Measures for Pile Driving or Drilling Activities.
- k) Public Safety and Services. The project could result in impacts concerning public safety and services.
  - Impact PS-1. The project would not result in adverse physical impacts associated with the need for additional emergency services and fire protection to maintain acceptable service ratios or response times. However, public concerns for safety on the Trail may result in increased calls for police protection services. Impacts would be less than significant with mitigation PS-1 and AG-4 incorporated. Mitigation Measure A-4 is described in evidence (b) of this finding. Mitigation Measure PS-1 generally requires that Adequate Police Monitoring and Safety Provisions for Each Portion of the FORTAG Alignment are provided.
- l) Tribal Cultural Resources. The project could result in impacts concerning tribal cultural resources.
  - Impact TCR-1. The project may cause a substantial adverse change in the significance of a previously unknown or unidentified tribal cultural resource. Impacts would be less than significant with mitigation TCR-1 incorporated. Mitigation Measure TCR-1 generally requires monitoring of construction by a Native American monitor.
- m) Wildfire. The project could result in impacts concerning Wildfire.
  - Impact WFR-2. FORTAG would be located in areas classified as very high fire hazard severity zones, but implementation and operation of FORTAG would not exacerbate wildfire risks with adherence to applicable firebreak maintenance standards. Impacts would be less than significant with mitigation GEO-1 incorporated. Mitigation GEO-1 is described under the Geology and Soils evidence above.
- n) The evidences provided above include a summary of impacts and mitigation measures. For the full text of the impact analysis refer to the EIR and for the full text of mitigation measures refer to the attached Mitigation Monitoring and Reporting Program (MMRP).
- o) Final EIR for the FORTAG project certified by TAMC on March 25, 2020.
- p) Implementation of Mitigation Measures applicable to the portions of the FORTAG trail in the unincorporated areas of Monterey County are required as shown in Attachment 2.

5. **FINDING:** **EIR-CUMULATIVE IMPACTS MITIGATED TO LESS THAN SIGNIFICANT** – The EIR identified cumulative impacts for each resource topic or section. There were no significant cumulative effects identified beyond those addressed in Finding 4 above. (For full text of the referenced mitigation measure, see the MMRP, attached hereto as Attachment .)

- a) Final EIR for the FORTAG project certified by TAMC on March 25, 2020.

6. **FINDING:** **EIR-ENVIRONMENTAL IMPACTS NOT MITIGATED TO LESS THAN SIGNIFICANT** –The FORTAG project would not result in significant and unavoidable impacts. Mitigation measures have been incorporated into the project to reduce all impacts to a less than significant level. TAMC or an implementing entity acting on behalf of TAMC are responsible for complying with the mitigations contained in Attachment 2 to this resolution. As such, no overriding considerations are required in certifying the EIR and approving the FORTAG project.

- a) Final EIR for the FORTAG project certified by TAMC on March 25, 2020.

7. **FINDING:** **EIR-CEQA ALTERNATIVES TO THE PROPOSED PROJECT -** The EIR considered several alternatives to the proposed project in compliance with CEQA Guidelines Section 15126.6. Alternative 1, the no project alternative was identified as the Environmentally Superior Alternative. If the environmentally superior alternative is the No Project alternative, CEQA requires the EIR shall also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6). Alternative 2, the existing roadway alignment, was selected as the superior alternative other than the no project alternative. The EIR considered alternatives described below and as more fully described in the FEIR.

- EVIDENCE:**
- a) Alternative 1 - No Project Alternative. The No Project alternative involves the FORTAG corridor remaining in present day conditions. There would be no new 28-mile trail; no new undercrossings, overcrossings, raised pathways, or roundabouts; and no improvements to existing, informal parking areas. It is expected that existing parking areas and trails in the area (i.e., outside of and crossing through the project corridor) would continue to be used as they currently have been by people accessing portions of the former Fort Ord, including mountain bikers and equestrians. The No Project Alternative does not meet the Project goals and objectives and is not a feasible alternative.
  - b) Alternative 2- Existing Roadway Alignment: The Increased Use of Existing Roadways alternative would modify the alignment to reduce impacts to natural resources, primarily sensitive habitat, by increasing the use of existing roadways in select areas of the FORTAG corridor. As a result, the following specific areas on the FORTAG alignment would be modified:
    - In the Northern Loop segment, north of the Marina Municipal Airport, the alignment would be modified to follow an existing

unnamed road and an existing unpaved trail for approximately 0.5 mile to avoid impacts to habitat adjacent to the Salinas River.

- In the northern portion of the National Monument Loop segment, near the Central Coast Veterans Cemetery, the alignment would be modified to utilize an existing unpaved trail for approximately 0.8 mile to minimize impacts to habitat in this area by increasing utilization of existing paths.
- In the southern portion of the National Monument Loop segment, the alignment would be modified to utilize more existing roadways and trails, eliminating multiple curves in the trail by utilizing existing disturbed roads and trails to minimize impacts to natural habitat in the area.
- The Canyon Del Rey/SR 218 segment east of Fremont Boulevard would be eliminated and replaced with an alignment that would follow the PG&E easement on Plumas Avenue in the City of Seaside from Fremont Boulevard on the west to General Jim Moore Boulevard on the east. This modification would eliminate impacts to the Frog Pond Wetland Preserve and natural habitat east of General Jim Moore Boulevard, as well as community concerns regarding the Trail alignment through the City of Del Rey Oaks and the Frog Pond property.
- The Ryan Ranch segment would be eliminated to avoid impacts to habitat in the area and reduce the overall level of disturbance. This alternative would total 22.7 miles, which equates to an 18 percent reduction in the miles provided under the proposed FORTAG alignment.

This alternative would still serve pedestrians and bicyclists of all abilities and provide equestrian paths in select areas, but would eliminate some features of the trail, such as entry into certain scenic areas. Alternative 2 would technically meet all of the project's objectives. However, objectives 2, 3, and 7 would be met to a lesser extent than the proposed project. By eliminating the Ryan Ranch segment and routing more of the trail along roadways, Alternative 2 would provide less connections between communities, employment centers and open space, and would provide a less scenic trail experience.

- c) Alternative 3 – Substitute Crossings. The Substitute Crossings alternative would modify the alignment to reduce aesthetic and noise impacts by eliminating the proposed overcrossings at Blanco Road in the Northern Loop segment and at Imjin Road in the CSUMB Loop North segment. The alignment at Blanco Road and at Imjin Road would extend adjacent to the existing roadways to the nearest at-grade intersection crossing: at Reservation Road/Blanco Road and at 8th Street/Imjin Road, respectively. Alternative 3 would also adjust the alignment at the South Boundary Road crossing within the Ryan Ranch segment, approximately 1,760 feet east of the South Boundary Road and General Jim Moore Boulevard intersection (compared to approximately 1,400 feet east for the proposed project). The South

Boundary Road crossing under Alternative 3 would connect to an existing, unofficial trailhead on the south side of South Boundary Road before connecting to the westerly remainder of the Ryan Ranch segment. Alternative 3 would reduce some impacts associated with overcrossing construction, such as noise and geology/soils impacts. Alternative 3 would technically meet all of the project objectives but would result in additional safety concerns in comparison to the proposed project due to trail users needing to cross roadways at-grade, rather than via separated overcrossings.

- d) Alternative 4 - Frog Pond Wetland Preserve Northerly Alignment. The Frog Pond Wetland Preserve Northerly Alignment alternative would modify the portion of the alignment extending through the Frog Pond Wetland Preserve, so it follows the existing trail through the northern portion of the Frog Pond, rather than the existing trail through the southern portion. From SR 218, the Alternative 4 alignment around the Frog Pond would extend northeast, roughly parallel to and approximately 270 feet east of the Carlton Drive cul-de-sac, before crossing General Jim Moore Boulevard. This alignment would primarily follow the existing trail through the Frog Pond, but to the north and east toward General Jim Moore Boulevard, rather than to the east and then north, as with the proposed project. The purpose of this alternative is to reduce impacts to the Frog Pond by minimizing loss of wetlands. Alternative 4 would meet all project objectives. However, Alternative 4 would route the trail closer to nearby residences to the north of the Frog Pond, which would increase the potential for conflicts between trail users and residents in that area.
- e) Alternative 5: South of Frog Pond Caltrans Right-of-Way Alignment. The South of Frog Pond Caltrans Right-of-Way Alignment alternative would modify the portion of the alignment extending through the Frog Pond so that it aligns the trail to the southern-most edge of the Frog Pond into the Caltrans SR 218 right-of-way rather than following the existing trail through the southern portion of the Frog Pond. The purpose of this alternative is to avoid placing the trail in the Frog Pond while maintaining a connection between the SR 218 undercrossing on the west and the General Jim Moore Boulevard undercrossing and Natural Expansion Area to the east. Alternative 5 would meet all project objectives, but with additional impacts to be mitigated.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Board of Supervisors does hereby **RESOLVE TO:**

1. Certify that the County considered the Environmental Impact Report (SCH# 2019060053) previously certified by the Transportation Agency for Monterey County for the Fort Ord Regional Trail and Greenways Project (Attachment 1);
2. Adopt a Mitigation Monitoring and Reporting Plan which is attached hereto as Attachment 2 and incorporated herein by reference;
3. Approve Master Agreement for the Fort Ord Regional Trail and Greenway (FORTAG) Project between and among the Transportation Agency for Monterey County; the County of Monterey; the



Cities of Seaside, Marina, Monterey, and Del Rey Oaks; California State University Monterey Bay; University of California Santa Cruz; and Monterey Peninsula Regional Park District, and

4. Authorize the Chair of the Board to execute the Agreement.

PASSED AND ADOPTED on this 16<sup>th</sup> day of June 2020, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting June 16, 2020.

Dated: June 16, 2020

File ID: RES 20-098

Agenda Item No.: 46.1

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California



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Joel G. Pablo, Deputy

**ATTACHMENT 1**

**The Final Environmental Impact Report (EIR) for the Fort Ord Regional Trail and Greenway (FORTAG) Project can be found at the following link:**

<https://www.tamcmonterey.org/wp-content/uploads/2020/03/FORTAG-Final-EIR.pdf>

**ATTACHMENT 2**

**The Fort Ord Regional Trail and Greenway (FORTAG) Project Adopted Mitigation Monitoring and Reporting Plan (MMRP) can be found at the following link:**

[https://www.tamcmonterey.org/wp-content/uploads/2020/03/App-H\\_Mitigation-Monitoring-and-Reporting-Program.pdf](https://www.tamcmonterey.org/wp-content/uploads/2020/03/App-H_Mitigation-Monitoring-and-Reporting-Program.pdf)