



COMMITTEE FOR
GREEN FOOTHILLS

August 19, 2019

Dear Mayor Scharf, Vice Mayor Chao and Cupertino City Council Members,

The undersigned local environmental organizations have long been concerned about the development of trails along Santa Clara County creeks. Our concerns stem from the inherent conflict between providing access to nature and the intrusion into riparian zones that provide remnant habitat and movement linkages for wildlife. More recently, the use of creekside trails as commute corridors exacerbated the impact on animals, including amphibians, reptiles, birds and mammals, and on native riparian vegetation.

In 2017 we sent the attached letter to Valley Water explaining our concerns protecting wildlife habitat and migration corridors as creek-side trails are developed. While we are supportive of providing access for passive recreation in nature, our letter highlighted that not all creek segments are created equal, and some areas must be protected. We requested that Valley Water protect creeks and riparian habitats from excessive trail development and to consider trail connections along streets where such delineation is safe, especially when delineation along streets can also facilitate green infrastructure improvements.

Many of the recommendations we provided to the Valley Water are relevant to Cupertino's Regnart Creek Trail project as follows.

- **Distance trails development from creek corridors**

The creek and its setback area are narrow and constricted between fences. Creek corridors like this one, even when degraded, provide connectivity and refuge for wildlife without conflict with human activities. Current maintenance activities are not frequent, but the proposed Regnart Creek Trail would be constructed directly at the top of the bank and impact the habitat that currently provides some value to wildlife, especially for movement through the developed landscape.

- **Place new trail connections away from narrow and sensitive creek corridors, using city streets instead. Facilitate the enhancement of green storm water infrastructure and urban forest along the streets.**

There is a feasible, safe and preferable on-street alternative for trail connectivity for this narrow segment of the creek corridor. There is ample room for safe bike routes on surface streets in this area. La Mar Drive, S. Blaney Ave, and Rodrigues Ave can provide a convenient trail connection parallel to Regnart Creek along this segment for a fraction of the cost of the proposed trail on creek bank. These streets are wide enough to incorporate enhanced bike lanes and are already designated as a Safe Route to Schools. Benefits such as traffic calming, carbon capture, stormwater quality improvements, groundwater recharge, and beautifying of streets can be achieved by incorporating green stormwater infrastructure into the design for bike lanes, and including shade trees in the plans.

- **Minimize the number of new bridges**

The construction and use of bridges increase the impact of trails on riparian corridor habitat and the need for disruptive maintenance activities. The Regnart Creek Trail project requires two bridges.

- **Use riparian corridors to enhance riparian forests, wildlife linkages and pollinator corridors**

This would be a step forward towards the implementation of the Draft Park Master Plan Goal 1, Conservation:

- MP1 Protect nature, trees and natural areas in parks and throughout the city to support wildlife, ecological functions and a stronger connection to Cupertino's natural environment.
 - 1.B Manage meadows, natural areas, wildlife habitat and creeks within City jurisdiction to maintain and restore ecological health and function.
 - Foster natural systems by creating pollinator pathways through the city, taking advantage of rights-of-way to create a gridded network of habitat within the urban core of Cupertino.
 - 1.B Manage meadows, natural areas, wildlife habitat and creeks within City jurisdiction to maintain and restore ecological health and function.
 - Implement or support work by others to remove invasive species, address bank erosion, enhance habitat value, and improve water quality and flood capacity to enhance the ecological function along **Regnart**, Calabazas, Heney, Stevens, Permanente and Saratoga Creeks, Junipero Serra Channel, and open space parcels (emphasis added).

We understand that City planners are preparing a Mitigated Negative Declaration for the project. We believe that an Environmental Impact Report should be prepared if the City

chooses to persist in pursuing efforts to develop the trail, if only for the level of controversy and the many concerns brought up by the Santa Clara Valley Water District (see attached). An EIR would allow analytical consideration of alternatives (including a street delineation) and a complete assessment of the impacts of the design and the activities in and near Regnart creek, by the public and by Valley Water. It would also allow much needed review by pertinent regulatory agencies such as the Regional Water Quality Control Board and the California Department of Fish and Wildlife.

We strongly urge you to pursue an alternative outside of the creek corridor and, to the largest extent possible, restore the creek riparian ecosystem instead. This would allow Cupertino to provide the community with a sustainable, safe, biologically sensitive and fiscally responsible trail connection.

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Attachments:

- Letter from Environmental Groups to the Valley Water, January 2017
- Valley Water letter to the City of Cupertino, August 2018