



May 20<sup>th</sup>, 2019

Re: COYOTE CANYON NATURAL RESOURCES MANAGEMENT PLAN & INTERIM ACCESS PLAN DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Dear Ms. Orange

The Sierra Club Loma Prieta Chapter and Santa Clara Valley Audubon society are environmental organizations with thousands of members in Santa Clara County. Our members enjoy our County's parks and open space, and care deeply about access as well as the protection of our fauna and flora. We thank you for the opportunity to provide comment on the Initial Study and Mitigated Negative Declaration for the Coyote Canyon Natural Resources Management Plan and Interim Access Plan draft

#### I. GRAZING

We wish to express our concern that as proposed, grazing at this park will have pervasive and permanent impacts to the environment. We disagree with the statement,

- The Proposed Project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels or threaten to eliminate a plant or animal community. p. 2"

We believe that this statement is not supported by evidence in the Plan and the IS/MND.

In light of the degradation of waterways and wetlands in Coyote Lake County Park (see Photos 1-3), we are concerned that similar degradation will be the fate of wetlands in Coyote Canyon.



Figure 1: Waterways and wetland degradation, Coyote Lake County Park, Fall 2018

Figure 2: Waterways and wetland degradation, Coyote Lake County Park, Fall 2018



Figure 3: Waterways and wetland degradation, Coyote Lake County Park, Fall 2018

### **Proposed fencing sever wildlife movement corridors**

Five-strand barbed and low wires are dangerous to wildlife and inhibit native animal movement as shown by the death of a fawn caught in fencing, Figure 4. In 2013, the Santa Clara County Board of Supervisors required a planned community (Coyote Highlands) on this property to construct only wildlife friendly fencing to allow free movement for wildlife and access to creeks and water. This project should be held to the same standard – all new or replacement fencing should be permeable to wildlife.



Figure 4: Carcass of a deer that appears to have been caught in 5 strand barbed wire fence.

**Cattle Grazing can severely degrade habitat value for wildlife and cannot be dismissed as “No Impact” or assume that mitigation is feasible** (Section D, Biological Resources, items 1-10)

There is ample scientific evidence showing that cattle grazing can harm wildlife habitat (especially creeks, springs, wetlands and wet meadows) and prevent regeneration and rehabilitation of these landscape features. Cattle grazing also prevent regeneration of oak woodland habitat. The Figures included in this document show this impact clearly.

Indeed, studies of restoration of wet meadows focus on reducing or eliminating grazing, "*Ammon and Stacey, for example, found that long-term (~30 year) protection of a riparian meadow from grazing resulted in a substantial recovery of willows (Salix spp.) and greater vertical*

vegetational diversity as opposed to a portion of the same meadow that is still subject to grazing."<sup>1</sup>

Grazing can suppress oak and scrub regeneration as well, "Given the potential impact of reduced recruitment on adult populations, modifying rangeland management practices to reduce cattle grazing pressure seems to be an important intervention to maintain Mediterranean oak woodlands."<sup>2</sup> See Figure 5.



Figure 5: Scrub and oak regeneration can be suppressed by grazing as shown with this example of Coyote Bush. Grazing occurs in the background beyond the fence versus the lack of grazing in the foreground side of the fence.

We maintain that protection of animal movement and wildlife habitat must be paramount and the benefit of all native species must be considered, not only species of special concern. The project should provide and implement specific mitigation measures that avoid degradation similar to what we witnessed in Coyote Lake County Park, which is highly overgrazed, with significant impact to water quality, plants, and animals.

The IS and management plan state, "The Policy's goals to guide the management program include the following considerations: ... Considering the effects of grazing on sensitive habitats..." and, "grazing is currently limited primarily to areas of the Property located southwest of Anderson Reservoir and Coyote Creek due to steep slopes and a lack of fencing to the northeast". The IS and Management Plan recommend keeping cattle away from Coyote Creek (Pp. 101). Also, because "much of the Property lacks developed sources of livestock

<sup>1</sup> "Have wet meadow restoration projects in the Southwestern U.S. been effective in restoring geomorphology,

<sup>2</sup> "Effects of Cattle Management on Oak Regeneration in Northern Californian Mediterranean Oak Woodlands", <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0105472>

water, forcing livestock to utilize sensitive ponds, springs, creeks, and drainages for water” (Pp. 104) “new fencing and water sources are recommended.”

Clearly, the property is not suitable for grazing unless water resources are taken away from native biological resources (fauna and flora) to instead benefit cattle.

**Unless the protection of seeps, springs, wetland and wet meadows and the regeneration of these habitats and oak woodlands are included as mitigation measures, found to be feasible, and provided budget for implementation, a finding that there will be no permanent significant and unavoidable damage to biological resources cannot be made.**

We ask for a Policy and a published Monitoring Plan and monitoring reports that measure biological effectiveness in protecting native plant diversity and cover, biological diversity in seeps, wetlands, and creeks, oak recruitment, fine fuel height, rare animal and plant species, or other measures related to grazing targets where those targets are based on conserving biological diversity and enhancing habitat for wildlife.

Monitoring data should be available to show that grazing on these lands has increased biological diversity, oak regeneration rates are increasing, and riparian forests and wetlands species are regenerating. Moreover, cattle grazing fee rates need to be adjusted to ensure that the public-trust resources are being appropriately valued and protected.

Specifically, we believe that grazing practices should include the following mitigation measures:

Require appropriate infrastructure to be in place before a cattle grazing contracts are signed or renewed

- Protect water sources for wildlife
- Restrict cattle access to sensitive habitats to protect riparian, seeps, springs and wetland habitat from livestock grazing and trampling
- Maintain residual dry matter (RDM) levels optimal for wildlife
- Use wildlife-friendly fences
- Maintain residual dry matter (RDM) levels optimal for wildlife
- Prioritize protection of habitat that supports native flora and fauna over livestock grazing. This includes ensuring that the regeneration of native flora in riparian, chaparral, oak savanna, and woodland habitats is not suppressed.

## II. AMPHIBIANS

The IS/MND provides no study in support of the finding that “there will be no impact to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites”. We have already established that fencing may interfere with movement of native species, but we are especially concerned with the fate of common amphibian species (for example, Pacific newts) as well as California tiger salamander, California red-legged frog, and foothill yellow-legged frog. These species breed in ponds, wetlands, seeps, springs and creeks. Please provide feasible mitigation measures to protect amphibian breeding habitat from cattle grazing, and to protect their migration to and from ponds, seeps, springs, wetlands and creeks from vehicular activities on any roads and trails (including bikes).

## III. RECREATIONAL ACTIVITIES

The IS/MNS has not analyzed or mitigated the impact of recreational activities by humans and their pet companions on sensitive habitats, breeding species, and nesting raptors. Mitigation Measures focus on Construction activities and trail siting, and suggest that compliance with CDFW Stream Alteration agreements and with various local regulatory agencies suffices to protect the species of the park. However, these agreements do not pertain to recreation and grazing activities that may be harmful to common and listed species of the park. There is ample scientific evidence<sup>3</sup> showing that trail use and other human-associated disturbance have a great impact on amphibian, reptile, bird and mammal species.

Please provide a monitoring program to evaluate the impacts of recreation activities on nesting and breeding activities of golden eagle, bald eagle, white-tailed kite, yellow warbler, grasshopper sparrow, San Francisco dusky-footed woodrat, pallid bat, American badger, and ringtail.

## IV. MANAGEMENT PLAN

Santa Clara County is a partner in the Habitat Agency and as such, is granted incidental take permit from the Wildlife Agencies. However, because this park is in a sensitive natural setting, we believe that mitigation for the Access Plan must include buffers, temporary closures and other best practices that can help avoid harm to endangered species and nesting birds to the largest extent possible.

The Coyote Canyon Natural Resources Management Plan includes many recommendations that can help enhance and improve the habitat for native plants and animals, and help avoid harm during construction and operations. However, these recommendations are not mandatory – they

---

<sup>3</sup> [https://extension.unh.edu/resources/files/Resource007339\\_Rep10567.pdf](https://extension.unh.edu/resources/files/Resource007339_Rep10567.pdf)

are optional and as such, cannot be used to support the finding that there will be no permanent adverse impacts to the fauna and flora of the park.

---

In Summary, we disagree with the finding that The Proposed Project does not have the potential to degrade the quality of the environment. We believe that the envisioned fencing, grazing and recreational activities may substantially restrict and reduce the habitat of endangered and common wildlife species, and that the MND does not provide support for the finding that the project will not cause local wildlife population to drop below self-sustaining levels or threaten to eliminate a plant or animal community at the park. We believe that further analysis and a comprehensive EIR are needed to allow decision makers to make an informed decision.

We thank you for your attention. Please contact Dave Poeschel (408 476-3889) or Shani Kleinhaus (650 868-2114) if you have questions,

Sincerely,

Katja Irvin  
Conservation Committee co-Chair  
Sierra Club Loma Prieta Chapter

Shani Kleinhaus  
Environmental Advocate  
Santa Clara Valley Audubon Society