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November 14, 2016

To:
Norm Daly
c/o City of Santa Cruz Economic Development Department

Cc: Mayor and Council Members
City of Santa Cruz

Subject: Sierra Club Comments re: Wharf Master Plan

Ron Powers and City Council

The Sierra Club has reviewed the Revised Mitigated Negative Declaration (MND) for the Wharf Master Plan (WMP). This project includes major changes to the Santa Cruz Municipal Wharf with significant environmental impacts, which have not been adequately assessed. Our concerns are as follows:

Birds

- The list of birds cited in the MND is taken from the CA Natural Diversity Database (CNDD). This list is not site specific to the wharf, is limited and is not consistent with the number of species of birds documented at the wharf and posted on Cornell Lab of Ornithology's ebird site (ebird.org). Many of the birds documented at the wharf are special status species. Between July 30th 2016 and November 4th 2016, 69 out of a total of 117 species were sighted and documented at the wharf. The MND does not contain an accurate bird inventory. Statements about impacts are therefore unreliable.
- No reference is made to the nesting cormorants at the wharf.
- The proposed buffer zone of 300 feet from nesting birds lacks specificity to the species that nest on the wharf. Buffer widths should be site and species specific and not based on generalizations.
- The mitigation for the Pigeon Guillemots states that a biologist will examine the site for any nests no less than 7 days prior to pile driving and construction. There is no allowance

for the birds' arrival from Puget Sound closer to or during pile driving. Guillemots return to the same nesting site each year.

- There is no reference to potential disturbance to nesting birds and hauled out sea lions from the proposed lowered western walkway, which will afford human access to these species.

Marine Mammals

- The list of marine mammals on or near the wharf omits Humpback whales and sea otters, both of which are frequently sighted close to the wharf. The MND incorrectly states that whales are farther out and unlikely to be impacted. The mitigation that pile driving will not commence until marine mammals are not sighted for 15 minutes in the exclusion zone is not species specific and is inadequate to mitigate the full range of species that will be significantly impacted.
- The MND states that the city “will contact CDFW to determine the best approach for the exclusion of target species.” This is inadequate for an environmental document. The specifics of the plan should be part of the MND so that the public can comment.

Other Environmental Issues

- The CA Coastal Commission expressed concerns regarding the lowered western walkway with respect to sea level rise and intensified storms. The MND responds only to the sea level rise issue, noting that the walkway is above any projected sea level rise. It fails to respond to the issue of intensified storms and large waves which currently can reach the height of the wharf. With respect to sea level rise, the MND includes no reference to surges and tides and no reference to time frames on which to base its conclusions. These issues require more detailed investigation and response.
- Concerns were raised by CDFW regarding the coating of the 800 new piles with ACZA (ammoniacal copper zinc arsenate). These concerns were not adequately addressed in the MND.

In sum, the Sierra Club urges the city to conduct an **Environmental Impact Report** so that the above environmental impacts can be thoroughly evaluated. The MND is inadequate for such an environmentally significant project within the Monterey Bay National Marine Sanctuary.

Sincerely,

Greg McPheeters
Chair, Santa Cruz Group, Sierra Club