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August 13th 2018

To: City of Santa Cruz
Public Works Department
Attn: Nathan Nguyen

From: The Sierra Club

Re: CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
SANTA CRUZ RAIL TRAIL SEGMENT 7 PROJECT (PHASE II)

While the Sierra Club supports the rail/trail in general, the environmental impacts from the construction of Segment 7 Phase 2 of the bicycle/pedestrian trail are significant and warrant a more thorough, scientific evaluation than is contained in the Mitigated Negative Declaration (MND). The suggested mitigations are inadequate to reduce the impacts to less than significant and alternatives to the project should be explored.

Of specific concern:

The MND cites Segment 7 Phase 2 as habitat for a variety of wildlife species:

Special-Status Wildlife Species. Page 3-16 MND. "Based on the CNDDB search results and the USFWS list for the biological survey area and based on the existing land cover near the project, the following 11 special-status wildlife species were found to have the potential to occur in the biological survey area: Santa Cruz black salamander (Aneides niger), California red-legged frog (CRLF) (Ranadraytonii); western pond turtle (Emys marmorata); great blue heron (Ardea herodias), osprey (Pandion haliateus), Cooper's hawk (Accipiter cooperii); white-tailed kite (Elanus leucurus); southwestern willow flycatcher (Empidonax traillii extimus), hoary bat (Lasiurus cinereus), pallid bat (Antrozous pallidus), and San Francisco dusky-footed woodrat (Neotoma fuscipes annectens).Migratory Birds and Raptors. Migratory birds and raptors have the potential to nest in trees, shrubs, and existing infrastructure in and adjacent to the biological survey area."

Page 3-21 MND. "Great blue heron, osprey, Cooper's hawk, white-tailed kite, southwestern willow flycatcher, and migratory birds. Great blue heron could nest at Neary Lagoon and

were observed at both locations in 2018 (eBird 2018). Osprey, Cooper's hawk, and white-tailed kite could nest in suitable trees within or adjacent to the biological survey area, particularly around Neary Lagoon. Osprey, Cooper's hawk, and white-tailed kite were recently (2017 or 2018) observed at Neary Lagoon (eBird 2018). Southwestern willow flycatcher is not known or expected to breed in the biological survey area but could occur as a migrant and forage in the biological survey area. None of these species were observed during the June 29, 2015 field survey." *The Sierra Club notes that the total surveys for the MND were two one- day events.*

The project proposes the removal of 47 trees, 21 of which may be of heritage size and includes 15 willows from Neary Lagoon. While the MND suggests the actual total tree removal may be less than expected, combined with the projected removal of dense vegetation, the removal of 3,500 cubic yards of soil, compacted soil from grading, such loss of habitat is significant for many of the above species. While replanting with 15- gallon saplings is required under the city's Heritage Tree Ordinance and the Local Coastal Program as mitigation for the heritage tree loss, not only will much of this replanting be off-site but also none will provide habitat for the raptors described above for the next 50 to 70 years. Nor does the planting of grasses and wildflowers mitigate the tree canopy loss: as carbon sink, as habitat, as aesthetic value.

The MND asks the question: *"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 the California Department of Fish and Wildlife or US Fish and Wildlife Service?"* The answer is "yes" and the mitigations offered cannot reduce this to a less than significant level since the habitat for the above species will have been removed or forever changed.

Additional concerns:

1. Lighting: While the proposal to use IDA- approved lighting and avoid BRWL (bright white lights) along the trail is positive, the claim in the MND that, *"The area surrounding the Project corridor is well-lit due to the presence of lighting associated with residential, commercial interior and exterior lighting, street lighting, and lighting from vehicle headlights at night*" is not an accurate observation. After the pole lights at the entrance on Bay/California Streets and with the exception of the Wastewater Treatment Plant, this area is dark at night, important for a variety of nocturnal animals as well as diurnal species' ability to sleep at night. These impacts are left unexamined in the MND. Why are lights even needed along a trail, which is open only from dawn to dusk? A better mitigation would include the proper shielding of the BRWL at the Wastewater Treatment Plant since adding trail lights makes for a cumulative impact.
2. Air Quality: This is addressed only in the context of construction since the trail is for bicycles and pedestrians. However the long-term project is to activate the rail line since it is called a rail/trail project. CEQA Air Quality Guidelines have specific recommendations for tree plantings along rail lines in order to remove very fine

particles at low wind velocities. The MND should have addressed this mitigation in the context of cumulative impacts.

3. Fragmentation: The stated purpose of the project is to, "*provide connectivity to other existing local and regional bicycle and pedestrian facilities."* This attention to connectivity is not applied to the diverse habitats within this segment nor its relationship to the entire 32-mile rail/trail. Such fragmentation avoids assessing cumulative impacts, an important aspect of any environmental review. The National Sierra Club 'Wildlife and Native Plants' Habitat policy, states: " *Habitat simplification, fragmentation, degradation, and elimination pose the greatest threats to natural ecosystems and biodiversity and must be counteracted by reasonable and effective measures for the long-term preservation of intact ecosystems. Such measures should be incorporated into decisions made by all levels of government."*
4. Monarch habitat: Although the heritage trees to be removed are not specified in the MND, they include 6 heritage eucalyptus trees, part of the grove of eucalyptus adjacent to the trestle bridge on its western side. Such removal will fragment the canopy of the grove and likely impact this (potential) monarch butterfly site: an impact not addressed in the MND. On a walk-through the site with the project engineer and the city urban forester, Ms. Keedy suggested that these trees might be saved if the retaining wall were offset. Such adjustment should be more thoroughly examined, including any drainage/ tree root health issues involved.
5. The need for additional space in this southern part of the site is due to the planned turnaround for maintenance vehicles. An alternative, which we support, would be to use the existing rail- line for maintenance needs.

In sum, the MND is inadequate in its assessment of environmental impacts for Segment 7 Phase 2 of the rail/trail. The mitigations are not adequate to reduce the impacts to less than significant and the project *may* have significant effects on the environment, This conclusion triggers the need for an Environmental Impact Report (EIR), which should examine the alternative of using the existing trail in La Barranca Park (widened) and where La Barranca Park ends, removing a short stretch of on street parking along Bay Street to make a contra bike-trail which would connect with the Beach Street bike trail at Bay and West Cliff. This would avoid the environmental impacts of the project while providing a safe bike/pedestrian trail.

The Sierra Club requests that the city examine this alternative to maximize the interests of both trail users and wildlife inhabitants.

Sincerely,

Gillian

Gillian Greensite, Chair
Sierra Club, Santa Cruz County Group