



**SANTA CRUZ COUNTY
GROUP**

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March 5, 2019

Cory Caletti, Senior Transportation Planner
Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue, Santa Cruz, CA 95060
submitted by email to: NorthCoastRailTrail@scrtc.org

**Subject: North Coast Rail Trail Final Environmental Impact Report (FEIR)
SCH#2017092034; Volume 1: Comments and Responses**

Dear Ms. Caletti:

The Sierra Club appreciates the opportunity to provide further input with regard to the Environmental Review process on the North Coast Rail Trail project. We acknowledge that there have been improvements made in the document, in regard to some of the Sierra Club's concerns, and with regard to concerns of other commenters. However, we now restate concerns that we view as still not having been adequately addressed, and of critical importance.

As we noted previously in our comments on the North Coast Rail Trail Draft Environmental Impact Report (DEIR), the Sierra Club in general supports the overall rail trail project. In those initial comments, we noted serious shortcomings in the DEIR for the North Coast segment as a component of the planned Monterey Bay Sanctuary Scenic Trail. In this letter we now focus on aspects, again, related to Biological Resources and to Land Use and Planning.

With regard to the Final Environmental Impact Report, the Sierra Club renews its concerns regarding the following four comments from our DEIR comment letter of September 24, 2018: Biological Resources comments 1b, 3, and 6; Land Use And Planning comment 3.

Biological Resources (Comments to DEIR)

1. California Red-Legged Frog (CRLF)

b. To be considered less than significant, mitigation must replace lost CRLF habitat at a 3:1 ratio. The proposed mitigations do not reduce the impact to less-than-significant.

The Sierra Club appreciates the response given to the State Of California Department of Fish and Wildlife Comment 1 (as Response 4.2), and the change to Mitigation Measure BIO-8(c) incorporating enhanced requirements and definition regarding a “qualified biologist”. In response to our Comment 1(b) (as Responses 20.3a and 20.3e), it was stated that a minimum performance standard of “no net loss” (minimum 1 to 1 ratio) is being maintained, with no change. Although the enhanced requirements regarding the “qualified biologist” are certainly a step in the right direction, we again state that the lost habitat replacement ratio is too low.

3. Tree removal: Please provide an accurate and complete accounting of trees to be removed for each alternative.

Response 20.3 has a significant deficiency in that, with regard to mature tree removal, a minimum replacement ratio of 1 to 1 is proposed. It is expected that replacement ratios for mature tree removal be at a minimum of 3 to 1, as is typically seen in projects in Santa Cruz County.

6. The DEIR states that bi-annual “Routine Maintenance” will occur. Please specify which habitat-friendly methods of maintenance will be used in Mitigation Measure BIO-9(b).

Response 20.3f states that “(a)ny trail maintenance would employ hand tools only. The use of pesticides or herbicides would be prohibited.” However, the cited portion of BIO-8(c) is unclear as it refers to activities “during the monitoring period” in its first sentence.

- Maintenance activities during the monitoring period including replanting native vegetation found within similar habitats within the same watershed and weed removal that avoid take of CRLF and other sensitive wildlife species. Trail maintenance activities would employ hand-tools only. The use of pesticides or herbicides would be prohibited.

The Mitigation Measure should be changed/clarified to indicate that the use of pesticides or herbicides is prohibited going forward, period.

Land Use and Planning (Comment to DEIR)

3. Coastal Access: The Appendix A site plan sheets show some proposed closures of existing popular pedestrian crossings of the rail corridor. This needs further evaluation to avoid eliminating practical access to historically established and well-loved beach access trails. Possibly the most striking beach access trail to be closed off at its rail corridor crossing is shown on the lower half of Sheet 4. This is the main 'easy' access trail to Laguna Creek Beach (the trail being mostly, a narrow, gravelly ranch road/trail). Users of this beach access trail, park in the parking lot along Hwy 1 at the intersection with Laguna Rd. (at the north end of the old Laguna Rd. loop, a very old version of Hwy. 1 that dips down into the tiny hamlet of Laguna). From the parking lot, beach trail users walk across Hwy 1 and follow the trail that begins directly across from the north end of the parking lot, down to the wild beach. This is a fairly easy, accessible way to get to Laguna Creek Beach, relatively free of the challenges with poison oak and mud that can be present on the other trail route. The plan sheet shows this as "Existing informal pedestrian RR crossing to be closed."

We take specific exception to Response 20.5a. The proposed closure of the informal crossing at Laguna Beach would close the most used access point for this surf break of regional significance, in conflict with the California Coastal Plan mandates to "(m)aximize public access to and along the coast". This access is heavily used by the surf community. We note that the parking studies for the lot at this location did not include times revolving around surf use, which are typically sunrise until about 9am, when the onshore winds diminish surf quality. The statement the "(i)t is anticipated that trail users who have used the informal trails being closed would adjust their behavior and use the nearby formal trails, rather than causing damage at the closed trails" could only be made by one wholly unfamiliar with surf culture. Further, as there is a partially improved parking area on the inland side at this point, it can be expected that this parking area will continue to be used. We see no enhancement of safety, as claimed in the Response, as people will continue to cross the street at this point. Closing of this informal access point will have a significant effect on public access to a regional surfing destination, in conflict with the Coastal Act.

Summary

The Final Environmental Impact Report represents an improvement over the Draft Environmental Impact Report. This section of the proposed rail trail affects sensitive environmental species and habitats, and has significant public access concerns. The FEIR is inadequate in its assessment of the project's impacts in the areas detailed above. The Sierra Club requests that these inadequacies be fully addressed prior to any approval of the FEIR for the North Coast Rail Trail.

Sincerely,

Gillian Greensite, Chair

Sierra Club, Santa Cruz County Group