

MASTER RESPONSES

The following are Master Responses which are intended to address comments that were repeated throughout numerous comment letters. When appropriate, individual responses refer back to the appropriate Master Response found below.

MASTER RESPONSE NO. 1 – Issue of Lighting

A number of comments expressed concerns about lighting along the paved multi-use trail within Arana Gulch. Lighting is described in the second paragraph of page 3-18 which states that no lighting would be located in the meadow area of Arana Gulch. Low level lighting may (emphasis added) be installed at the Hagemann Gulch Bridge and Upper Harbor area if deemed necessary for public safety. For this reason, Mitigation Measure BIO-8(d) was recommended to minimize any impacts to avian species. It should be noted that lighting in the Upper Harbor may never be necessary because there is already lighting in this area of the Port District.

MASTER RESPONSE NO. 2 – Crossing of Arana Gulch Creek

The crossing of the Arana Gulch Creek is completely on earth fill over existing culverts. This part of the multi-use trail does not cross over open water or require a "bridge" and the text on page 3-17 should be changed to provide clarification as follows:

Page 3-17, paragraph 4:

"Where the trail rises in the floodplain/floodway area, a small steel ~~bridge~~ span would be ~~designed~~ constructed over fill which covers the existing culverts to achieve the change in grade. Using a ~~bridge~~ steel span to change...."

MASTER RESPONSE NO. 3 – Development of Trails in Environmentally-Sensitive Areas

Several paved recreational trails, which include bicycle and pedestrian use, have been permitted by the California Coastal Commission within Environmentally Sensitive Habitat Areas (ESHAs), as defined by the California Coastal Commission. Three examples of paved trails within the jurisdictions of Monterey, San City, and Morro Bay are summarized in the paragraphs below. It should also be noted that continuation of the California Coastal Trail within Monterey and Santa Cruz, and other jurisdictions along the coast, may require submittals of Coastal Development permit applications of paved trails through ESHAs within some sections of the proposed route.

The following text is excerpted from www.californiacoastaltrail.info. "The Coastal Act of 1976 required local jurisdictions to identify an alignment for the California Coastal Trail in their Local Coastal Programs. Proposition 20, 1972, provides that "A hiking, bicycling and equestrian trail system shall be established along or near the coast and that ideally the trail system should be continuous and near the shoreline. ... Senate Bill 908 (Chesbro) charges the Coastal Conservancy, in cooperation with the Coastal Commission and State Parks Department, to submit to the Legislature a plan that describes how the Coastal Trail may be completed by 2008." The website also states one of the broader set of objectives drawn for the Coastal Trail Project is "Create linkages to other trail systems and to units of the State Park system, and use the Coastal Trail system to increase accessibility to coastal resources from urban population centers." The proposed multi-use trails within Arana Gulch would create linkages to the Coastal Trail and Monterey Bay Scenic Trail routes within the City of Santa Cruz as mentioned on page 3-1 of the DEIR.

Example 1: Monterey Dune Public Access and Restoration Project (CC Application 3-00-092):

This approved project included construction of a 14-foot-wide paved recreation trail (4,000 feet in length) through Coastal Dunes habitat, which is identified as an ESHA in the Monterey County Local Coastal Program. The project also included a parking lot and habitat restoration at Monterey State Beach. The Coastal Commission staff report recommended approval, stating "On balance, the proposed project would further the public access and habitat enhancement goals of the Coastal Act by maximizing public access to and along the coast, which better addresses conflicts with sensitive species and habitats, and restoring a substantial area of coastal dunes." The project site contained a mixture of degraded and restored coastal dunes, and the staff report noted it currently supports rare and important native dune habitats, including nesting habitat for the federally threatened Western Snowy Plover. This project involved impacts to the Endangered Smith's Blue Butterfly, which required a U.S. Fish & Wildlife Service Section 10 Incidental Take permit and Habitat Conservation Plan (HCP). The staff report noted "In conjunction with the habitat restoration component of this project, the path will provide for interpretation of the dunes habitat in this location. Thus, the access component of the project provides an additional habitat protection benefit by bringing the public to a restored dune habitat area for appreciation and interpretation of the resource."

Example 2: Sand City Bike Path (Application No. 3-97-062)

This 12-foot-wide bicycle path project (4,845 linear feet) and approximately 5-acre dune restoration project was approved unanimously by the California Coastal Commission. The bicycle path is located within the Monterey Bay dune system, which is an ESHA. Approximately 1.6 acres of mostly degraded or disturbed, but undeveloped, dune habitat would be covered by the impervious surface of the paved trail. The staff report noted the value of bicycle access on the paved pathway because it would also provide bicyclists, as recreational users, the opportunity to learn about the Monterey Bay dune habitat.

Example 3: Morro Bay Harborwalk/Dune Restoration Project (Application 3-05-071)

This approved project involves installation of a 12-foot-wide Class 1 Bike Trail, an 8-foot-wide pedestrian boardwalk, and restoration of coastal dunes. The project also includes roadway realignments to accommodate the access improvements and maximize recreational opportunities along the waterfront. Specifically, the project involves permanent dune loss and additional temporary dune disturbance due to the realignment of the roadways. The project area supports native plant species as well as habitat for the western snowy plover and the Morro Shoulderband Snail, and thereby constitutes an ESHA as defined by the Coastal Act. Critical habitat for the Western snowy plover has been designated within or immediately north of the project site by the U.S. Fish and Wildlife Service (USFWS). The area proposed for one of the roadway alignments is located within the extent of the Critical Habitat. The staff report states, "Reducing roadway widths, installation of a Class II bike path (6 feet wide) instead of a Class I bike path (12 feet wide), and elimination or reduction in the visual and physical separation between the various travel lane segments could all but eliminate dune impacts, and was initially suggested by Commission staff as a viable alternative. However, it would not accomplish project goals of enhancing and managing public access by creating a safe, dedicated, non-motorized transportation alternative to important and popular recreational destination points." Therefore, the 12-foot-wide Class 1 Bike Trail was approved.

MASTER RESPONSE NO. 4 – Alternatives and Issue of Santa Cruz Tarplant Adaptive Management Program Funding

A number of comments expressed concerns about the uncertainty of funding for the Santa Cruz Tarplant Adaptive Management Program under the various alternatives as discussed in Chapter 5 of the DEIR. Tarplant management would be required at Arana Gulch no matter what types of activities are approved, even under the No Project Alternative. However, the Santa Cruz Tarplant Adaptive Management Program (Appendix A of Arana Gulch Master Plan) was proposed to mitigate the potential impacts to historic Santa Cruz tarplant habitat associated with the new paved trails at Arana Gulch. This program also includes formation of a technical advisory group which has not existed to this point. Implementation of the specific Tarplant Adaptive Management Program would be required as a mitigation measure for the proposed project and Alternative 2.

The Santa Cruz Tarplant Adaptive Management Program, including establishment of the long-term Adaptive Management Working Group, must be funded by the City in order to fulfill the EIR mitigation measure requirements for the proposed project and Alternative 2. Funding of the Adaptive Management Program would not be required for the No Project and other alternatives; however, the City Council could still decide to fund the Adaptive Management Program, regardless of which alternative is selected. Because there would not be a requirement to fund it, the Draft EIR states there is uncertainty regarding funding. See changes to Table 5-2 below (in **bold and under-line**).

Table 5-2: Relationship of Alternatives to Project Objectives

Project Objective	PP Proposed Project	ALT 1 No Project	ALT 2 Reduced Creek View Trail	ALT 3 Unpaved Trails With Hagemann Gulch Bridge	ALT 4 Unpaved Trails Without Hagemann Gulch Bridge
Protect sensitive riparian/wetland habitat areas	X	O	X	X	X
Implement an adaptive management program for Santa Cruz tarplant	X	O	X	O	O
<u>Protect Santa Cruz tarplant</u>	X	X	X	X	X
Reduce sedimentation	X	O	X	X	X
Provide trail system for public access without significantly impacting habitat values	<u>O</u>	O	X	X	X
Provide ADA-compliant trails	X	O	O	O	O
Provide a new west entrance and east-west multi-use trail	X	O	X	X	O
Provide nature viewing areas and interpretive displays	X	O	X	O	O
Restrict dogs to on-leash	X	X	X	X	X
Close unauthorized, non-designated pathways	X	O	X	X	X

Notes:

- PP = Proposed Project
- ALT 1 = No Project Alternative
- ALT 2 = Reduced Creek View Trail Alternative
- ALT 3 = Unpaved Trail System with Hagemann Gulch Bridge Alternative
- ALT 4 = Unpaved Trail System without Hagemann Gulch Bridge Alternative
- X = Alternative would meet project objective
- O = Alternative would not meet project objective or would meet objective to a lesser extent than the proposed project (i.e., would not substantially meet the objective)

Source: A. Skewes-Cox, 2005.

To date, management of the Santa Cruz tarplant has been done under the Interim Management Plan for Arana Gulch. If the No Project Alternative were selected by the City, the tarplant would continue to be managed under the Interim Management Plan that would stay in place.

The text of Chapter 5 of the DEIR reflects the uncertainty about funding the Santa Cruz Tarplant Adaptive Management Program under some alternatives. Thus, no additional changes to Chapter 5 are considered necessary.

MASTER RESPONSE NO. 5 – Tree Impacts from Hagemann Gulch Bridge

As stated on page 4.2-38 of the DEIR, there would be no removal of heritage trees and riparian vegetation for construction of the Hagemann Gulch Bridge, but indirect impacts to riparian scrub and oak woodland due to erosion and construction activities could occur. Bridge construction would require some removal of tree limbs to provide clearance, probably not exceeding six trees to be limbed. For this reason, four mitigation measures were recommended to reduce this potential impact to less than significant (see Mitigation Measures BIO-1(a) through (d).

MASTER RESPONSE NO. 6 – Issue of Riparian Setbacks

The Santa Cruz City Council adopted the *Citywide Creeks and Wetlands Management Plan* on February 28, 2006 (California Coastal Commission approval pending). Under this Plan, "Construction of public trails and bridges on public lands, consistent with an adopted Parks Master Plan or Management Plan, including the location and siting of trails and bridges" are exempt from Watercourse Development Permits.

General Plan/LCP Environmental Quality Act policy 4.2.2, which requires a development setback of 100 feet from watercourses or wetlands, allows for exceptions when a management plan has been adopted and implemented that provides for protection of riparian and wetland resources and water quality. Thus, the intent of the policy was not to prohibit public trails and interpretive facilities within 100 feet of watercourses and wetlands where management plans were adopted. Examples of City-owned open space areas with public trails, bridges and interpretive facilities within 100 feet of streams and wetlands, or bridges crossing creeks and wetlands, include Pogonip, Neary Lagoon, and Moore Creek Preserve. Each of these properties has an adopted management plan or Master Plan which provides for protection of riparian and wetland resources and water quality. The proposed Arana Gulch Master Plan includes the location and siting of trails, and provides for protection of riparian and wetland resources and water quality.

MASTER RESPONSE NO. 7 – Issue of Off-Site Alternative

An off-site alternative was not addressed because the proposed project is a Master Plan for the 67.7-acre Arana Gulch property. The off-site component of the multi-use trail is addressed as part of the proposed project because this is directly linked to the on-site trail and is required to be addressed by CEQA as part of the whole action. As stated in Section 15126.6 (f) of the *CEQA Guidelines*, the "range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project . . . Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, . . . jurisdictional boundaries. . . ". Any off-site alternative that is outside the boundaries of Arana Gulch would not meet the intent of developing a Master Plan for

Arana Gulch. Section 15126.6(f)(2) of the *CEQA Guidelines* addresses alternative locations but clearly states if off-site locations are not feasible, the EIR should include the reasons. For this reason, the following text change is made to the end of the first paragraph on page 5-1 of the DEIR:

"...from among the other alternatives. An off-site alternative was not evaluated because the intent of the proposed project is to develop a Master Plan for the 67.7-acre Arana Gulch property. Any off-site alternative would not meet this intent."

Off-site alternatives for the bicycle trail were already addressed in the EIR/EA on the Broadway-Brommer Bicycle/Pedestrian Path Connection which is addressed on page 3-4 of the DEIR.

MASTER RESPONSE NO. 8 – Issue of U S Fish and Wildlife Service Consultation

A Section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) would be required because of the proposed federal funding of the multi-use trails within Arana Gulch. The Section 7 consultation would occur between the USFWS and the representative of the Federal Highway Administration, which is the California Department of Transportation (Caltrans) prior to funding of the multi-use trail. This consultation is being initiated now that the Draft Master Plan and DEIR are available. At the time of the Section 7 consultation, modifications to the project and/or conservation recommendations may be made by the USFWS. The DEIR incorrectly referred to the Section 10 process. This was a typographical error. See Response to Comment A3-2.

MASTER RESPONSE NO. 9 – Critical Habitat Designation for Santa Cruz Tarplant

Page 4.2-28, at the end of the third paragraph, has been changed as follows to acknowledge the designation of the site for Santa Cruz tarplant as critical habitat.

"... However, most of those populations have declined substantially since the early 1990s and are threatened with extirpation.

On October 16, 2002, pursuant to the Endangered Species Act of 1973, the USFWS designated critical habitat for Santa Cruz tarplant (USFWS 2002b). The designated critical habitat of Santa Cruz tarplant consists of 11 units divided into three major geographic areas entitled East Bay Area Unit, Santa Cruz-Soquel Area Units, and Watsonville Area Units known to sustain the species at the time the critical habitat designation was first proposed in 2001 (USFWS 2002b). The Arana Gulch population falls within the Santa Cruz-Soquel Area Units and is classified and mapped as Unit D: Arana Gulch. The Arana Gulch Unit includes the entire coastal terrace area of Arana Gulch and also includes contiguous habitat areas featuring wetlands and riparian areas that do not provide tarplant habitat. This unit is estimated to be 65 acres in size, or almost the entire area of Arana Gulch.

The main reasons for the decline of Santa Cruz tarplant and the main threats to its future. . . "

MASTER RESPONSE NO. 10 – Public Planning Process

The vision, goals, and public uses presented in the Draft Arana Gulch Master Plan are based on the *City General Plan/Local Coastal Program* (1992), *The Greenbelt Master Plan – A Planning and Feasibility Study* (1994), and City Council direction in recent years regarding the Arana Gulch Master Plan. The *Arana Gulch Interim Management Plan* did not address long-term uses, but does identify management

policies for existing resources. All of these processes have involved public meetings and opportunity for public comment.

Throughout these processes, there was community debate on the level of recreational use and public access for Arana Gulch. Community debate regarding public use of Arana Gulch has continued during the planning process for the Draft Arana Gulch Master Plan as evidenced by the comment letters included in this Final EIR. The proposed level of recreational use and public access identified in the Draft Master Plan is less than the public use originally recommended in the City General Plan (1992) and *Greenbelt Master Plan – A Planning and Feasibility Study* (1994) as presented below. Since Council approval of these plans in the mid-1990s, the Arana Gulch property was designated by the U. S. Fish and Wildlife Service (USFWS) as critical habitat for Santa Cruz tarplant (Final Rule effective 2002).

City General Plan/Local Coastal Program (1992)

The Land Use Element Policy 2.2.7 of the City's General Plan/Local Coastal Program identifies the following recommended recreational uses and public access for the Arana Gulch property:

- Pedestrian and bicycling linkages to other segments of the Arana Gulch corridor via the Harbor and other public access points.
- Public viewing points of the floodplain and riparian corridor.
- Neighborhood park.
- Bicycle and pedestrian connection from Broadway.

In addition, the General Plan includes policies to preserve the Santa Cruz tarplant and protect habitat areas.

Greenbelt Master Plan – A Planning and Feasibility Study (1994)

The recommendations presented in this Study were developed by a citizens' Greenbelt Committee. In an effort to seek public opinion to help shape its recommendations, the Greenbelt Committee sponsored a Community Forum, Community workshops, and a Community Survey. The recommended public uses for Arana Gulch included:

- Protection of Views, Habitats, Watershed Areas
- Hiking Trails
- Nature Preserve Areas
- Nature Trails
- Bike Trail (trail route shown on map connecting Broadway and Brommer)
- Playground
- Sportsfield
- Picnic Sites
- Restroom
- Small Parking Area (20 spaces)

The public benefit summary also states that “ADA accessibility would allow those with disabilities to enjoy the property.”

Arana Gulch Interim Management Plan (1997)

The purpose of this document was to provide interim policies for management of Arana Gulch, based on existing staffing and resources. Public meetings were held before the Parks and Recreation Commission and City Council. This Interim Plan remains in effect until superseded by the long-term Arana Gulch Master Plan. This document includes management policies for Santa Cruz tarplant and other habitat areas and identified one existing trail to be maintained by City staff. This north-south trail connects the Agnes Street entrance with the Upper Harbor. Bicycles and pedestrians are permitted on the trail and dogs must be on leash at all times.

Draft Arana Gulch Master Plan

On May 13, 2003, at a public hearing, the City Council directed staff to initiate the Arana Gulch Master Plan process. Council also directed staff to include a bicycle-pedestrian path connection between Broadway and Brommer Street through Arana Gulch as one of recommended public uses in the Master Plan.

On October 14, 2003, at a public meeting, staff requested clarification from City Council regarding the use options to be included in the Draft Arana Gulch Master Plan. The list of use options presented to City Council included:

- Resource enhancement and restoration.
- Trails, including a new east-west bicycle/pedestrian path (ADA compliant) through Arana Gulch.
- Interpretive displays and overlook areas.

The City Council accepted this list of recommended recreational uses and public access as presented. The City Council also excluded an approximately 6-acre area from the Master Plan boundaries. However, the City Council subsequently gave direction to staff to include all of the property in the Master Plan.

In 2004, the Parks and Recreation Department, in cooperation with the Planning Department and Public Works Department, began work on the Arana Gulch Master Plan process. It was determined that the Draft Master Plan and Draft EIR would be prepared concurrently. A public scoping meeting for the EIR was held on July 21, 2005. Appendix A of the Draft EIR includes a summary of the public comments for the scoping meeting.

On March 28, 2006, a joint public meeting of the City Council and Parks and Recreation Commission was held to accept oral comments from the public regarding the Draft EIR for the Arana Gulch Master Plan. Written comments were also accepted during the 45-day public review period. This Final EIR includes all of the oral and written comments received during the Draft EIR public review period.