

Restoration Alternative with Interpretive Trails

Proposed for the **Arana Gulch Greenbelt** to Santa Cruz Parks & Recreation Department
by Friends of Arana Gulch

7 April 2010

Goal: to protect and conserve the diverse habitat of Arana Gulch, providing for recovery of the endangered tarplant (*Holocarpha macredenia*), while also providing for public access, education, and enjoyment of the greenbelt (an Environmentally Sensitive Habitat Area).

Preface: Access to the Arana Gulch greenbelt is currently available from the north and the south. Both access entrances provide street parking. The south entrance, from the upper Harbor provides handicapped parking spaces. This entrance is reached through the upper Santa Cruz Harbor, from neighborhood streets as well as a major arterial (7th Avenue). An 8' wide pathway of decompose granite that is maintained by the Harbor permits access from the upper Harbor parking area to the greenbelt. The north access entrance is easily reached from many neighborhood streets as well as a major arterial (Soquel Avenue).

Santa Cruz County is considering a roadway and drainage project (for erosion control into Arana Creek) that will add bike lanes and sidewalks on Brommer Street Extension (.2 mile), as it comes into the Harbor from 7th Avenue. This upgrade will provide safety for bicyclists and pedestrians who come from the east to access the greenbelt and who now have to share a narrow roadway with vehicular traffic.

Elements and Actions of the Alternative:

1. The 2006 Arana Gulch Master Plan, with its vision and goals for restoration, rehabilitation and conservation of the "critical habitat" of the endangered tarplant, as well as its associated web of life species in Arana Gulch's coastal prairie grasslands minus the Broadway-Brommer link transportation project and the paved route from Agnes St.
2. The City sells its right-of-way property to create a dedicated fund for tarplant management. The tarplant Adaptive Management Working Group (AMWG) is formed and recovery of tarplant and its habitat begins in earnest as soon as the City receives its permit from the Coastal Commission. Construction of interpretive trails is not tied to funding for tarplant management.
3. The existing Agnes Street entrance is reconfigured to allow wheelchair access to the greenbelt. Handicapped parking spaces are established. An interpretive trail from the Agnes Street entrance that swings west and follows the western perimeter, made of either decomposed granite or a boardwalk type surface will be designed and engineered during

tarplant recovery efforts. This trail can be 6' wide to accommodate two way traffic, and can have some pop outs, with educational signage, that can also be used for right-of-way courtesies in case of many simultaneous trail users. It will continue on the western flank to just before historical tarplant population Area B, where there will be a small turnaround and interpretive signage.

4. Another interpretive trail will continue, south, from the turnaround area, through the old trees grove, and stay on the western perimeter of the greenbelt. It will also be 6' wide for two way traffic, and can have some pop outs with educational signage, that can also be used for right-of-way courtesies in case of many simultaneous users. This trail will continue to the Harbor overlook area, then swing back north and end at the existing Harbor entrance decomposed gravel pathway (which exits on Brommer Street Extension at the upper Harbor).

5. The existing footpath that goes northward from the Harbor entrance pathway will continue, as an interpretive trail, heading north as it currently does, bearing to the east and following the proposed "Marsh Vista Trail" of the AG Master Plan. This will keep users out of Area D, a recent historical tarplant population area.

6. Interpretive trails will be available to all users, who will police themselves with consideration & courtesy as the guiding principle.

7. The ancient oak tree adjacent to the trail will be fenced and the public will no longer be allowed access to it. This tree is being destroyed by students and other young people, using it as a hangout and carving deep scars into its vulnerable bark. Litter and graffiti abound.

8. There would be no building on the riparian zone behind the Dry Storage Area and fencing will be constructed to prevent short cuts as well as further east just past Arana Creek to prevent erosion. There would be no bridge (steel span) over Arana Creek.

9. Some or all foot paths that currently cross Arana Gulch will be closed as the interpretive trails are built. If necessary, fencing to keep users off the meadow will be built. Only access for restoration activities would then be allowed in the restoration/recovery areas.

Respectfully submitted,

Jean Brocklebank
Michael Lewis
on behalf of Friends of Arana Gulch

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MAR 23 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Richard & Andrea Criswell

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MAR 22 2010

CALIFORNIA
COASTAL COMMISSION

March 19, 2010

California Coastal Commission
45 Fremont Street
Suite 2000
San Francisco, CA. 94105-2219
Fax-4145-904-5400

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MAR 23 2010
CALIFORNIA
COASTAL COMMISSION

California Coastal Commissioners & Staff
RE: Arana Gulch Master Plan, City of Santa Cruz
Meeting 3-11-10 Item # TH7a

Dear Coastal Commission Members,
Thank you for a very informative meeting Thursday 3-11-10, on the Arana Gulch Project.

A lot of people spoke that evening, from many views. We felt that your comments, and the decision to investigate more fully other options on preserving the Tar plant, were well said. We feel that the Commission and the City will be able to reach an agreement that is good for all.

Our suggestions, would be to put an interpretive display on the Agnes Street entrance as well as on the Harbor entrance to the park. We also like your suggestion to graze cattle on the property, it seems the most cost effective plan and one that also would have the best chance to bring the Tar plant back. Other ideas on cutting down the amount of the paving make good sense. I guess our main problem comes from the ideas of many people that the park be opened up further for more people. How does this help to save the Tar plant? Also, there are no plans for installing restrooms or any other facilities for the support of all the people that is said will come. We feel keeping the park in its natural state, and working to preserve what is there is the best solution.

On another issue that was not talked about very much, HAGEMANN GULCH. This area is also a part of the GREEN BELT-ARANA GULCH PROPERTY. This is where the city proposes to make a West entrance to the park, by installing an EXPANSION BRIDGE. In the EIR this area is referred to as riparian scrub and oak woodland. This area was not visited by you on your field trip. What you saw of

Exhibit K

this area was from the East side where the bridge would come out. This area is filled with Heritage Oaks and Eucalyptus trees. These trees are home to BLUE HERON, RED TAILED HAWKS, MONARCH BUTTERFLIES, and many other species of bird and wildlife. It only stands to reason that some of these trees will be cut down, how many it is not known. How will this area be helped by opening it up to more people? We foresee many problems for this sensitive area; ie. Vandalism, Substance abuse , and transients sleeping in an easily accessible area.

This is a beautiful natural setting. It is in a very quiet neighborhood of houses and a church which unfortunately share a city easement that was acquired by the city in 1968, for the purpose of installing a Broadway- Brommer Road connection. This was before the City acquired the Green belt in 1994. Do we stand to gain by this BRIDGE not going in, yes. We live almost directly in its path, and enjoy nature in its NATURAL SETTING. Less than 1/2 mile away is FREDRICK STREET PARK, it already has pathways, lights, bathrooms for public use and a connection to the Upper Harbor Area where the plan calls for an entrance to the East. The only thing needed here, as was stated at the meeting is a ramp to accommodate for Handicapped and bicycle access. I am not sure if the city can use its TRANSPORTATION FUNDS, at this site.

*In closing, WHY are the only FUNDS available to the City, **Transportation Funds**? As much as they want to help the Arana Gulch Plan, this is still an attempt to have an EAST- WEST connection in the city. **There are other less invasive alternatives to the environment.***

Thank You,

*The Criswells
Rick & Andrea*

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California Native Plant Society

ORANGE COUNTY CHAPTER

P.O. Box 54891
Irvine, CA 92619-4891
occnps.org

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MAY 24 2010
May 21, 2010

California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RE: Arana Gulch Master Plan

Dear Commissioners:

The Orange County Chapter of the California Native Plant Society (CNPS) supports the Santa Cruz County Chapter of CNPS in requesting that the proposed paved bike path in the Arana Gulch Greenbelt be aligned to avoid the Gulch's population of Santa Cruz tarplant (*Holocarpha macradenia*, CNPS 1B.1, State Endangered, Federal Threatened).

The path as proposed would fragment this genetically unique tarplant population, destroy its sensitive prairie habitat, and cause negative changes to hydrology. These disruptions would severely threaten the population's restoration and long term viability. The City of Santa Cruz' own EIR admits that there would be significant impact to the tarplant population. And there is general agreement that the site is ESHA.

At the March 11 Commission meeting, several Commissioners questioned whether the City's proposed plan was allowable or legal under the Coastal Act, which excludes transportation projects from ESHA. Several other Commissioners asked that the City review and analyze the CNPS and other alternatives that would offer better protection to the tarplant. Accordingly, the Chapter's experts have produced a fully characterized biological plan for the Chapter-proposed southern alternative route, which has been sent to the Commission and the City of Santa Cruz.

OC CNPS requests that the Commission fully consider the Santa Cruz Chapter's proposed alternative route.

Please consider this letter as part of the public comment on the Arana Gulch Master Plan at the July Commission hearing.

Respectfully,


Celia Kutcher
Conservation Chair

cc:
Santa Cruz Chapter, CNPS
CNPS Conservation Team

The California Native Plant Society is a non-profit organization dedicated to the understanding and appreciation of California's native plants and how to conserve them and their natural habitats through education, science, advocacy, horticulture and land stewardship.

OCCNPS focuses that dedication on the native plants and remaining areas of natural vegetation in Orange County and adjacent Southern California.

California Native Plant Society
Los Angeles/Santa Monica Mountains Chapter
15811 Leadwell St.
Van Nuys, CA 91406
June 7, 2010

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JUN 09 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dan Carl, District Director
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060
RE: Arana Gulch Master Plan

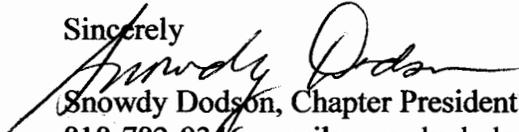
Dear Mr. Carl and other Commissioners:

On behalf of the California Native Plant Society, Los Angeles/Santa Monica Mountains Chapter, I am writing to support the CNPS Santa Cruz Chapter's efforts to protect the listed Santa Cruz tarplant. The California Native Plant Society (CNPS) is a non-profit organization of over 9,000 laypersons and professional botanists with 33 statewide chapters. Our mission is to increase the understanding and appreciation of California's native plants and to conserve them and their natural habitats through education, science, advocacy, horticulture and stewardship.

Our CNPS Chapter believes that the Arana Gulch Greenbelt population of the Santa Cruz tarplant (a state and federally listed plant) must be protected from having a bike path built through the middle of its environmentally sensitive coastal prairie habitat. The resulting fragmentation of this population and the destruction of the species' sensitive prairie habitat, including negative changes to hydrology, are unacceptable threats to the restoration and long term viability of this genetically unique population.

We recommend that the Commissioners consider the alternative bike route that would go around the tarplant and its habitat instead of through it. We question whether the transportation project is even allowable or legal under the Coastal Act which excludes transportation projects in Environmentally Sensitive Habitat Areas. It is important that California's botanical biodiversity be preserved to the greatest extent possible and not sacrificed to threats from development such as this bike path.

Sincerely


Snowy Dodson, Chapter President

818-782-9346 email: snowdy.dodson@csun.edu

California Native Plant Society

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JUN 1 8 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Tiburon June 4, 2010

Dan Carl, District Director
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

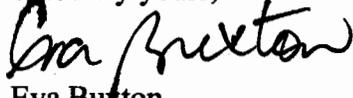
Re: Arana Gulch Master Plan

Dear Commissioners,

The Marin Chapter of the California Native Plant Society (CNPS) is submitting this letter in support of the Santa Cruz Chapter's efforts to protect the population of Santa Cruz tarplant (*Holocarpha macradenia*) at Arana Gulch in the City of Santa Cruz. This federally- and State-listed endangered species has been extirpated in Marin, Alameda, and Contra Costa counties where it historically occurred, and is presently found in only a few locations in Monterey and Santa Cruz counties. In the San Francisco Bay Area, the last native stand was located in the City of Pinole where it was destroyed by Pinole Vista, a shopping mall project, in 1993.

At Arana Gulch, it appears that the pathway for wheelchairs and bicycles can be relocated so as not to bisect the population of the tarplant and without adverse effects to users of the path. As the California Coastal Act protects environmentally sensitive habitats (ESHA), we ask you kindly to consider both realigning and limiting the path to avoid damaging this very rare species and its sensitive habitat.

Sincerely yours,



Eva Burton
Conservation Chair
Marin Chapter
California Native Plant Society



Dedicated to the preservation of California native flora

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FEB 25 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA



Lin Wyant
7303 Glen Haven Rd
Soquel CA 95073-9583

February 23, 2010

*Dan Carl, District Director
California Coastal Commission
725 Front St. Suite 300
Santa Cruz, CA 95060*

*I want to urge the Coastal Commission to approve the
Arana Gulch Master Plan without the paved
Broadway - Brummer bike trail which can and
should be located on the railroad right of way
rather than through an Environmentally Sensitive
Habitat Area.*

Sincerely yours,

Lin Wyant

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MAR 02 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Feb 28, 2010

Dear Mr. Carl,

As a member of the Santa Cruz coastal community since 1974, I am deeply concerned about the Arana Gulch bike path.

Please approve the Arana Gulch Master Plan without the paved Broadway-Brommer bike trail.

The bike trail would be best placed on the railroad right-of way. I understand the Murray Bridge is already scheduled to be widened, and also that the County of Santa Cruz is already in the process of buying the right of way from the railroad company.

I lived in the neighborhood by the Yacht Harbor for 5 years, so I have spent time first-hand walking through Arana Gulch, and walking around the harbor and up through Frederick Street park. Whenever I was biking to get anywhere, I used the Murray Street Bridge and the bed of the railroad tracks as the primary route across the harbor.

Thank you for your consideration,



Clio Bavalee
525 Walnut Ave.
Santa Cruz CA 95060
USA

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MAR 09 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

TO: CAL. COASTAL COMMISSION
CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, Suite 300
Santa Cruz, CA. 95060
FX # 427-4877

ATTN: CAL COASTAL COMMISSION:

I HAVE FOLLOWED THE ARAVA GULCH PLAN AND ISSUES FOR MANY YEARS - SINCE IT WAS PRIVATE PROPERTY WITH COWS GRAZING HAPPILY ON IT TO IT BEING PRIVATE PROPERTY GREEN BELT TO IT'S PRESENT STATUS AS A GREEN BELT - PARK VISITING / BICYCLE / PEDESTRIAN / INTERPRETIVE CENTER - PARK - YEA! ALL IS GOOD WITH THE EXCEPTION OF 2 ISSUES - IN MY OPINION:

#1: PAVING: PLEASE USE DECOMPOSED GRANITE OR SOMETHING SIMILAR AND NOT BLACKTOP OR CEMENT! MOST ALOT OF PUBLIC LANDS USE THIS MATERIAL AND NOT IMPERVIOUS BLACKTOP OR CEMENT.

#2 THE FAMOUS BRIDGE! OH MY LORD - I CANNOT FATHOM THAT THERE IS NOT A SIMPLER WAY - E.G., A SWITCH BACK TRAIL THAT WOULD MORE THAN ADEQUATELY SERVE THE WIDE ... RANGE OF PUBLIC USE.

HOPE YOU TAKE THESE SIMPLER AND LESS EXPENSIVE SUGGESTIONS - THANK YOU FOR YOUR CONSIDERATION -

I LOVE OUR GREEN BELT GULCH!

SINCERELY,
RAY LECLAIR³⁶

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Joy Carey LeClair
Licensed Marriage and Family Therapist
104 Park Way S
Santa Cruz, CA 95062
831-325-9835

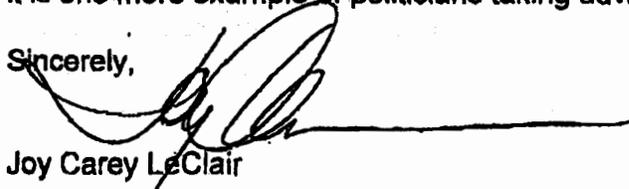
March 7, 2010

To: California Coastal Commission

Re: Arana Gulch

I am writing to you on the behalf of my sister, who has severe physical disabilities. She was outraged when I told her that money designated for improving sidewalks would be directed toward walkways in Arana Gulch. She said that the sidewalks are too poorly maintained in many areas, which makes her life really difficult. She recently had to discontinue seeing one of her doctors because the sidewalk near his office was too torn up to navigate. She says that it is one more example of politicians taking advantage of the handicapped.

Sincerely,



Joy Carey LeClair

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MAR 09 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

California Coastal Commission
Central Coast District Office
725 Front Street - 3rd Floor
Santa Cruz, CA 95060

Chair Bonnie Neely and Coastal Commissioners:

Re: Application No. 3-09-068 (City of Santa Cruz, Santa Cruz Co.)

Welcome back to Santa Cruz and thank you for this opportunity to address the California Coastal Commission on this important issue.

Supporting the original "Save the Coast" initiative was my first big political act. As a lifelong coastal resident, the protections the Coastal Act has afforded California's irreplaceable coastal resources and economy have earned it an enduring place in my heart. I network on coastal issues on all US coasts and hear the lamentations daily of those who live in other states without such coastal protection legislation about the losses they are forced to endure, making me thankful for the vision and dedication of those who, more than 35 years ago, sought effective legislation to protect coastal resources and public access for Californians.

I come here today thoroughly opposed to the transportation element in the joint city-county application before you, as I have been since it was first proposed nearly 15 years ago. Several far superior alternatives have been developed in this time to achieve goal of "improved east-west bicycle and pedestrian bike connections between the city and county" and I ask the Commission to remove the transportation element from this application.

Taken as it is presented, the proposal before you is incomplete, absolutely unnecessary, would have a negligible effect on air quality, is environmentally destructive, fiscally irresponsible, and a threat to the Coastal Act. The application before you contains no engineered drawings, so the budget is, at best, optimistic. The application is also for only about 1/2 of what the public has been told is the full project connecting Broadway, an arterial in the city to Brommer, an arterial in the county. However, there is no information presented to you in this application about the myriad impacts of the remainder of the route on Port District property, though that, too, is in the Coastal Zone and will require a permit from the Coastal Commission.

Article 5, Section 30240(a) states: "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas." This transportation project does not provide coastal access and is neither resource dependent nor coastal dependent, and the addition of "interpretive signs" does not magically make it so, no more than lipstick on a pig. makes it a supermodel (Chapter 1, Sec. 30101; Chapter 3, Sec. 30214, a 1 & 2) Would the Commission support the toll road through Trestles if it was adorned with "interpretive signs"?

There is agreement that the right-of-way passes through ESHA and the EIR acknowledges "significant, unmitigatable impacts" but the stated goals of the transportation element of the application can be met without extensive landform alterations, public view issues, water quality issues, bridges, ramps or impacts to ESHA, riparian corridors, riparian buffer zones, or the steelhead- and tidewater goby-bearing creek. (Chapter 1, Sec. 300001.5 a, b, c, d) There is a logical, efficient and economical "win-win-win-win-win" solution available that protects ESHA and conforms to and protects the Coastal Actm which I will explain soon. (Chapter 1, Section 300007.5)

The Arana Gulch Greenbelt is a remnant of California's most rare original landscape type, coastal terrace prairie; the variant of *Holocarpha macradenia*, the Santa Cruz tarplant or Santa Cruz sunflower, (attached) that grows there has been firmly established by credible botanists to be genetically distinct from any other Santa Cruz tarplant or sunflower growing any where else on earth.

(Chapter 1, Sec. 300001 a, b, c; Chapter 2, Sec. 30107) It's maintenance requirements are simple but non-negotiable and it has suffered a significant decline under the city's lack of care. This iconic plant cannot be re-created and needs to be restored or we lose our authority to tell Central and South Americans that they should protect their rainforest and macaws, to tell Japan to stop slaughtering whales, Alaska to stop shooting wolves from airplanes, Africans to stop poaching rhino, elephant and gorilla, the Chinese to stop buying tiger bone, Arizonans to protect the saguaros, Caribbean nations to stop eating turtles and their eggs and Mexico to protect Monarch butterfly habitat, jaguars and gray wolves and all other efforts to protect Earth's biodiversity.

The city purchased an east-west right-of-way through the property in the late 1960's from the family that had once operated a dairy farm there. The acquisition of the majority of this property as Open Space and the protection of its flora and fauna was accomplished in 1994, fifteen years after it was mandated by an initiative developed and passed by the citizens of Santa Cruz city in 1979/80 and was reconfirmed as a priority by citizens at the ballot box in 1994. Having purchased some of the property at late 1960s prices and the rest in 1994, why didn't the city then choose to unify the property, since there is no qualitative difference between the "right of way" and the balance of the property? Why this insistence on "using the right-of-way" when there is a willing buyer for the paved western portion of it for an amount that would more than recoup the city's cost for the whole right-of-way? Or why not reclaim that portion and subdivide it for a substantial profit and when there is such an abundance of bike and pedestrian alternatives within ¼ mile? (Chapter 3, Sec. 30223)

The staff report acknowledges current high-levels of daily use of the Arana Gulch property in its present condition by walkers, joggers, dog walkers, bicyclists and artists, with some circumnavigating the property while others pass between the city and the county or Twin Lakes State Beach or Seabright Beach via Port District property. These uses are consistent with those on other city Greenbelt properties and with the original intent of the citizens' initiative.

Public documents make clear that far superior alternatives for creating a "safe east-west/city-county bicycle connection" is imminent. The information published by the RTC on their webpage: Monterey Bay Sanctuary Scenic Trail Network clearly states that the impending public acquisition of the Santa Cruz Branch Line will provide a virtually car-free east-west route for bicyclists and walkers close to the coast from Davenport to the Monterey county line. The right-of-way of this rail line is within ¼ mile of the proposed transportation project through ESHA on the Greenbelt and much closer to the coast. It has been widely and repeatedly published that this sale must be concluded in Spring 2010 or the available funds will be withdrawn and redistributed.

<http://www.sccrtc.org/pdf/2010/trail-fact-sheet-Feb-2010-Color.pdf> (attached)

http://www.santacruzsentinel.com/localnews/ci_13998734 (attached)

Funding for the Branch Line acquisition is adequate and secure but funding is needed for development of biking and walking trails within the rail right-of-way. Funding presently allocated to the Arana Gulch transportation project through ESHA would be of far greater public benefit if it were redirected to the development of such trail facilities.

Additionally, the seismic retrofit of the Murray Street bridge between the upper and lower harbors and adjacent to the Branch Line will include widening to accommodate full bike lanes and sidewalks. The work was scheduled for 2010 but recently postponed until 2011.

The issue of handicapped and elderly access to the Greenbelt can be easily achieved by modification of the gate at Agnes and Mentel streets. Whether buggies, as are in use at the beach, or a tempering of the existing path would be preferred could be discussed in the future.

Additionally, traffic congestion, parking and access problems faced by the Santa Cruz Bible Church and Star of the Sea Church on Frederick Street at Broadway to the west of Hagemann Gulch in the city could be resolved by selling to the Santa Cruz Bible Church the portion of the right-of-way west of Hagemann Gulch that the city has allowed them to use for the last 30 years. They've often indicated their eagerness to purchase the property.

The city also has the option of reclaiming the western portion of the right-of-way from the Santa Cruz Bible Church and subdividing it.

In conclusion, for the reasons above, I ask the Commission deny the present application. Cyclists will soon have more safe, convenient and vastly superior east-west routes closer to the coast on both the Branch Line right-of-way and on the Murray Street bridge than can be constructed on the Arana Gulch Greenbelt and through ESHA. Elderly and handicapped access to the Greenbelt can be easily accomodated without the transportation project.

If the city chooses not to sell the paved western portion of the right-of-way to the Santa Cruz Bible Church or chooses not to subdivide and sell it and if it also chooses not to re-direct the transportation project funding to bike and walking trail facilities within the Branch Rail right-of-way, the option still remains for the city to bring to the Coastal Commission at a future date an application for a transportation project on the Arana Gulch Greenbelt. I request that, before such a project is scheduled, that Commission staff will require evidence from USF&W and qualified botanists that the Santa Cruz tarplant has been restored to a stable population adequate to survive the impacts of such a project and that the application be for a fully described project from Broadway to Brommer on city and Port District property.

Thank you for your time and attention.



Patricia Matejcek
PO Box 2067
Santa Cruz, CA
95063

Relevant Coastal Act Sections

Chapter 1 - Findings, Declarations, General Provisions

Sec. 30001 - Legislative findings and declarations; ecological balance

(b) That the permanent protection of the states's natural and scenic resources is a paramount concern to present and future residents of the state and nation.

Sec. 30001.5 Legislative findings and declarations; goals

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.

Chapter 2 - Definitions

Sec. 30007.5 - Legislative findings and declarations; resolution of policy conflicts

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources.

Sec. 30101 - Coastal-dependent development or use

"Coastal dependent development or use" means any development or use which requires a site on or adjacent to, the sea to be able to function at all.

Sec. 30107.5 - Environmentally sensitive area

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Chapter 3 - Coastal Resources Planning & Management Policies

Sec. 30214 - Implementation of public access policies; legislative intent

a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- 1) Topographic and geologic site characteristics;
- 2) The capacity of the site to sustain use and at what level of intensity.

Sec. 30223 - Upland areas

Upland areas necessary to support coastal recreational uses shall be reserved for suchy uses, where feasible.

ARTICLE 5 - LAND RESOURCES

Sec. 30240 - Environmentally sensitive habitat areas; adjacent developments

a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses dependent on those resources shall be allowed within those areas.

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Th 7a
Application No. 3-09-068
Oppose
Charles Paulden

The Coastal Act includes specific policies (see Division 20 of the Public Resources Code) that address issues such as shoreline public access and recreation, ..., terrestrial and marine habitat protection, visual resources, landform alteration, ..., water quality, ... transportation, ... The policies of the Coastal Act constitute the statutory standards applied to planning and regulatory decisions made by the Commission and by local governments, pursuant to the Coastal Act.

Why the road and two bridges through Arana Gulch open space is in conflict with the Coastal Act

Shoreline public access and recreation

This road is almost a mile from the beach and does not lead to the beach.

This is not a beach recreation area.

It is roads that will trisect ESHA .

It will add paving, grading, retaining walls and two bridges in an Urban open space.

The natural retreat from a densely Urbanized area is the highest recreational value for this Coastal Prairie bordered by to riparian corridors.

Terrestrial and marine habitat protection

This road system will cut the habitat into 3 parts.

Habitat Fragmentation is one of the leading causes of loss of species.

The fragmentation of this open space for a road that could be located nearby seems to be counter to the Commissions goal of habitat protection.

Visual resources

The open space of Arana Gulch is a visual resources.

The ability to look around and see an unbuilt environment is an antidote for Nature Deficit Disorder.

The need to be where the hand of development is less heavy is a visual resource.

The Road, grading, retain walls and paving will adversely affect the view of nature, both in the open space and the surrounding area.

The view from Brommer St to the hills is one of the more beautiful views along the coast. It needs to be preserved.

Landform alteration

The grading, cutting, retaining walls, paving and ramps that this road project will require will alter the landform.

This would not be necessary if one of the alternate sites is chosen.

Water quality

Impervious surfaces lead to more Urban Runoff and pollution to the two waterways and the Bay.

Porous surfaces such as decomposed granite were not offered or considered.

This seems out of CEQA compliance when looking at alternatives that are less environmentally destructive.

The examination of other nearby sites, that would not threaten water quality in the same degree, are not adequately examined as less environmentally harmful alternates.

Transportation

This is a transportation project masquerading as an interpretive trail.

A trail that is not paved, that already has access from Mentel Ave in the upper Park and from Brommer and the roads in the upper Harbor, with these same signs would fulfill the need for information without threatening and degrading the area the signage is meant to interpret.

There is access from the upper Park for wheel chair accessibility.

The trails through nature will give visitors a less urban experience than this road across.

The road will bring more people into the area and across it.

This may overwhelm this special bit of ESHA that allows a retreat from the busy Urban areas surrounding it.

While the proponents of this road have conducted a very effective political campaign for this road, the environmental concerns would seem to speak against the use of this site to promote their aims.

One of the main driving forces seems to be that they want a road so that people can get through this area quickly and easily.

Speed and ease are something that the richness of the natural experience provides an antidote to.

While a much less expensive alternate to this road could be chosen, the degradation of this open space for the speed of consumers to get from one shopping area to another seems to be in conflict with the Coastal Act.

Coastal Access will not be increased by this project. That will remain the same.

People can get to the Harbor from Broadway, Brommer, Fredrick St Park and Arana Gulch now.

This will just cut through the Coastal Resource for a road that is not dependent on the Coastal Resource.

The road will degrade this resource and ESHA

Please direct the City to examine the more environmentally sensitive choice of a path from Fredrick St Park

It would connect to the same upper Harbor roads that the Arana Gulch project will access to the coast a mile away.

Please stand up for the Coastal Act.

This project is not Coastal dependent and seems to be in conflict with many of its goals.

All the purported benefits would be realized at much less cost a short distance away.

Bicycle and handicapped access would be gained from the alternate and the Coastal Resource of Arana Gulch would be preserved.

Thank you

Charles Paulden

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MAR 08 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Regarding 3-09-068, Arana Gulch Master Plan

Bill Malone
519 Walnut Ave
Santa Cruz

From a Coastal Commission brochure:

What standards does the Commission use in its permit and land use planning decisions?

The Commission carries out Coastal Act policies, which seek to:

- **Protect and restore sensitive habitats, including nearshore waters, wetlands, riparian habitat, and habitat for rare and endangered species**
- **Protect and expand public shoreline access and recreational opportunities**

The Arana Gulch Master Plan attempts to address two distinctly different issues:

- 1) The protection and restoration of an Environmentally Sensitive Habitat.
- 2) A transportation project: A Broadway to Brommer bicycle traffic connection

Trying to evaluate them together just confuses the situation and will probably lead to bad decisions and comprises that will diminish both projects.

Everyone agrees that Arana Gulch is an environmentally sensitive habitat with endangered species and that it needs protection and restoration. The addition of a pedestrian orientated, interpretive nature trail meandering through the area would definitely increase visitors to the area and enhance their enjoyment of their visit.

Since this exactly meets the Coastal Act policies described in your brochure (above), I am sure the Commission will readily approve the management and restoration elements of the Plan.

The Broadway to Brommer bicycle traffic connection is a completely different thing. It should be evaluated individually on its own merits. It has nothing to do with the protection and restoration of an Environmentally Sensitive Habitat. Actually, it is highly inappropriate to put a transportation corridor through an ESHA. To do so is probably against Coastal Act policies.

I urge the Commission to remove the transportation project from the Master Plan. Ask the City to resubmit a broader project including routes outside of Arana Gulch. The Broadway to Brommer project is a transportation corridor – an east-west connection between two streets. The bicyclists simply want the fastest way to get from one street to the other. It is not meant for bikers to take it slow and enjoy the scenery. Just the opposite: it is extra wide (eight feet) so bikers can go fast through the area. That's too bad for walkers and strollers wanting to enjoy the peace and serenity of the area.

I'm a bike rider. I ride my bike whenever I can. Admittedly, I'm not a hard-core bike rider. I like riding around town. I especially enjoy riding on paths and trails in natural areas, e.g. in parks or along the coast. It just seems wrong to me to put a bike path through a sensitive habitat area with endangered species. I'd prefer to walk through that area and enjoy it more peacefully.

I know the importance of getting folks out of their cars and to use alternative modes of transportation. I am an active member of a couple local groups working for sensible, sustainable transportation. To reduce greenhouse gases we must reduce vehicle miles traveled – essentially get folks out of their cars. I support and advocate for more and better bicycle paths to encourage and facilitate folks to ride their bikes more. But I strongly oppose an eight-foot wide bike path through an environmentally sensitive area.

The eight-foot width of the path is particularly offensive. The excessive width will encourage bicyclists to speed along the path. Traffic studies have shown that car drivers drive faster on wide streets and slower on narrower streets. I'm sure a similar behavior applies to bicyclists on bike paths. Make the paths in the area a maximum of four-feet wide. We'll all enjoy the area much more without bikers whizzing by.

Also, a narrower, four foot wide path could better follow the terrain (minimizing terrain disturbance and cheaper to build) and better avoid impacts on the ESH Areas.

I understand the bicyclist's need and I support a Broadway to Brommer bike path—but not through an environmentally sensitive area. The bike corridor should be routed outside the Arana Gulch open space or, at the least, routed at the south end: connecting Brommer on the East to Harbor Dr. or Glenview St. on the West (near Frederick Street Park). Check this route: go to Google Maps enter "frederick street park, santa cruz, ca".

In summary: I urge the Commission to approve the plan that will protect and restore the area with a narrower, meandering, pedestrian orientated, interpretive nature-trail path. But not the eight-foot wide bike transportation corridor through the middle of it. An eight-foot wide bike path does nothing to protect and restore sensitive habitat—in fact, probably just the opposite.

I suggest the Commission ask the City to resubmit a bike transportation corridor project separately that also evaluates routes outside of the Arana Gulch open space area. Or, move the bike corridor to the southern edge of the area—that route is not that much longer and will significantly minimize (possibly eliminate) any disruptive impacts on the environmentally sensitive habitat.

I think it will be a win-win if the restoration project and the bicycle transportation project are designed and evaluated individually. One side is sure to lose with this attempt at mixing conflicting uses. Probably both sides!

Arana Gulch is a rare open space sanctuary surrounded by a dense urban area. It is a nature retreat, a place one can go to for peace, to escape from civilization for a while. Help keep it that way.

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MAR 08 2010

Regarding: Coastal Permit Application 3-09-068
Applicant: City of Santa Cruz
Project: Arana Gulch Master Plan

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

The local Commission Staff have received copies of these materials on 3-3-10.
Dear Commissioners:

The California Native Plant Society (CNPS) supports the Americans with Disabilities Act (ADA) access to Arana Gulch AND an east-west bike link. ADA access is not an issue because wheelchair paths can easily be built around the Santa Cruz tarplant habitat and Arana can be enjoyed by persons in wheelchairs. The east-west bike link has a number of alternatives, even off site, which could be just as quick and effective as the one through the middle of sensitive habitat at Arana Gulch. All we ask is that the path goes around the habitat instead of through the middle of it. Throughout the Arana negotiations, CNPS has proposed alternatives that would not bisect the Santa Cruz tarplant population both off site and on site. According to bicycle proponents, one alternative (see attachment), which would simply take the road to the south of its current proposed location, would add approximately 14 seconds to the commute for a normal bicycle rider. This would also create a less steep grade for wheelchair access while simultaneously producing a superior 'coastal' experience, with views from the ocean to the mountains. The currently proposed alignment has a grade too steep for many who use wheelchairs and does not have good areas for viewing the coast.

Most people involved in this issue agree that the area in question is an Environmentally Sensitive Habitat Area (ESHA) and the City's own EIR admits that there is a significant impact to the habitat. Clearly, because of this and the fact that the California Coastal Act gives paramount protection to ESHA preventing ANY non-resource dependent development that would impact the habitat, the current Broadway Brommer project within the Arana Gulch Master Plan cannot be squared with the Coastal Act. The City has created a false choice between bicycle transportation and preserving an endangered species.

Please see the attached map that shows the CNPS southern alternative alignment highlighted in blue.

Thanks for your time and consideration.
Vince Cheap, CNPS Conservation Committee
vince@sasquatch.com
Santa Cruz County Chapter

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MAR 08 2010

TO: The California Coastal Commission
RE: Application by the City of Santa Cruz for a development permit for Arana Gulch

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

We, the undersigned, petition the California Coastal Commission to deny a development permit to the City of Santa Cruz for the construction of bicycle transportation projects on the Arana Gulch Greenbelt (the Broadway-Brommer Bicycle-Pedestrian Connection). We strongly support science-based resource management for the endangered Santa Cruz tarplant and all associated floral and faunal species in the Arana Gulch Greenbelt.

Name	Address	City	Zip
Travis Bowler	1231 Andrew Lane	Santa Cruz	95062
Colleen Lumsford	1217 Andrew Lane,	Santa Cruz	95062
Rachel O'Malley	123 Green Street	Santa Cruz	95060
Christy [unclear]	123 Green St	SC	95060
Mingzhi Wei	101 Santa Ln,	Aptos CA	95003
[unclear]	387 Las Pases Way,	Sac, CA	
Marilyn Louren	5308 Tiburon Way	Sac, CA	
Art 2 Mah	5308 TIBURON WAY	SACRAMENTO	CA
Gene Miza	504B EAST	MILVIEW	94043
Nath Brady	10165 Empire	Coastline	95014
Joan Marshall	3134 Oak Knoll Dr	RWC	
Darren [unclear]	10165 Empire Ave	Cupertino	95014
DAVID BROWN	1448 Morning Glory Dr.	Petaluma	CA 94954
Bruce Batten	82 Blackburn St #216	Santa Cruz	CA 95060
Gordon Passer	252 Swanton Blvd	S.C	95060
Pan Nibben	318 [unclear]	Santa Cruz	CA 95060
Lynn Bomberger	92 Glen Lake Dr,	Pacific Grove	CA 93950
Sesalee LaPadra	17 Glen Lake Dr.	PG	CA 93950

Send signed petitions to:
California Coastal Commission, District Office, 725 Front Street, Suite 300, Santa Cruz, CA 95060

Petition completed this date: 3-4-10

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RICHARD AND ANDREA CRISWELL

MAR 08 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 2, 2010

Th7a ---OPPOSITION

California Coastal Commission

Central Coast District Office, 725 Front Street Santa Cruz, CA. 95060

RE: Arana Gulch Draft Master Plan

Dear Coastal Commission Members,

Our main concern, is the Hagemann Gulch Bridge and the West Entrance to Arana Gulch.

WHERE WE ARE LOCATED: 422 Harbor Drive, see enclosed maps

HISTORY ON PROPERTY: 1961-House built, 1968- City acquisition started for Broadway-Brommer Road connection, 1972-House Moved to make room for road, Construction phase never started. 1994-Green belt acquired by city. 1974 - 1998- land adjacent to our property vacant. This land has been maintained by our family since 1974. In 1998, we tried to acquire a part of this property from the city, so we could straighten the property line and install fences to secure our property. In 2001 we were informed that this would not be possible because the city had other plans in the works. 2003-Start of bike path proposals. 1968 - 2006 - 2010, 42 years of unrest.

HAGEMANN GULCH BRIDGE AND WEST ENTRANCE TO ARANA GULCH: Hagemann Gulch consists of riparian scrub and oak woodland. This is how it is referred to in the EIR. What we see are Oaks and Eucalyptus trees. These trees are inhabited by squirrels, red tailed hawks and blue herons as well as monarch butterflies and many other species of birds and animals. . We have watched, over the last few years, surveyors marking trees for removal and there are many of them. This is all being done in preparation for installing the bridge across Hagemann Gulch. We thought that when the GREEN BELT-ARANA GULCH property was purchased this was meant to protect the wildlife and habitat.

When the GREEN BELT-ARANA GULCH was purchased we felt a sense of security for the wildlife and habitat, as well as for our back yard. Now, again, we are faced with many new problems: SAFETY, who will patrol this area? We already know that there are not enough police or park rangers to go around. A bridge will open this area to many problems in the neighborhood, ie. vandalism, substance abuse, and transients sleeping in an easily accessible area that is not patrolled by anyone. This opens OUR property and other properties in our neighborhood,

3-09-068 (ARANT Gulch)

Carole DePalma
2001 Brommer St.

To: All Coast Commissioners

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SANTA CRUZ, CA

" Susan Craig and Dan Carl

MAR 08 2010

MAR 1, 2010

9506:

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Staff & Commissioners:

I am a former member of The Central Coast Regional Commission and The Santa Cruz City Council (1975-1979.) I live near, and use this OPEN SPACE frequently, usually with my dog.

I am opposed to this project, which is not consistent with the Coastal Plan. My opposition is based on 3 points.

① The project uses ADA money and purports to be for the elderly and disabled, yet no Public Restrooms are included. Instead, staff says the Public can use the facilities at the Harbor or Frederick St. Park. The restrooms at the Upper Harbor are closed to the non-boating public except for one on the East Side by the Murray St Bridge. To get to the Frederick St. Toilets, a wheelchair or stroller would have to travel down several blocks along Frederick St. This shows that this project is really designed for cyclists who are going thru the Park as fast as possible. (COMMUTERS.)

② The paved path and bridge disturbs an ESHA and does not provide access to the coast.

③ The fenced cow pasture is unnecessary and would disturb views. The tarplant can propagate with mowing, please, do not disturb this precious green, quiet open space with a FAST TRACK FOR BIKES.

Sincerely
Carole DePalma

64

Exhibit K

March 5, 2010

Dear Coastal Commission Staff,

In reference to the Arana Gulch Master Plan, application 3-09-068, item Th 7a I would like to urge the California Coastal Commission (Commission) to reject the Project as proposed until the non resource dependent Broadway-Brommer bicycle path is removed or reconfigured to avoid the significant disruption of endangered species habitat values within the Environmentally Sensitive Habitat Area (ESHA). There are many feasible and reasonable alternatives that the Commission should adopt to protect and enhance endangered species habitat within the ESHA, improve the Arana Gulch trail system for users with various mobility methods, increase educational and informational opportunities, and facilitate east west bicycle commute options.

In addition I anticipate the following problems and concerns with the project as planned. The combination of a transportation project and a interpretive trail creates conflict among users. Bicyclists will have to thread their way through passive users such as wheelchairs, people pushing strollers, people with leashed or unleashed dogs.

Peaceful contemplation of the natural flora and fauna will be negatively impacted by traffic flow. Inevitable, if occasional, use by motorized bicycles and scooters, as are seen on city bike lanes presently, will create disturbing levels of noise (think of chain saws) and odors. Safety of walkers and wheelchair users will be compromised by higher speed bicycle users.

County-wide failure to enforce dog leash laws (off-leash dogs are currently rampant in Arana Gulch) will result in injury-producing collisions and entanglements between dogs and bike riders.

Clearly the inclusion of the Broadway/Brommer bicycle path link does not pass the test of "resource dependency" required by the Coastal Act for building on ESHA. To suggest that bicycle commuters will be able/likely to read interpretive signage whilst whizzing through the ESHA of Arana Gulch is somewhat disingenuous. As is the claim that the Arana Gulch trail segment will somehow be a part of the California Coastal Trail or the Monterey Bay Sanctuary Scenic Trail. Both of these trails are slated to follow the alignment of the railroad tracks or Murray St./E. Cliff Dr. where views of the coast are much more prevalent.

Thank you for your attention to this matter,

Sincerely, Grant Weseman, 4657 Branciforte Dr., Santa Cruz, CA 95065

Grant Weseman

Mr Grant Weseman
4657 Branciforte Dr
Santa Cruz, CA 95065-9620

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CENTRAL COAST AREA

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MAR 08 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 1, 2010

Dear Coastal Commissioners,

My name is Nate Trumble and I live at 822 Cayuga in the Seabright neighborhood and have been employed in the bicycle industry for nearly 20 years. Recently, at my work, there appeared some postcards for our customers to simply sign and send to you, asking for approval for the Arana Gulch bridge and bike path. Normally a new bike path sounds fine, but in this case I would strongly disagree and I would ask for you to reject any such request.

Where I live, having a path through the gulch would be closer, but I have never had any problem getting to 41st or any other destination on that side of town using either Soquel or Murray St. Bridge by bicycle. I can remember, not so long ago, Soquel Ave. had areas of no bicycle lanes and now that we have them the same organizations that helped with putting them in are calling them dangerous.

In candid conversations with coworkers and customers there is a bobble-head nodding response to any bike path approval. Unfortunately, many of these same people don't walk through or even realize what an oasis Arana Gulch is. (Many do not even know WHERE it is...) Walking my dog or riding my bike through the gulch is a treat and is an asset to Santa Cruz. Where else is there such an area that has been left alone in a growing urban environment?

I fear that having this kind of access will not only promote unwanted transient use but would require the need to patrol it. That puts an additional burden and expense on our police department or harbor patrol. With such controversy, I again strongly urge you to do the easiest and less expensive thing and vote NO on the Arana Gulch liability project.

Sincerely,

Nate Trumble
822 Cayuga St.
Santa Cruz, CA. 95062
(831) 331-3349

Susan Craig
Coastal Commission
Permit # 3 09 068
Item No. Th7a

In Opposition

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am in opposition to any "improvements" to Arana Gulch, because:

We, the people bought the land for open space and for no other reason

We the people hire you to be frugal, accountable and practical with our money, if it is federal, state or city. All these monies come from our pockets. The alternatives to this project have been discussed in detail before. They are practical.

Our city, state and nation are in debt. We cannot afford to spend our children's and grandchildren's money. Period.

I fear that the Chinese some day will come and say: you owe us, and your money is worthless, I want Arana Gulch plus your Parks for payment of what you owe....

If you, our servant, who get paid by us, the people, keep using our credit card without restraint because our children will pay for it in the future, we will just have to kick you out of office. We are learning not to give the keys of our cars to drunken driving offsprings. ...

Maya Sapper
Santa Cruz

Maya Sapper

*M. Sapper
21404 Alvarado
Santa Cruz Ca 95062*

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MAR 08 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 4, 2010

Perry DiBenedetto
400 Owen St.
Santa Cruz, CA. 95062

California Coastal Commission

725 Front St., Suite 300

Santa Cruz, CA 95060

Dan Carl, District Director,

Concerning the Arana Gulch plan to pave a bike trail:

Why not locate the bikeway on the already degraded railroad right of way instead of on the ESHA? Why pave over more natural places when theres a good alternative? The proposed bike path will adversely impact the

Sensitive, Threatened and Endangered Plants Living in Arana Gulch:

- Santa Cruz tarplant (*Holocarpus macradenia*)
- San Francisco popcorn flower (*Plagiobothrys diffusus*)
- Point Reyes horsetail (*Horkelia marinensis*)
- Maple-leaved checkerbloom (*Sidalcea malachroides*)
- Gairdner's yampah (*Perideridia gairdneri* ssp. *borealis*)

The proposed bikeroad through Arana Gulch Greenbelt has identified, at minimum, the following 24 mature live and healthy trees for removal:

- 2 Coast Live Oak (*Quercus agrifolia*)
- 4 California Bay (*Umbellularia californica*)
- 1 California Buckeye (*Aesculus californica*)
- 15 Eucalyptus (*Eucalyptus globulus*)

Depending on road-design alternatives, additional Poplar, Eucalyptus and Coast Live Oak trees could be added to the removal list.

Additionally, a significant number of other Arana trees would require limbing and/or trimming to make room for the bikeroad.

As a biker, I'd be happy with the RR right of way made into a safe bike lane to access those parts of town.

Please approve the Arana Gulch Master Plan without the paved Broadway-Brommer bike trail.

Thank you for protecting our coast,

Perry DiBenedetto

*protecting and restoring natural ecosystems and imperiled species through
science, education, policy, and environmental law*

via electronic and US mail

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MAR 08 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 3, 2010

Mr. Dan Carl
Ms. Susan Craig
California Coastal Commission
725 Front Street
Santa Cruz, CA 95060

Re: Item Th7a, Application 3-09-068-Master Plan for Arana Gulch, Broadway-Brommer
Pedestrian-Bicycle Path

These comments are submitted on behalf of the Center for Biological Diversity ("Center") on the City of Santa Cruz's Master Plan for Arana Gulch. The Center urges the California Coastal Commission ("Commission") to reject the Project as proposed until the non resource dependent Broadway-Brommer bicycle path is removed or reconfigured to avoid the significant disruption of endangered species habitat values.

While the Center applauds the City's efforts to develop the Arana Gulch Habitat Management Plan in accordance with the "Management Program for the Santa Cruz Tarplant (*Holocarpha macradenia*) Population at Arana Gulch", the significant impacts of the Broadway-Brommer Pedestrian Bicycle Path on the endangered Santa Cruz tarplant must be avoided. Alternatives exist that the Commission should adopt to protect and enhance endangered species habitat within the Environmentally Sensitive Habitat Area ("ESHA"), improve the Arana Gulch trail system for users with various mobility methods, increase educational and informational opportunities, and facilitate east west bicycle commute options. Unfortunately, the Project, as proposed, avoids win-win solutions to improve the environment, education, accessibility, and non-automobile transportation.

The Endangered Santa Cruz Tarplant in Arana Gulch

The Santa Cruz tarplant is listed as "endangered" by the State of California under the California Endangered Species Act, and "threatened" under the federal Endangered Species Act. As an endangered species the state of California has determined that the Santa Cruz tarplant "is in serious danger of becoming extinct." Cal. Fish and Game Code § 2062. The legal designation of endangered is supported by the dire factual circumstances of the few remaining Santa Cruz tarplant populations.

Arizona • California • Nevada • New Mexico • Alaska • Oregon • Illinois • Minnesota • Vermont • Washington, DC

Jonathan Evans, Staff Attorney
351 California St., Ste. 600 • San Francisco, CA 94104
tel: (415) 436-9682 x 318 fax: (415) 436.9683 email: jevans@biologicaldiversity.org
www.BiologicalDiversity.org

erroneously asserted that, contrary to the Environmental Impact Report ("EIR"), no significant habitat impacts would result from the Project. The Commission cannot selectively adopt portions of the EIR while rejecting other portions of the EIR where convenient.

The Draft EIR for the Arana Gulch Master Plan recognizes that the expanded trail system, including the Broadway-Brommer bike path, would result in a significant and unavoidable impact to the Santa Cruz tarplant and its habitat.⁹ In analyzing the impacts to the Santa Cruz tarplant and its habitat the EIR recognized that that impacts from the Project's trail components "would remain significant and unavoidable because it cannot be fully ensured that all tarplant habitat would be protected."¹⁰ The DEIR made this determination because the Project would result in significant impacts to the environmentally sensitive tarplant habitat due to the following: "routing of trail segments through historic Santa Cruz tarplant habitat" resulting in "a direct loss of habitat for the species"; "[c]onstruction of trails... [that] would result in permanent loss of tarplant habitat within the width of the trail"; disturbance of additional tarplant habitat outside the trail footprint by pedestrians and bicyclists; and indirect effects of construction such as deposition of fill, altered hydrology, or the introduction of weeds.¹¹ Thus, the significant disruption of habitat from the Broadway-Brommer bike path must be recognized by the Commission and cannot be dismissed.

The Coastal Act also prohibits non-resource dependent uses within an ESHA. In other words "only uses dependent on those (ESHA) resources shall be allowed." Pub. Res. Code § 30240(a). In the present case the staff report attempts to assert that a transportation project—developing an east-west bicycle corridor—is a resource dependent use because portions of the bike path "function as an interpretive path." Simply including interpretive signage does not convert a transportation project to a "resource dependent" use. This is tantamount to permitting a road within a wetland ESHA as long as interpretive signage describing the filled wetlands is displayed at a roadside stop, or permitting the development of an educational institution within an ESHA as long as that institution includes some educational discussion of the resources that were destroyed to permit its development. This type of justification must be flatly rejected. Interpretive uses can be facilitated for all mobility levels without this non-resource dependent transportation oriented path.

The Commission Should Adopt Alternatives to the Broadway-Brommer Bike Path that Avoid Significant Disruption of Habitat

The Commission should reject the Broadway-Brommer bike path in favor of less environmentally destructive alternative. The state legislature has declared that "stage agencies should not approve projects as proposed which would... result in the adverse modification of habitat essential for the continued existence of the species, if there are reasonable and prudent alternatives available" that would conserve the species essential habitat. Cal. Fish and Game Code § 2053. The Broadway-Brommer bike path component of the Project would destroy critical habitat for the Santa Cruz tarplant—essential for the continued existence of the species.

⁹ City of Santa Cruz 2006, Arana Gulch Master Plan DEIR at 4.2-43.

¹⁰ City of Santa Cruz 2006, Arana Gulch Master Plan DEIR at 4.2-44.

¹¹ City of Santa Cruz, Arana Gulch Master Plan DEIR at 4.2-42 to 43.

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COASTAL COMMISSION
CENTRAL COAST AREA

Nanda Wilson

400 Owen St

Santa Cruz, CA

March 4, 2010

California Coastal Commission

725 Front St., Suite 300

Santa Cruz, CA 95060

Dan Carl, District Director,

Concerning the Arana Gulch plan to pave a bike trail:

Why not locate the bikeway on the already degraded railroad right of way instead of on the ESHA? Why pave over more natural places when there's a good alternative? As a biker, I'd be happy with the RR right of way made into a safe bike lane to access those parts of town.

Please approve the Arana Gulch Master Plan **without** the paved Broadway-Brommer bike trail.

Thank you for protecting our coast, Nanda Wilson



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MAR 08 2010

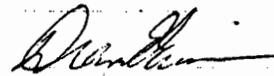
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

To: DAN CARL
District Director
California Coastal Commission

Re: Paved Bike trail - Broadway to Brommer, Arana Gulch

Please approve the Arana Gulch MASTER PLAN WITHOUT
the paved bike trail. A paved bike trail can
be on the railroad right of way or shortcuts can be
done through Frederick street park. Please do not pave
one of the few remaining natural areas of Santa Cruz.
Paths are ok, but please - NO pavement! Arana
Gulch is already accessible by bicycle. No need to
pave it.

Thank you for listening.



DIANE ERICSSON

322 8th Ave

Santa Cruz CA 95062

Commissioners,

It is My hope that Your decision on Arana Gulch will be to Separate the Management Plan From the Transportation "Project" in the EIR now called an Interpretive Trail , and that You will Vote in favor of the management Plan and against the "Project" as it now exist .

There is an issue with the History of this Project that needs some clarification . Originally the City purchased a Right of way through the property with the intentions of building a road connecting Broadway and Brommer streets , and because of a massive outcry from the Citizenry that idea was eventually dropped , once the City bought the property as Open Space Public Works came forward with the "Bike Hi-Way" proposal , and once again there was Great resistance to the planed Project , and over the course of 15 or so Years the "Project" has morphed into what is now called an "Interpretive Trail" , well no matter how many layers of "Pig Lipstick" is put on this "Project" it is still a Non-Resource Dependent Transportation Project , adding a few signs does not change the underlying "Project". The "Project" as put forth by the City has always had the preferred alternative within the Original Right of Way .

All of the Goals of an Interpretive Trail can be Met Via the Northern entrance on Agnes St. which include Wheel-Chair access , with very little if any disruption of the ESHA .

Other Factual information that is missing from Your Staff Report is the City's lack of Management of any of It's Green-Belt Properties , Moore Creek and the Pogonip are both overrun with Homeless People that have left a trail of destruction and devastation at Both sites , Arana Gulch also has a small Homeless encampment near Capitola Rd. , Building a Bridge over Hagemann Creek will most assuredly bring about the same destruction from Campers as has been the case in the other Properties .

The City's Management , or lack there of , of the ESHA in Arana Gulch can best be described as "Extinction by Neglect" , therefore Your Staffs suggestion that the "Project" be approved with conditions many of Which the City has thus far Proven it Can't perform is foolhardy at best .

Also the City in It's EIR of the "Project" has never Identified where it is that the Funds to manage the ESHA will come from .

Given the Fact that this "Project" is not Coastal or Resource Dependent in keeping with section 30340 of the California Coastal Act , I see no other option for You other than rejecting this "Transportation Project" .

Thank You ,
Scott Graham
Santa Cruz, Ca.



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COASTAL COMMISSION
CENTRAL COAST AREA

73

Exhibit K

K

Dee Kenville
161 Hagemann Ave.

Santa Cruz, CA 95062-2212



FEB 25 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Sir,
I have lived in this neighborhood for over 30 yrs & enjoyed Arana Gulch as-is. Please do not bring heavy equip in to make a bike path & destroy this precious habitat. The estate needs this slice of nature as-is. Come & enjoy it & see why.

If you must put in a bike path please use the Fred St Park existing bike path!

Thank you.
Dee Kenville
Dee Kenville
831 331-3937

To:

Dan Carl, District Director
Calif Coastal Commission
725 Front St Suite 300
Santa Cruz, CA
95060

Nature's Design
P.O. Box 836
Davenport, CA 95017
Photograph by
FRANK B. BALTUS © 2002
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MAR 02 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

10/9/09

Mr. Dan Carl,

Please vote against the Broadway-Brommer Master Plan as it stands now. There is so much a stake! There will be significant and unavoidable impact to the habitat. This path is also a violation of the E.S.H.A (Environmentally Sensitive Habitat Area) as defined in the CA Coastal Act (policy 30240). The city of Santa Cruz has failed to demonstrate that this proposal project is "resource-dependent" as specified by the act. There is no long term funding for the protection of the Tar Plant.

Please we URGE you to approve ONLY the Arana Gulch Master Plan contingent on the removal of the Broadway-Brommer Bicycle Path Connection project (as found in six public use objectives on page 30 of the Draft Master Plan, as well as proportions of Section 3.4)

There are other alternatives outside of Arana Gulch for and proposed east-west bike connection.

Once you take away this beautiful open space, it can never recover. There are other places for bike paths but there are only limited spaces for endangered species and natural habitat.

Thank you for your immediate attention

Sincerely,

Michelle Hernandez
Michelle Hernandez
Zakariath Cook
ZAKARIATH COOK

220 SAN JOSE AVE. #A
CAPITOLA, CA 95010

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MAR 02 2010

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COASTAL COMMISSION
CENTRAL COAST AREA

10/9/09

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Sincerely,



212 TREVETHAN AVE
SANTA CRUZ CA 95062

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CENTRAL COAST AREA

10/9/09

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Sincerely,



1052 7th Ave

Santa Cruz 95062

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CENTRAL COAST AREA

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Thank you for your immediate attention

Sincerely,

Anne Burns

206 Trevelyan Ave
Santa Cruz CA
95062

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

10/9/09

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Thank you for your immediate attention

Sincerely,

BB Baker
Bronson Baker
138 Forest Ave.
Santa Cruz

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MAR 02 2010

CALIFORNIA
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CENTRAL COAST AREA

10/9/09

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Thank you for your immediate attention

Sincerely,

Tim Hill

*121 Mentel Ave
Santa Cruz CA 95062*

Th Fa

David S. Kossack, Ph.D.
P. O. Box 268
Davenport, CA 95017

Tuesday, March 09, 2010
(831) 419-8307
dkossack@cruzio.com

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, Ca 95060

Re: Coastal Development Permit Application # 3-09-068, Arana Gulch Master Plan

Chair Neely and Commissioners:

Thank you for the opportunity to comment on the Arana Gulch Master Plan, Coastal Development Permit Application # 3-09-068. Unfortunately this plan can only be described as 'a wolf in sheep's clothing'. While I think it's wonderful that the City is interested in protecting the Santa Cruz Tar they mix their metaphors with a 'pave it to save it' management plan that is likely to result in a bankrupt effort to provide long-term resource protection. Specifically the following issues have not been addressed:

1. There are inconsistencies in the stated purpose of this project between applications/permits. The present project has been publicly advertized as bicycle commuter connection between Broadway Street in the city of Santa Cruz and Brommer Street/7th Avenue in the county of Santa Cruz (e.g., Exhibit 13, Page 2: 'Biological Opinion for the Broadway-Brommer Pedestrian Bicycle Path Santa Cruz County, California (1-8-07-F-46), Description of the Proposed Action'). However the present staff report states on page 4, paragraph 2:

"Clearly, if the objective is simply to get from point A in Santa Cruz County to point B in the City of Santa Cruz (i.e., the elusive "Broadway-Brommer" connection) more quickly than is currently the case (including for pedestrians, bicyclists, wheelchair users, etc.) then there are other alternatives that can meet this objective without placing paved paths in Arana Gulch."

The applicant appears to be manipulating a vulnerable transportation user group(s) through the Arana Gulch Greenbelt despite the availability of more efficient, and available, transportation alternatives. If the applicant is really applying for a project to manage and restore habitat areas in the Greenbelt then the Commission should remove the bridge(s) and asphalt from the application. This would allow for a viable habitat protection and restoration program and allow the City, County and CA Department of Transportation (CalTrans) to provide for efficient and safe transportation circulation opportunities for these important means of travel.

2. There is no discussion of growth inducing and cumulative impacts in the staff report; that is future projects that the city and/or county might be planning that would be facilitated

Exhibit K

by the bridge and pavement provided by the current application, either within the greenbelt or the surrounding area. In the absence of a thorough discussion of growth inducing and cumulative impacts this application represents a fragmentation of the larger collective project. An important consideration is the insertion of a bridge and new pavement through the Arana Gulch greenbelt: this isn't a wheelchair path or pedestrian path or a bike path, it needs to be addressed as a potential future automobile bridge and connecting road between Broadway and Brommer/7th Avenue. Past experience has demonstrated that this is not an unreasonable destination for the present project; CalTrans is already involved. There need to be a discussion of how CalTrans intends to address future Highway 1 aversion traffic and the potential role of a Broadway/Brommer connection; US Fish and Wildlife Service (FWS) cumulative impacts discussion (Exhibit 13) is a bit limited.

- There should be conditions of approval preventing expansion of the bridge and/or any pavement, and a finalized bridge design and engineering before any permit is approved by the Commission.
 - Any approval needs to include conditions eliminating future structures or infrastructure within the Arana Gulch open space area, in perpetuity.
3. It appears that CalTrans will be building the bridge(s) and paved trails. It also appears that CalTrans is the applicant for the FWS Biological Opinion permit (Exhibit 13). However CalTrans is not listed as an applicant on the present Coastal Development Application nor does CalTrans participation appear to be addressed in the CCC staff report. Conversely, the City of Santa Cruz is not identified as an applicant in the FWS Biological Opinion. It is important to have all applicants/responsible parties on all of the applications necessary for this project so that any and all conditions of approval can be fully enforced.
- The Commission should not approve this application until all applicants are recorded and their roles identified.

As a side-thought, the opinions offered by our public agencies responsible for the protection of native plants and wildlife are couched in terms of whether things will get worse rather than what needs to happen to make things work (i.e., recovery to viable populations).

4. Funding for the Arana Gulch Master Plan remains unclear. While \$1.6 million appears to have been secured for construction of the multi-use (i.e., paved) trails and Hagemann Gulch bridge through previous state and federal grants to the City (page 16, Phasing and Implementation of the Management Plan) funding for on-going resource management including Santa Cruz Tarplant Adaptive Management Program is not clearly identified and clearly not secured.

Phasing and Implementation of the Management Plan continues, "In order to ensure long term management of the Santa Cruz tarplant, a sustained funding program must be established within the City. This program would be separate from the ongoing annual maintenance funding and Capital Improvement Projects." 'Alternatives to the Proposed

Project' are dismissed because "...funding might not be available for long-term resource management of the site, specifically the Santa Cruz Tarplant Adaptive Management Program" (page 35) but the Arana Gulch Master Plan's 'preferred project' does no better in either identifying potential funding or more importantly demonstrating that the applicant has *secured* funding for long-term resource management. To suggest that funding could be generated by selling off a portion of the property the plan is intended to manage (e.g., "along the trail alignment extending from the Hagemann Gulch bridge to Frederick Street" (page 16)) begs the question... and the current condition of simply 'identification of funding' (page 50) lacks the substance necessary to provide robust and enforceable habitat protection under an application specifically targeting management and restoration of habitat areas as a goal.

- The coastal development permit application for the Arana Gulch Habitat Management Plan need to require a condition of approval of a demonstrated secured funding source capable providing at least 25 years of management and monitoring for the Santa Cruz Tarplant Adaptive Management Program and other biologic resources (e.g., riparian zones).

Requiring these conditions of approval to be implemented before a permit is issued is not unreasonable. In the Lower San Lorenzo River and Lagoon Management Plan the City was applauded for its consideration of habitats and hydrology associated with the 'stressed' San Lorenzo River as it flows through Santa Cruz. In particular the CEQA document specifically identified a full span Bike/Pedestrian bridge immediately downstream from Highway 1. However when it came time for the City to construct the bridge span design conditions not assessed in the CEQA documents revealed the need for "significantly enhanced foundation design to compensate for high liquefaction in surrounding soils" (SCz City Council Meeting, December 11, 2007, Agenda Item #29: San Lorenzo River Bike/Pedestrian Bridge Project (c409329)). Despite this change in conditions, and requests from concerned citizens, the CEQA document was not re-circulated and a more 'pedestrian' bridge was constructed with 7' diameter supports placed within bank-full of the San Lorenzo River's floodplain.

Thank you for accepting my comments on this pivotal project.

Respectfully

David Kossack

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3.10.2010

California Coastal Commission

725 Front St., Ste. 300

Santa Cruz, CA. 95060

MAR 10 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RE: Broadway-Bronner Bike Project (aka-'interpretive trail')

Dear Coastal Commission/Dan Carl:

- 1.) The proposed B-B Bike Project will cause significant & unavoidable impact of the endangered & threatened Santa Cruz Tarplant (*Holocarpus macradenia*).
- 2.) The B-B Bike Project will violate an Environmentally Sensitive Habitat Area (ESHA) as defined in the CA Coastal Act (Policy 30240). The City of Santa Cruz has failed to demonstrate that this project is 'resource dependent', as specified in the act.
- 3.) The City of Santa Cruz has never substantiated its claim that money for management of tarplant habitat will come from construction funding for B-B Bike Project. The City has not identified any dedicated funding mechanism to mitigate 'significant & unavoidable' damage to Santa Cruz tarplant habitat.
- 4.) Our family urges that the C.C.C. ONLY approve the Arana Gulch Master Plan CONTINGENT ON the removal of the Broadway-Bronner Bicycle Path Connection project (as found in six Public Use objectives on page 30 of the Draft Master Plan, as well as portions of Section 3.4).
- 5.) Our family is asking the C.C.C. instruct the City to consider alternatives outside of Arana Gulch for any proposed east-west bicycle transportation project.

Sincerely Yours,

A mother & son who are two local Santa Cruz residents & concerned citizens.

P.O. Box 2064, Santa Cruz, CA. 95063.

Exhibit K

Dan Carl, District Manager
California Coastal Commission
725 Front St. #300
Santa Cruz, CA 95062

9 March 2010

Dear Mr. Carl ~

The following comments on the Staff Report, including its Summary and Analysis are offered for your consideration as well as that of the Commissioners.

Friends of Arana Gulch has already submitted extensive comments regarding the City of Santa Cruz application for a development permit to build **a transportation project through an ESHA in a City greenbelt that is also "critical habitat" of an endangered species.**

We hereby offer these additional comments: an observation, identification of some unsubstantiated statements in the Staff Report that could possibly lead to misinformed decision-making by the Commission, and some recommendations regarding Conditions of Approval.

Observation:

There appears to be **no enforcement mechanism** identified in the Staff Report. What will insure that the City will meet the Conditions of Approval, beyond paper promises, and "fully and rigorously" implement the entire Master Plan? Since an endangered species is at risk, the importance of compliance is paramount.

Unsubstantiated Statements:

1. "Volunteer trails cause erosion" -- this statement ignores the fact that it is the **City's lack of management** in the last 12 - 15 years that has led to erosion on some of the footpaths, **not the paths themselves**. For instance, perimeter fencing, in existence when the City bought the property, was allowed to deteriorate, providing people (including bicyclists) access to cut down slopes, especially on the southeastern perimeter. No existing footpaths, from the time the City acquired the property, were maintained. Once, a piece of plastic fence, using two pieces of rebar stuck into the ground, was placed in the middle of the mid-meadow path approach to Area A. People walked around it and it fell down on the ground within weeks and was never reinstalled. We have photo documentation of this, if necessary.
2. "The project has been reduced in scale" -- this is false. The project, whether it is the Master Plan in total or even just the Broadway-Brommer transportation component, is **greatly increased and/or the same in scale**, respectively. There is **more paving**, total, in the MP (a north-south paved "path" has been added to B-B) and there are **still two bridges**. In fact, the second bridge, over Arana Creek, being just a "steel span," requires a "ramped" trail to the span that will require retaining walls and wider trail widths than originally envisioned in the 1999 B-B EIR (9' - 15' width according to the 2006 MP EIR).
3. The statement of the CCC ecologist that paving for B-B in an ESHA is not a significant disruption of habitat values is **subjective opinion**, because there is **no basis** for determining a definition of "significant disruption" to be found in the Coastal Act. The only definition used in

California law is found in CEQA and the City determined in its EIR, per CEQA, that there **would be "significant and unavoidable impact"** to the tarplant.

Contradictory Statements (page 2 of the Staff Report):

First we read that "No new trail alignments will be located in historic tarplant habitat areas." That sentence is immediately followed by "Portions of two proposed trails will pass through two separate historic tarplant habitat areas." This is playing with words and is also unsubstantiated, since there are no engineered plans for the B-B bike route. Besides, there is a difference in a 2' wide footpath and an 8' wide (plus 2' shoulders) paved route. A difference in scale and impact.

Conditions of Approval:

For the sake of argument only, assuming that the B-B project (and all paved bikeway routes in Arana Gulch, as well as the riparian zone on Port District property) is approved, Friends of Arana Gulch asks that the Conditions of Approval either be maintained in their present strength or strengthened further, as explained below.

1. **Grazing Plan** - As presented in the Exhibit section of the Staff Report, this plan is not included in the Arana Gulch Draft Master Plan nor the Arana Gulch Master Plan EIR. This plan has never been publicly reviewed nor has it received any environmental review. The grazing plan is not mentioned in the Conditions of Approval. There are no conditions with regard to the major infrastructure and impact components -- water trough, water line, fencing, access road, signage and security. In point of fact, in early 2006, the City was preparing to apply for a Coastal permit for this project alone, realizing its impacts. They decided not to do and instead, at the suggestion of botanists, used mowing that fall to remove thatch. The grazing plan should be listed separately in Section B.2.(f) Design, and in Section B.3. Arana Gulch Habitat Management Plan, in detail, with specific Conditions for Approval of this specific project.

2. Funding for management (Sec. 3 AG HMP) -- "identification of funding"

Funding is quite controversial because the City has acknowledged that it needs to have some kind of endowment for its tarplant Adaptive Management Working Group and its HMP. However, there are **conflicting statements in the administrative record** as to the alleged sources of the funding. In order to have mitigation management funding, in perpetuity, there will need to be an endowment of greater than \$1 million. Yet the only potential income identified to date is the possible sale of City property, for an unknown quantity far short of what is necessary. And those funds were **earmarked for B-B infrastructure maintenance** in recent comments by the director of Public Works to the County Regional Transportation Commission. The Commissioners were concerned about how the City could maintain the B-B project and they were told of the planned sale of City property for that purpose.

In light of the uncertain funding for resource management (plus the history of inconsistent and/or non-existent management) we recommend some kind of **bonding requirement** be incorporated in the Conditions of Approval.

Sincerely,
Jean Brocklebank
Michael Lewis
On behalf of Friends of Arana Gulch

March 11, 2010

California Coastal Commission

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MAR 12 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

I am writing with great concern about the proposed bike path and wheelchair access paths for Arana Gulch.

My family walks the dirt paths on the open field at Arana to get a feeling for nature and to relax despite living in a city with such a car-centered lifestyle.

I feel that we see enough cement just by being in the rest of town. We have night-lighting almost everywhere. We have roads cutting roads - criss-crossing each other everywhere we look. We need dirt to walk on somewhere, and I am sad that this proposal would pave over the dirt.

So, in short, I am opposed to the bike path, because it cuts across our only open space around this side of town and because it would include night-lighting, which I feel would draw people to it at night, ~~which~~ (this is an unwelcome prospect). If the bike path skirted the field, going along the ocean edge, it might be more palatable.

I am opposed to the wheelchair paths that would cover our walking path. I'm worried that it would be unpleasant to walk on; that it would reduce our experience of nature, which I care for my children to have; that we'd end up paying for it, and that it would draw troublesome people at night.

Exhibit K

Please consider a more elegant solution to the bike path plan that doesn't take one of our last open areas in town.

Thank you.

Selena Hudson
Selena Hudson
148 Mentel Ave.
Santa Cruz, CA 95062
(831) 332-9033

p.s. The idea of cows on the pasture wouldn't be so great for the cows, unless you are considering a no dogs rule, which would be a hot topic as well.

Th Fa ✓

From: Mike Ferreira <michaeljferreira@gmail.com>
Date: March 7, 2010 1:37:04 PM PST
To: steve blank <sblank@kandsranch.com>
Cc: "Roberts, Lennie" <Lennie@darwin.ptvy.ca.us>
Subject: March CCC ex parte

Hello Steve,

Following are the two items on this week's agenda that we wish to bring to your attention.

W.21.5.a. Appeal No. A-5-LGB-10-39 (Laguna Terrace Park, Laguna Beach)

Orange County Sierra Club supports the staff recommendation. They believe Commission staff has done an outstanding job identifying and detailing the numerous issues involved and the lack of consistency with the Laguna Beach certified Local Coastal Plan (LCP) related to public access and recreation, environmentally sensitive areas, water quality and hazards.

Th.7.a. Application No. 3-09-068 (City of Santa Cruz, Santa Cruz Co.)

Santa Cruz Sierra Club does not agree with the staff recommendation. The management and restoration part of this project is fine, but an Interpretive Trail - which the proposed Transportation Trail clearly isn't - should not be allowed until the restoration is working and the endangered species have a chance to recover. The staff argument that this Transportation Trail can be transformed into an Interpretive Trail by the mere addition of signage is a slippery slope, at best, and the Santa Cruz Sierra Club is hopeful that the Commission will take a much more protective posture toward this ESHA than that which has been put before them.

Lennie Roberts

Mike Ferreira

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MAR 10 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

The California Native Plant Society (CNPS) supports the Americans with Disabilities Act (ADA) access to Arana Gulch AND an east-west bike link. ADA access is not an issue because wheelchair paths can easily be built around the Santa Cruz tarplant habitat and Arana can be enjoyed by persons in wheelchairs. The east-west bike link has a number of alternatives, even off site, which could be just as quick and effective as the one through the middle of sensitive habitat at Arana Gulch. All we ask is that the path goes around the habitat instead of through the middle of it. Throughout the Arana negotiations, CNPS has proposed alternatives that would not bisect the Santa Cruz tarplant population both off site and on site. According to bicycle proponents, one alternative, which would simply take the road to the south of its current proposed location, would add approximately 14 seconds to the commute for a normal bicycle rider. This would also create a less steep grade for wheelchair access while simultaneously producing a superior 'coastal' experience, with views from the ocean to the mountains. The currently proposed alignment has a grade too steep for many who use wheelchairs and does not have good areas for viewing the coast.

Most people involved in this issue agree that the area in question is an Environmentally Sensitive Habitat Area (ESHA) and the City's own EIR admits that there is a significant impact to the habitat. Clearly, because of this and the fact that the California Coastal Act gives paramount protection to ESHA preventing ANY non-resource dependent development that would impact the habitat, the current Broadway Brommer project cannot be squared with the Coastal Act. The City has created a false choice between bicycle transportation and preserving an endangered species.

Vince Cheap, CNPS Conservation Committee
Santa Cruz County Chapter

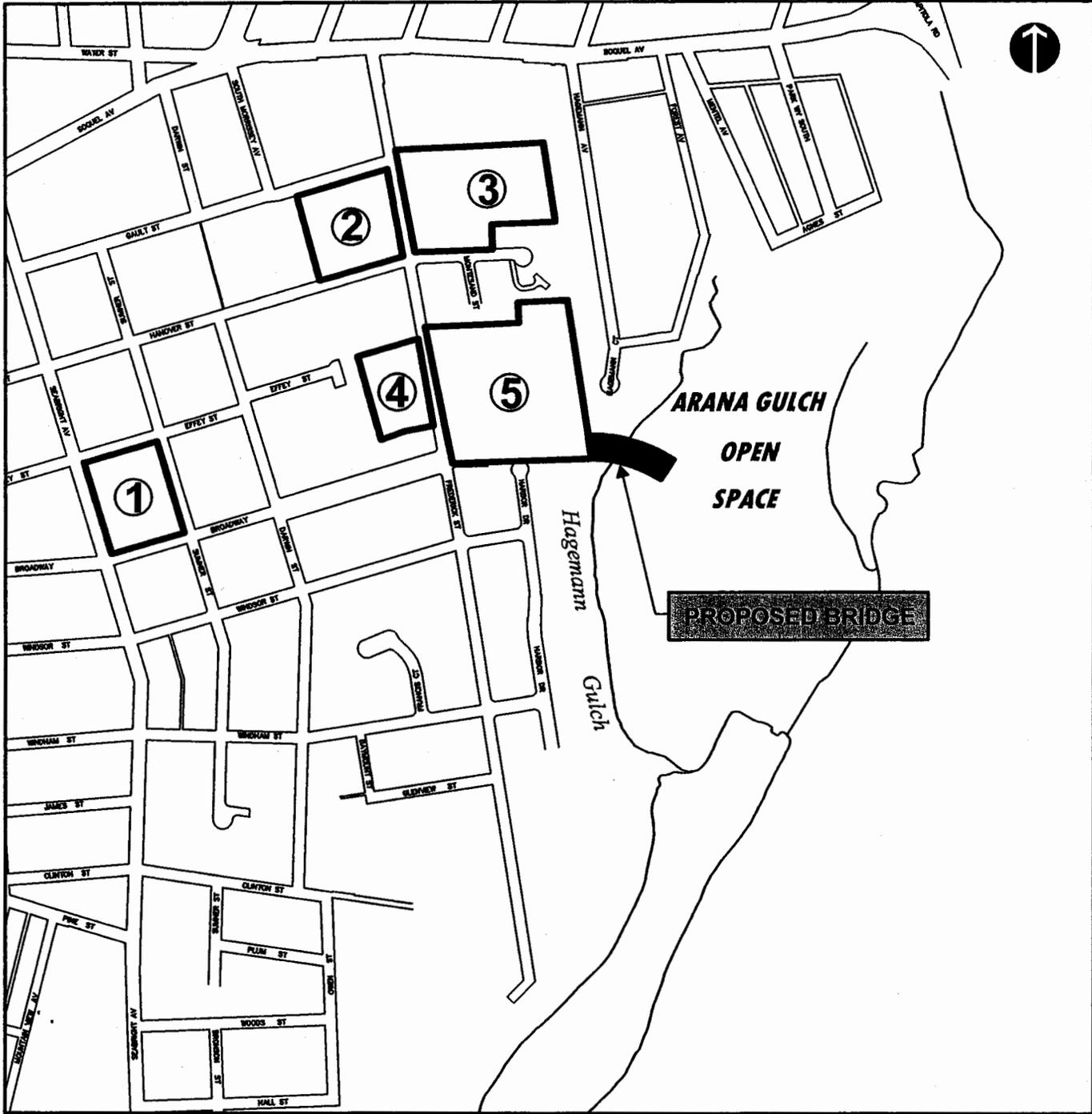
Vince Cheap 3/3/10

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MAR 03 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

WESTERN PEDESTRIAN ACCESS TO ARANA GULCH



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 MAR 11 2010
 CALIFORNIA
 COASTAL COMMISSION

LEGEND	
①	GAULT ELEMENTARY SCHOOL
②	LA POSADA RETIREMENT COMMUNITY
③	DOMINICAN PHYSICAL THERAPY
④	STAR OF THE SEA CHURCH
⑤	SANTA CRUZ BIBLE CHURCH

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JUL 26 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FUNDING MYTHS

by Jean Brocklebank
on behalf of Friends of Arana Gulch
12 May 2010

[//members.cruzio.com/~arana/articles/myths.html](http://members.cruzio.com/~arana/articles/myths.html)

Two funding myths have been clarified since the March 11, 2010 hearing. The following information is important for future informed decision-making regarding the City of Santa Cruz application for a permit to build a transportation project through a coastal ESHA.

Myth #1 Tarplant management is dependent on the Broadway-Brommer project

A main concern in supporting the Broadway-Brommer (B-B) transportation project through Arana Gulch's ESHA was that the project would provide desperately needed funds for recovery of the endangered tarplant. In other words, the health of the tarplant was tied to the B-B project . It turns out that B-B **doe not** provide any money for tarplant management.

I have now confirmed from three sources that there is no money for tarplant management at Arana Gulch (AG) in the SCCRTC budget for the B-B transportation project.

First, a transcript of the March 11th hearing establishes Chris Schneider, Assistant Director of City Public Works, answering a question from one Commissioner in which he states that money for tarplant funding will come from the sale of City property.

Second, to confirm that statement, the City's Capitol Improvements Project (CIP) report for 2011 - 2013 shows SCCRTC money budgeted for the B-B project with a separate line item for the sale of City property in the amount of \$391,434 (to be used for tarplant management)

<http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=13142>

Third, at a meeting on April 7th, with the Parks & Recreation Dept. (the City's managers of the greenbelt) Steve Hammack confirmed that the money for an endowment (to last 20 - 30 years) for tarplant management was to come from the sale of City property. That property can be sold any time, of course, independent of B-B. In fact, that property could have been sold years ago to create an endowment for tarplant recovery and conservation in Arana Gulch.

Last, the City has been spening \$10,000/year on tarplant management, according to Hammack, including some years with funds (and an MOU) from CA Fish & Game. I have recently shared digital pictures of tarplant over a 10 year period at Arana Gulch with your staff ecologist. Looking at the results of a resurgence of tarplant and other coastal prairie natives after the '06 - '07 mowing, shows that the City can do proper recovery management: <http://members.cruzio.com/~arana/tarplant07.html/%22>

The pertinent point is that the money for tarplant funding is not tied to Broadway-Brommer, so there is no reason for anyone concerned about tarplant recovery & management to support a transportation project of any sort through the AG ESHA. The Master Plan, sans B-B, could be permitted at the next available CCC hearing and the City could begin immediately to plan recovery strategies while it sells its property.

Myth #2 The City cannot get funding for an alternative to B-B as proposed in the Arana Gulch Master Plan

At the March 11th hearing, the City stated that it had asked "its funders" and was told it could not get funding for the alternative routing as proposed by the CA Native Plant Society just days before the hearing. Historically the City has also said that it could not consider east-west connection routes outside of Arana Gulch because it could not get funding to do so. These statements turn out not to be the case. The City, the lead agency for the B-B project, has never asked to have B-B funds re-allocated, but that avenue is definitely open to it.

In an April 2, 2010 reply to my question to the B-B project funders (SCCRTC), Director George Dondero answered thusly (emphasis is mine):

Dear Ms. Brocklebank:

In response to your question,

"Will the SCCRTC answer this question about whether or not funding for the Broadway-Brommer project can or cannot be applied to another alternative alignment, either within or outside of the Arana Gulch ESHA?"

The funding currently programmed by the RTC for the Broadway-Brommer project could be applied to an alignment alternative to the current one.

However, if the scope of the project were to change to the extent that the benefit/cost of the project were to significantly diminish (i.e.: the transportation needs would not be met as effectively), then the RTC could determine to reconsider the project for funding with new staff recommendations based upon the new conditions of the project. **The RTC would then vote to 1) retain the funding, 2) re-program part or all of the existing funds to other projects, or 3) de-program the project.**

Without knowing exactly what new alignment(s) are to be proposed by the City, we cannot know if such an alignment would be reconsidered by the RTC for funding. If you should have any other questions regarding RTC funding on the project, please feel free to contact me.

George Dondero
Executive Director
Santa Cruz County Regional Transportation Commission

1. Do not recommend approval of a **transportation project** that will cross two ESHAs (Arana Gulch greenbelt and the riparian zone of the Port District property) and:

- * that is **not** resource-dependent
- * that will pave over "critical habitat" of a threatened & endangered species
- * that will disturb and ultimately pave over a portion of the **100' riparian setback** on Port District property that was required to be protected & restored with native plantings by the Coastal Commission
- * that will require **two** bridges over two creeks, disturbing their respective riparian zones
- * and that does **not** provide access to the coast?

A transportation project that is not resource-dependent is not allowed through an ESHA (Section 30240 of the Coastal Act). Approval of this transportation project, known as the Broadway-Brommer Bicycle-Pedestrian Connection will forever weaken the Coastal Act.

2. Recommend that the Arana Gulch Master Plan be approved with the condition that the Broadway-Brommer connection and North-South paved connection called the Arana Meadow Trail both be removed.

Alternative east-west connections are available for bicyclists and pedestrians:

1. Soquel Avenue - sidewalks and bike lanes
2. Murray-Eaton St. - sidewalks and bike lanes, both being expanded all the way to 7th Ave. with the projects to be nearly completed by the end of 2011
3. Potential dedicated bike and pedestrian trails within the newly purchased rail corridor, which passes 1/4 mile from Brommer
4. A potential City-County Re-development project to install bike lanes and sidewalks from 7th Ave. down Brommer St. to the upper harbor as well as solve the drainage situation that currently allows sediment to flow directly into Arana Creek
5. A potential City Re-development project to upgrade and expand the stairs from Frederick St. Park to the upper harbor roadway that leads to Brommer Street

Building the Arana Creek bridge will foreclose any opportunity to address the problems with Arana Creek bank cutting due to the small size of the culverts under SCPD property. The culverts need to be replaced with larger diameter tubes to allow unimpeded tidal action and reduce the energy of the water as it flows in and out of the tubes. A healthy Arana Creek is necessary for the endangered tidewater goby and steelhead trout.

Paved bicycle route infrastructure, for transportation purposes, does not belong in an ESHA, especially one that is home to endangered and sensitive species.

The historical use of the footpaths in Arana Gulch has been for walking, to see and hear the seasonal changes of Arana Gulch's floral and faunal species.

Asphalt will greatly increase the speed of bicyclists and will encourage the use of the paved routes by motorcycles, which already illegally enter the greenbelt.



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Traffic

More...

Exhibit K

RECEIVED

APR 21 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

April 17, 2010

Dear Coastal Commissioners:

We oppose the installation of bridges and bike roads over the Arana Gulch Open Space. There are a number of east - west bike routes including the recently installed bike lanes on Soquel Ave ... just two blocks away from Arana Gulch. These bike lanes were championed as critical upgrades by the People Power biking organization.

Ironically, this same organization is now using mass letter writing techniques to persuade you to allow the paving over of Arana Gulch for their added convenience (please see attached.). Apparently, their successful effort to have bike lanes installed on Soquel Ave was not satisfactory for them.

We are bicyclists who do not live next to Arana Gulch. Unlike the People Power organization, we prefer to have this Open Space and its attendant plant life preserved in its most natural state.

Thank you for your kind consideration.

Sincerely,



Daniel Friedman

Vinnie Hansen