

DEPARTMENT OF TRANSPORTATION

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May 18, 2010

SCR-0-SCR
City of Santa Cruz
CML-5025(012)
Broadway Brommer Bike Path

Chris Schneider
City of Santa Cruz
Department of Public Works
809 Center Street
Santa Cruz, CA 95060

RE: Comments on the CNPS Alternate Alignment

Dear Mr. Schneider:

The Caltrans District 5 Environmental Stewardship Branch has reviewed the Preliminary Trail Alignment Study and Cross Sections for the CNPS Trail Alignment (May 2010) and offer the following comments:

The CNPS Trail Alignment is a new alignment that was not considered in previous studies for the Broadway Brommer Bike Path project. Further consideration of the CNPS Trail Alignment would require additional technical studies and consultation with federal resource agencies prior to completion of a NEPA determination. Since the CNPS Trail alignment is outside the study area for the previous project alternatives, a new field review should be scheduled at your earliest convenience and Preliminary Environmental Studies (PES) should be completed.

At a minimum, the CNPS Trail Alignment project would require the following additional studies and federal consultation:

Biological Resources

Natural Environment Study (NES): Due to the potential for new and different impacts, a NES that identifies and quantifies impacts associated with the new alignment will be required.

Biological Assessment (BA): The US Fish and Wildlife Service (USFWS) previously prepared a Biological Opinion (1-8-07-F-46) for the original alignment on September 15, 2008. The opinion requires reinitiation if the agency action is subsequently modified in a manner that causes an effect to the listed species not considered in the original opinion. The CNPS Trail Alignment will require a Biological Assessment for reinitiation of consultation with USFWS. Once the USFWS deems the BA complete it has 135 days to issue a Biological Opinion.

An updated project species list must be obtained from the USFWS and all species on the list that have potentially suitable habitat must be discussed. In particular, Santa Cruz tarplant and California red-legged must be discussed as both have been mentioned in previous USFWS consultations for this project.

State 2081 Permit: Although not within the NEPA oversight process, Santa Cruz tarplant is a State endangered species and may require a 2081 permit from the California Department of Fish and Game. Caltrans suggest early coordination with Fish and Game as it often requires compensatory mitigation in addition to what is proposed under NEPA. Any proposed mitigation should be included in the BA.

Cultural Resources

Historic Property Survey Report (HPSR)

The HPSR serves as a summary document to which the following documents are attached. It also serves to document consultation with interested parties. If the HPSR results do not identify any cultural resources, they should be able to be completed in 2-6 months. If cultural resources are identified, then additional studies and consultation with the SHPO may be warranted.

Area of Potential Effect (APE) Map

This map depicts the area that will be impacted by the CNPS Trail Alignment, including staging and construction access areas. The map should be plotted on an aerial photographic or other base at a scale of approximately 1"=100' or 1"=200', with a bar scale. The map should depict existing and proposed right-of-way, as well as the locations of any cultural resources identified. Roads should be clearly labeled. The APE map will be approved by Caltrans prior to completion of the HPSR.

Archaeological Survey Report

The portion of the project that falls outside the original Broadway Brommer Bike Path APE should be surveyed by a qualified archaeologist and reported in an Archaeological Survey Report.

The preparation of the Cultural Resource Studies should follow the guidelines of the Caltrans Environmental Handbook Volume 2, Cultural Resources, which is available on the internet at <http://www.dot.ca.gov/ser/envhand.htm>. Please contact Kelda Wilson at (805) 542-4697 with questions about these studies.

Please be advised that the above determinations were made based on a review of the Preliminary Trail Alignment Study and Cross Sections for the CNPS Trail Alignment (May 2010). There is the possibility that additional NEPA documentation may be necessary following the field review and review of the PES.

C. Schneider, City of SCR PWD
May 18, 2010
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Broadway Brommer
Bike Path

I will be your primary contact at Caltrans District 5 Environmental Stewardship Branch for this project. Please don't hesitate to contact me if you have any questions regarding the environmental requirements for this project. I can be reached at (805) 549-3182 or Gary_Ruggerone@dot.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Gary Ruggerone". The signature is written in a cursive style with a large, stylized "G" at the beginning.

Gary Ruggerone
Caltrans District 5
Environmental Stewardship Branch

Enclosure

Email cc: Donn Miyahara, CT Local Assistance
Kelda Wilson, CT Environmental
Tom Edell, CT Environmental