

State of California  
Department of Fish and Wildlife



## Memorandum

Governor's Office of Planning & Research

Date: January 8, 2021

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To: Ms. Lara Bertaina  
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**STATE CLEARINGHOUSE**

DocuSigned by:

*Gregg Erickson*

From: Mr. Gregg Erickson, Regional Manager

California Department of Fish and Wildlife-Bay Delta Region, 2825 Cordelia Road, Suite 100, Fairfield, CA 94534

Subject: State Route 1 Auxiliary Lanes State Park Drive to Bay Avenue/Porter Street, Draft Environmental Impact Report/Environmental Assessment, SCH No. 2019100143, Santa Cruz County

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Environmental Impact Report (DEIR)/Environmental Assessment (EA) prepared by the California Department of Transportation for the State Route 1 Auxiliary Lanes State Park Drive to Bay Avenue/Porter Street project (Project) located in Santa Cruz County. CDFW is submitting comments on the DEIR/EA regarding potentially significant impacts to biological resources associated with the Project.

### **CDFW ROLE**

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources (e.g., biological resources). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

### **PROJECT DESCRIPTION**

State Route 1 runs through the southern portion of Santa Cruz County and is the primary transport route through Watsonville, Capitola, Aptos, and the City of Santa Cruz. The proposed Project will make improvements to State Route 1 between State Park Drive to Bay Avenue/Porter Street to alleviate traffic within the area. The proposed improvements include:

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1. Expansion of State Route 1 to include Northbound and southbound auxiliary lanes between Bay Avenue/Porter Street and Park Avenue interchanges and between Park Avenue and State park Drive interchanges,
2. Installation of infrastructure of Bus-on-Shoulder operations,
3. Installation of a bicycle/pedestrian overcrossing at Mar Visa Drive area is bounded on the north by a single-story commercial and office building at Constitution Drive, on the east by a single-story office building at Independence Drive, on the south by the Menlo Gateway Project, and on the west by Independence Drive and Marsh Road to the west.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the California Department of Transportation in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on biological resources.

### COMMENT 1: Monarch Butterflies

**Issue:** The DEIR/EA identifies that if Project tree removal activities impacts monarch butterfly overwintering habitat, tree removal will be delayed, and a setback for other construction-related activities will be maintained until monarch butterflies migrate from the site. Once monarch butterflies migrate from the site, the trees will be removed and mitigated by planting native trees at a 1:1 ratio after project completion. Proposed tree planting alone may not be sufficient to mitigate these Project impacts to a less-than-significant level.

Mature trees provide size and complexity that is important to over-wintering monarch butterflies that small trees do not have. Loss of mature trees used by monarch butterflies for over-wintering will cause temporal loss of over-wintering habitat and corresponding impacts to monarch butterflies until replacement trees grow to a mature size. The amount of time needed for replacement trees to reach comparable size to impacted trees is unclear in the DEIR/EA.

**Evidence the impact would be significant:** The data gathered from the Western Monarch Thanksgiving Count show that western overwintering monarchs are at an all-time critical low level and have significantly declined to approximately two percent of their numbers since 1997 (Xerces Society Western Monarch Thanksgiving Count, 2019). The decrease in monarch butterfly population may be due to the loss of overwintering habitat and loss of the monarch butterfly's host plant (milkweed) (Pelton et al. 2019). According to the Xerces Society, "Western monarchs use the same sites each year, even the same trees, and need intact overwintering habitat, which provides a very specific microclimate and protection from winter storms (Xerces Society, 2020)."

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**Recommendations to minimize significant impacts:** CDFW recommends the Project avoid removal of mature trees used by Western Monarchs for over-wintering to the greatest extent feasible. If these mature trees cannot be avoided, CDFW recommends the Project EIR/EA provide additional information quantifying the estimated temporal impacts to Western Monarch over-wintering habitat. In addition, CDFW recommends a monarch butterfly overwintering habitat management plan is developed and finalized, in consultation with a monarch butterfly expert, prior to Project impacts to monarch butterfly overwintering habitat. CDFW also recommends that compensation activities occur within known monarch butterfly overwintering habitat through protection, management, or restoration. Compensation activities should not occur within other locations where monarch butterflies might not be located.

### **COMMENT 2: San Francisco Dusky-Footed Woodrat**

**Issue:** Avoidance, minimization, and/or Mitigation Measure Animal Species 19 (AMM-AS-1) identifies that if San Francisco dusky-footed woodrat middens cannot be avoided, a qualified biologist shall dismantle the middens by hand before the start of grading or vegetation removal activities. However, the DEIR/EA does not identify a time to dismantle San Francisco dusky-footed woodrat or include midden relocations as a minimization measure.

**Recommendation:** CDFW recommends that if San Francisco dusky-footed woodrat middens cannot be avoided, the middens are relocated out of the Project area to decrease impacts to San Francisco dusky-footed woodrats. CDFW also recommends that middens are relocated and/or dismantled during the month of July and August to avoid impacts to young and to allow San Francisco dusky-footed woodrats to store food prior to winter, when food sources are limited.

### **FILING FEES**

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, section 711.4; Pub. Resources Code, section 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

Thank you for the opportunity to comment on the Project's DEIR/EA. If you have any questions regarding this letter or for further coordination with CDFW, please contact Ms. Monica Oey, Environmental Scientist, at (707) 428-2088 or [Monica.Oey@wildlife.ca.gov](mailto:Monica.Oey@wildlife.ca.gov); or Mr. Wesley Stokes, Senior Environmental Scientist (Supervisory), at [Wesley.Stokes@wildlife.ca.gov](mailto:Wesley.Stokes@wildlife.ca.gov).

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## REFERENCES

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