

CITY OF SANTA CRUZ  
**Mitigated Negative Declaration**

The Administrator of Environmental Quality of the City of Santa Cruz has prepared this Mitigated Negative Declaration for the following described project:

**Project:** Antonelli Pond Accessible Trail Project

**Application No.:** CP 20-0155

**Project Location:** 2390 Delaware Avenue (APN 003-061-13 and 003-061-14) in the City of Santa Cruz, California

**Project Description:** The proposed project consists of a Special Use Permit, Design Permit, Historic Alteration Permit, Coastal Permit, and Watercourse Development Permit to construct a six-foot wide pervious, accessible trail, generally following the footprint of the existing dirt path on the east and west sides of Antonelli Pond for a total of approximately 0.5 miles and to allow for a year-round park host site.

**Applicant:** Land Trust of Santa Cruz County (LTSCC)

**Applicant Address:** 617 Water Street, Santa Cruz, CA 95060

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The City of Santa Cruz Department of Planning and Community Development has reviewed the proposed project and has determined that the project, based on the Initial Study attached hereto, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the California Environmental Quality Act of 1970. This environmental review process and Mitigated Negative Declaration is done in accordance with the State CEQA Guidelines and the local City of Santa Cruz CEQA Guidelines and Procedures.

The following mitigation measures will be incorporated into the project design or as conditions of approval, to ensure that any potential environmental impacts will not be significant.

<u>Impact</u>	<u>Mitigation</u>
<b>Biological Resources.</b> Development of the trail improvements would result in ground disturbance that could directly affect CRLFs and San Francisco dusky-footed woodrats, if any individuals are present at the time of construction..	MITIGATION MEASURE BIO-1. Require implementation of the following measures to avoid and minimize potential impacts to listed California red-legged frog (CRLF). a. At least 15 days prior to the onset of activities, the LTSCC shall submit the name(s) and credentials of a qualified biologist to the U.S. Fish and Wildlife Service (USFWS or Service) at least 15 days prior to the onset of activities. No project activities shall begin until the Service approves the biologist(s) is qualified to conduct the work. b. A Service-approved biologist shall survey the work site no more than 48 hours before the onset of vegetation clearing or ground disturbing activities. If CRLF are found, work shall stop and animal allowed to leave the site. Unless LTSCC receives a permission from USFWS, there shall be no capture, handling, or moving of CRLF.

- c. Before any activities begin, the Service-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of listed species and its habitat, the importance of the species and its habitat, general measures that are being implemented to conserve the species as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.
- d. The Service-approved biologist shall be present at the work site during initial ground disturbance and vegetation removal to monitor on-site compliance with all minimization measures if frogs are deemed to be present in the work area.
- e. During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- f. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from any riparian habitat or water body. The LTSCC shall ensure contamination of habitat does not occur during such operations. LTSCC shall prepare a plan to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

MITIGATION MEASURE BIO-2: To avoid impacts to woodrat nests, require a qualified biologist conduct a pre-construction survey for San Francisco dusky-footed woodrat nests prior to construction. If any nests are observed within the limits of work, the work area shall be either revised to avoid impacting the nest or a woodrat relocation program shall be developed and implemented by a qualified biologist.

**Biological Resources.** The proposed project would result in removal of a small amount of riparian woodland habitat and could result in indirect impacts to riparian habitat due to inadvertent disturbance during construction.

MITIGATION MEASURE BIO-3. The LTSCC shall prepare and implement a Riparian Mitigation and Monitoring Plan (RMMP) that provides a 1:1 habitat replacement for temporary impacts and 2:1 habitat replacement for permanent impacts (0.28 acres) to waters of the State, including in-kind habitat replacement for removal of riparian habitat. The RMMP shall be reviewed and approved by the City and applicable regulating agencies prior to construction. The RMMP shall specify riparian planting locations,

plant species palette, success criteria, and a 5-year maintenance, monitoring, and reporting program.

MITIGATION MEASURE BIO-4. Require implementation of measures to protect the riparian woodland, freshwater marsh and open water of the pond from inadvertent impacts during construction of all project features, including installation of temporary construction fencing and silt fencing at the limit-of-work areas to prevent inadvertent entry of sediment and debris into retained habitat areas, with fencing maintained throughout the construction period. No material shall be stockpiled, stored, or side cast outside the limit of-work fencing.

**Biological Resources.** Removal of one tree has the potential to destroy bird nests, eggs or chicks if any are present during construction.

MITIGATION MEASURE BIO-5. To avoid impacts to migratory birds and raptors that may be present in the project area, all ground disturbances (including vegetation removal) shall be scheduled to occur outside the bird-breeding season on the Central California Coast, which is September 1 to February 1 of any given year. If project activities are scheduled during the nesting season (February 1 through September 1) of protected raptors and other avian species protected under the MBTA, a focused survey for active nests of such birds shall be conducted by a CDFW-approved qualified biologist within three (3) days prior to the beginning of project activities. Surveys shall be conducted in all suitable habitat located at project work sites, in staging, storage and soil stockpile areas, and along transportation routes. The minimum survey radii surrounding the work area shall be the following: 250 feet for passerines; 500 feet for other small raptors such as accipiters; and 1,000 feet for larger raptors such as buteos. Surveys shall be conducted at the appropriate times of day, and during appropriate nesting times and shall concentrate on areas of suitable habitat. If a lapse in project activities of seven (7) days or longer occurs, another focused nesting bird survey shall be completed. If any active bird nests are observed, the biologist shall designate a buffer zone around the nest tree or shrub as follows: 200 feet for nesting raptors and 50 feet for all other bird species. This buffer zone may be adjusted if the biologist determines that other factors may help shield the active nest, such as vegetative screening between the nest and the vegetation removal site that reduces the nesting bird's ability to see the activity. No vegetation removal shall take place within the buffer zone until the biologist has determined that all chicks have fledged and are able to feed on their own. (Creek Plan Standard 12).

**Biological Resources.** Project construction would result in the removal of one heritage tree, and project plans do not identify a replacement tree

**Hydrology and Water Quality.** Project construction could result in erosion and/or inadvertent transport of construction debris into Antonelli Pond, resulting in water quality degradation if standard Best Management Practices (BMPs) are not implemented.

**Recreation.** The proposed trail improvements at Antonelli Pond would result in potentially significant impacts regarding biological resources and water quality as identified above.

MITIGATION MEASURE BIO-6. Require project plans to show replacement of one heritage tree identified for removal with planting six (6) 15-gallon trees or two (2) 24-inch trees to satisfy the City's replanting ratio in the coastal zone.

MITIGATION MEASURE HYDRO-1. Implement erosion control measures during project construction as proposed, including, but not limited to: conducting work prior to the rainy season if possible and protecting disturbed areas during the rainy season and immediately revegetating disturbed areas. Require temporary fencing on the perimeter of the site adjacent to Antonelli Pond during construction to prevent inadvertent erosion and offsite transport of sediments or construction materials into the pond. Locate all construction equipment, soils and other materials in upland areas away from the pond.

MITIGATION MEASURES BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, HYDRO-1



Lee Butler  
Administrator of Environmental Quality  
City of Santa Cruz, California

8/17/21  
Date