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**GAVIN NEWSOM, Governor**  
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October 24, 2022

Mr. Robert Berry  
City of Watsonville  
250 Main Street  
Watsonville, CA 95076  
[robert.berry@cityofwatsonville.org](mailto:robert.berry@cityofwatsonville.org)

Subject: Ramsay Park Renaissance Project, Initial Study/Mitigated Negative Declaration, SCH No. 2022090599, City of Watsonville, Santa Cruz County

Dear Mr. Berry:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) prepared by the City of Watsonville (City) for the Ramsay Park Renaissance Project (Project), located in Santa Cruz County, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

CDFW is submitting comments on the IS/MND to inform the City, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

## CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines § 15386 for commenting on projects that could impact fish, plant, and wildlife resources (i.e., 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) or Native Plant Protection Act (NPPA), 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.

## REGULATORY REQUIREMENTS

### California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA or

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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NPPA, either during construction or over the life of the Project. If the Project will impact CESA or NPPA listed species, early consultation with CDFW is encouraged, as significant modification to the Project and mitigation measures may be required to obtain an ITP. Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (Pub. Resources Code, §§ 21001(c), 21083, and CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code, § 2080 et. seq.

### **Lake and Streambed Alteration**

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains are generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. **The Project site is adjacent to the Watsonville Slough. Any impacts to Watsonville Slough or associated riparian habitat would likely require an LSA Notification.** CDFW, as a responsible agency under CEQA, will consider the IS/MND for the Project. CDFW may not execute a final LSA Agreement until it has complied with CEQA as the responsible agency.

### **Raptors and Other Nesting Birds**

CDFW has authority over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include §§ 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

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## PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Watsonville

**Objective:** The Project would include multiple improvements across Ramsay Park. This includes improvements to the soccer field such as grading to level the field, installation of lighting, and terraced concrete seating. Other items that would be redesigned include a picnic area, an existing softball field which will be converted into a synthetic turf multi-use field, a multiuse trail redesign, a reduction of the parking at the Main Street parking lot, and renovations to the southeastern parking lot. New construction would consist of a dog park, a 3,675-square-foot Exploration Center for conservation resources, a playground, a new paved Central Plaza, and a new Main Street Parking lot. Other improvements would include a bioretention garden and other site drainage and stormwater improvements such as the use of permeable paving and rain gardens. A total of 11.2 acres of the park would be impacted and require grading activities. 67 trees would be removed with the Project and 302 would remain. An additional 237 would be planted on-site.

**Timeframe:** The Project would be completed within 18 months and would start in April 2023.

## ENVIRONMENTAL SETTING AND LOCATION

The Project site is located at Ramsay Park, and existing 26-acre, public regional park, in the City of Watsonville, California. The park is south of Main Street (State Route 152), north of Harkins Slough Road, and West of the Watsonville Slough. The existing park has athletic fields and courts, paved and unpaved walking paths, picnic areas, two playgrounds, a skatepark, a 20,000-square-foot paved pump track course, Watsonville Nature Center, and Ramsay Park Family Center. Two habitat types exist on the park including ornamental park vegetation and willow riparian scrub. Special-status species with the potential to occur in or near the Project site include, but are not limited to, California red-legged frog (*Rana draytonii*), federally listed as threatened and a California Species of Special Concern (SSC), Santa Cruz tarplant (*Holocarpha macradenia*), federally listed as threatened and state listed as endangered, western pond turtle (*Emys marmorata pallida*), listed as SSC, tricolored blackbird (*Agelaius tricolor*) listed as state endangered, monarch butterfly (*Danaus plexippus*), a federal candidate for listing, pallid bat (*Antrozous pallidus*), listed as SSC, Townsend's big-eared bat (*Corynorhinus townsendii*), listed as SSC, and western bumble bee (*Bombus occidentalis*) a state candidate for listing.

## COMMENTS AND RECOMMENDATIONS

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

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### **COMMENT 1: Riparian Encroachment and Lake and Streambed Alteration Notification**

**Issue:** The Project indicates two possible encroachment areas into the willow riparian scrub of the Watsonville Slough. Encroachment in the riparian zone can negatively impact sensitive riparian species and can lead to increased pollutants and deleterious materials entering the stream. Riparian habitat is also of critical importance to protecting and conserving the biotic and abiotic integrity of an entire watershed. If the Project would impact the Watsonville Slough, riparian habitat associated, or any other tributaries, then the Project would be subject LSA Notification requirements.

**Evidence the impact would be significant:** Riparian trees and vegetation, and associated floodplains, provide many essential benefits to stream and aquatic species habitat (Moyle 2002, CDFW 2007), including thermal protection, cover, and large woody debris. Substantial removal of trees and other vegetation significantly reduces suitable nesting and roosting habitat for many bird and bat species, such as pallid bat, an SSC, and causes the loss of important refugia for small mammals. Development adjacent to the riparian zone can result in fragmentation of riparian habitat and decreases in native species abundance and biodiversity (Davies et al. 2001, Hansen et al. 2005, CDFW 2007). An estimated 2 to 7 percent of California's riparian habitat remains intact and has not been converted to other land uses (Katibah 1984, Dawdy 1989). Riparian buffers help keep pollutants from entering adjacent waters through a combination of processes including dilution, sequestration by plants and microbes, biodegradation, chemical degradation, volatilization, and entrapment within soil particles. Narrow riparian buffers are considerably less effective in minimizing the effects of adjacent development than wider buffers (Castelle et al. 1992, Brosofske et al. 1997, Dong et al. 1998, Kiffney et al. 2003, Moore et al. 2005).

**Recommendation:** CDFW recommends the Project establish riparian buffer zones to limit development and vegetation clearing to outside of and away from riparian areas. CDFW is available to consult with the City to determine appropriate site-specific riparian buffers to reduce impacts to sensitive species and riparian habitat to less-than-significant.

**Recommended Mitigation Measure 1 Notification of Lake and Streambed Alteration:** For Project activities that may substantially alter the bed, bank, or channel of Watsonville Slough, or any other streams, including but not limited to riparian vegetation disturbance, an LSA Notification shall be submitted to CDFW pursuant to Fish and Game Code section 1602 prior to Project construction. As part of the LSA permit process, permanent and temporary impacts to the stream and associated riparian habitat must be mitigated to off-set those impacts. Mitigation shall be as close to the Project area as possible and within the same watershed and year as the impact. Temporary impacts shall be restored on-site in the same year as the impact.

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The lead agency should develop a mitigation plan in coordination with CDFW for any permanent Project impacts that cannot be avoided that will be subject to LSA permitting and include that plan as part of the IS/MND. The mitigation plan should include in detail any proposed on and/or off-site mitigation needs necessary to compensate for net-loss of river or stream resources. Example of permanent impacts include but are not limited to hardscape materials and geo-textile fabric within the bed, bank or channel of a stream, loss of riparian vegetation and mature trees and expansion of existing infrastructure footprint(s). CDFW recommends proposed mitigation plan(s) include details such as mitigation location(s), proposed actions, monitoring, success criteria and any corrective actions.

### **COMMENT 2: Tree Removal**

**Issue:** The IS/MND states that approximately 67 trees would be removed on the Project development site; however, the IS/MND does not include the species, location, or size of trees planned to be removed. The IS/MND identifies a mix of mature trees on the Project site which include coast redwood (*Sequoia sempervirens*), western red cedar (*Thuja plicata*), blue gum eucalyptus (*Eucalyptus globulus*), and Monterey pine (*Pinus radiata*). The removal of large native trees is a potentially significant impact due to the loss of ecosystem services provided by large native trees and the temporal lag in replacing the loss.

**Evidence the impact would be significant:** Native tree species such as coast redwood, western red cedar, and Monterey pine provide important ecosystem functions including habitat for numerous species of wildlife, reductions in soil erosion rates, and preservation of water quality. Large mature trees (e.g., native tree that is greater than 15 inches in diameter) are of particular importance due to increased biological values such as providing nesting bird habitat and bat roost habitat. Loss of large mature native trees has the potential to result in significant impacts for these reasons. While the IS/MND includes on-site tree planting as a mitigation measure for tree removal, avoidance of large trees should be prioritized over mitigation with on-site planting.

**Recommendation:** CDFW recommends the Project identify the species, location, and size of trees planned to be removed in the IS/MND. CDFW recommends that the Project avoid large diameter tree removal to the greatest extent feasible. Where large diameter tree removal is unavoidable, CDFW recommends Project mitigation include in-kind preservation of mature native trees through long-term land protection.

### **COMMENT 3: Impervious surfaces**

**Issue:** The Project could increase impervious surfaces at the Project site with the addition of parking lots, concrete structures, and buildings. Impervious surfaces, stormwater systems, and storm drain outfalls such as those directly out letting into the

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Watsonville Slough, have the potential to significantly affect fish and wildlife resources by altering the hydrograph of natural streamflow patterns via concentrated run-off.

**Evidence the impact would be significant:** Urbanization (e.g., impervious surfaces, stormwater systems, storm drain outfalls) can modify natural streamflow patterns by increasing the magnitude and frequency of high flow events and storm flows (Hollis 1975, Konrad and Booth 2005).

**Recommendations to minimize significant impacts:** CDFW recommends storm runoff be dispersed rather than concentrated to a stormwater outfall or other receiving waters. CDFW recommends implementation of low impact development (LID) and the use of bioswales and bioretention features to intercept storm runoff. CDFW also recommends incorporating permeable surfaces throughout the Project to allow stormwater to percolate in the ground and prevent stream hydromodification (see [https://www.usgs.gov/science/evaluating-potential-benefits-permeable-pavement-quantity-and-quality-stormwater-runoff?qt-science\\_center\\_objects=0#qt-science\\_center\\_objects](https://www.usgs.gov/science/evaluating-potential-benefits-permeable-pavement-quantity-and-quality-stormwater-runoff?qt-science_center_objects=0#qt-science_center_objects)).

#### **COMMENT 4: Artificial Lighting**

**Issue:** Additional lights would be added to the site including new field lights, trail/path lights, and building lights. The Project has the potential to increase the amount of artificial night lighting on the Project site which may significantly affect fish and wildlife resources.

**Evidence the impact would be significant:** Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication such as bird song (Miller, 2006), determining when to begin foraging (Stone et al., 2009), behavior thermoregulation (Beiswenger, 1977), and migration (Longcore and Rich, 2004).

**Recommendations to minimize significant impacts:** CDFW recommends eliminating all non-essential artificial lighting. If artificial lighting is necessary, CDFW recommends avoiding or limiting the use of artificial lights during the hours of dawn and dusk, when many wildlife species are most active. CDFW also recommends that outdoor lighting be shielded, cast downward, and does not spill over onto other properties or upwards into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>) and limited to warm light colors with an output temperature of 2700 kelvin or less.

#### **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make

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subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB online field survey form and other methods for submitting data can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plantsand-Animals>.


## 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, § 711.4; Pub. Resources Code, § 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.

## CONCLUSION

Thank you for the opportunity to comment on the Project's IS/MND. If you have any questions regarding this letter or for further coordination with CDFW, please contact Ms. Serena Stumpf, Environmental Scientist, at (707) 337-1364 or [Serena.Stumpf@wildlife.ca.gov](mailto:Serena.Stumpf@wildlife.ca.gov); or Mr. Wesley Stokes, Senior Environmental Scientist (Supervisory), at [Wesley.Stokes@wildlife.ca.gov](mailto:Wesley.Stokes@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
Erin Chappell  
Regional Manager  
Bay Delta Region

ec: State Clearinghouse # 2022090599

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