



SARATOGA CITY COUNCIL

MEETING DATE: October 3, 2007

AGENDA ITEM:

DEPARTMENT: Public Works

CITY MANAGER: Dave Anderson

PREPARED BY: John Cherbone &
Richard Taylor

DIRECTOR: John Cherbone

SUBJECT: Approval of the Saratoga de Anza Trail Conceptual Plan, mitigated negative declaration, trail name, and plan implementation.

RECOMMENDED ACTION:

Adopt a resolution approving the Saratoga de Anza Trail Conceptual Plan, mitigated negative declaration, trail name, and plan implementation.

BACKGROUND:

The Conceptual Plan for the proposed Saratoga de Anza Trail was refined in 2004 and 2005 based on input from community groups, residents of Saratoga, and City staff. The plan dated August 24, 2005 was approved by the City Council for environmental review on September 7, 2005. The Conceptual Plan is attached to this report as Attachment 1. An Initial Study and proposed Mitigated Negative Declaration (IS/MND) on the Plan were circulated for public comment from April 17, 2007 to May 18, 2007. The IS/MND and responses to comments on the IS/MND are attached to this report as Attachments 2 and 4. Funding for design and environmental review of the proposed trail comes from a grant from the Valley Transportation Authority and an anonymous donor. The donor agreement provides that the trail shall be named using “the first name of the Donor’s Spouse (for example, ‘Joe’s Trail at Congress Springs Park’ or ‘Joe’s Trail of the Saratoga PG&E Trail’).” This report recommends that if the Conceptual Plan is approved the City Council select a name in accordance with this requirement in addition to directing staff to proceed with other aspects of Plan implementation.

DISCUSSION:

Project Description

The proposed trail would be located along an existing PG&E right-of-way that is located parallel and adjacent to a Union Pacific Railroad line. The railroad line is located to the north of the PG&E right-of-way. The trail would extend along a generally northwest/southeast alignment from Saratoga-Sunnyvale Road on the northwest to Saratoga Avenue on the southeast. The trail would also extend approximately 800 feet along the west side of Saratoga Avenue, south of the PG&E right-of-way. The alignment would cross two creeks (Rodeo Creek and Saratoga Creek) and two roadways (Cox Avenue and Glen Brae Drive).

Implementation would result in the development of an approximately 1.3-mile bike and pedestrian trail extending along an approximately 1.6-mile PG&E easement that is approximately 75 feet wide. The trail includes two usable sections. The first section would extend from a parking lot adjacent to Saratoga-Sunnyvale Road to parcel 386-44-042, which is approximately 0.57-mile from the western terminus of the trail. There would be a 0.27-mile gap between the first section and second section of the trail. The second section of the trail would extend from the edge of San Jose Water Company property (east of Cox Avenue) to Saratoga Avenue. This portion of the trail would be approximately 0.74 linear miles. The trail would be constructed on an easement acquired from PG&E and would involve no actual land acquisition by the City.

The 12-foot-wide trail would be surfaced with decomposed granite. (The trail would narrow to 5 feet around utility towers due to right-of-way restrictions.) The project would also include focused trail corridor improvements, including a small (approximately five space) parking area and trail staging site with access from Saratoga-Sunnyvale Road, revegetation along the trail corridor (as needed), and two bridges – one over Rodeo Creek and the other over Saratoga Creek. The trail would connect to existing bike lanes along Saratoga-Sunnyvale Road, Cox Avenue, and Saratoga Avenue. Please refer to the attached initial study for more detail. The attached resolution would approve the conceptual design plan.

Environmental Review

An Initial Study and proposed Mitigated Negative Declaration (IS/MND) were prepared and circulated for public review and comment from April 17, 2007 to May 18, 2007. The City provided notice of the public comment period through an advertisement in the local newspaper, through a mailing to residents in the vicinity of the project, and through the City's website. In addition, the IS/MND was made available to the public in hard copy at the City offices and the Saratoga Library and electronically on the City's website. All written comments received during the 30-day review period and afterwards up to September 20, 2007 are addressed in the Responses to Comments Memo attached to this report as Attachment 4.

Several of the comments received on the IS/MND concerned potential safety impacts related to implementation of the proposed project. The IS/MND found no significant safety impacts. In light of public concerns regarding this issue, however, staff retained a separate consultant to review the proposed project, the IS/MND, and the comments to evaluate project safety. The City retained Alta Planning + Design, a consulting firm with expertise in the field of rails-with-trails, rail trails, greenways, and related facilities. Alta concluded that:

“(t)he proposed De Anza Trail meets or exceeds all of the criteria for Rails-With-Trails identified in the Federal Highway Administration ‘Rails-with-Trails: Lessons Learned Literature Review, Current Practices, Conclusions’ report, therefore we expect this trail to function in a safe manner similar to the other 100 plus Rails-With-Trails in the United States.”

Alta also prepared a Trail Management Plan (TMP) based on the Conceptual Design Plan and project description in the IS/MND that clearly identifies how the trail is to be operated and maintained. Elements of the TMP include safety, security, operations, maintenance responsibilities and practices, and emergency response procedures. The TMP is attached to this report as Attachment 6.

Other comments received were regarding potential impacts to hydrology and water quality, public utilities and services, and biological resources/vegetation management. The Initial Study found that, with implementation of proposed mitigation measures to reduce potential impacts related to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, noise, and transportation the project would not have a significant adverse effect on the environment. The City Council must review and

consider the MND in connection with its approval of the trail concept alignment. The City's IS/MND consultant also prepared a Mitigation Monitoring and Reporting Program (MMRP) that identifies potentially significant impacts and measures appropriate to lessen those impacts to less-than-significant levels. The IS and MND and the MMRP are attached to this report and would be approved by the attached resolution.

PG&E Agreement

During the course of developing the trail plan and during the comment period, the City received a letter from PG&E stating their consent to the development of the trail within the right-of-way. The letter also included a list of Terms and Conditions that the City will need to comply with in order to complete the easement transfer. The letter is attached to this report as Attachment 7. Included in these Terms and Conditions is a requirement that the City sign an indemnification agreement with PG&E to hold PG&E harmless against damage to the trail and to agree to use the right-of-way at the City's risk and expense. PG&E has indicated that its consent for use of the right-of way may require approval by the State of California Public Utility Commission. The PUC review process can take up to six months or longer and if required can only begin once the City has submitted the trail plan, adopted environmental documentation, and documentation of the agreement between the City and PG&E. The attached resolution would direct staff to pursue an agreement with PG&E and to take other actions necessary to proceed with the project.

Trail Name

The agreement with the donor providing some of the funds for planning and design provides that the trail shall be named using "the first name of the Donor's Spouse (for example, 'Joe's Trail at Congress Springs Park' or 'Joe's Trail of the Saratoga PG&E Trail')." The donor agreement said that the name would be "Joe" "Paul," or "Sam" and would be provided by the donor prior to issuance of the first construction contract for the trail. The donor has informed staff that the name to be used is "Joe". Accordingly, staff recommends that the trail be named "Joe's Trail at the Saratoga de Anza Trail." The attached resolution would adopt this name. The trail may be given any other name consistent with the naming requirement in the donor agreement.

COMMUNITY INPUT:

The City conducted several neighborhood meetings about the project between 2004 and 2005. The trail concept alignment was shown to the attendees. The majority of the issues raised by the participants were discussed in the letters and emails attached to the IS/MND which is attached to this report. The public had additional opportunity for comment at the City Council hearing on September 7, 2005.

FISCAL IMPACT:

Funding for design and environmental review of the proposed trail comes from a grant from the Valley Transportation Authority and an anonymous donor.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:

The trail would not be developed.

ALTERNATIVES:

Deny the proposed project.

FOLLOW-UP ACTIONS:

Proceed with agreement with PG&E and seeking approval of other agencies together with final project design and contracts for construction.

ATTACHMENTS:

1. August 24, 2005 Conceptual Plan
2. Initial Study/Mitigated Negative Declaration
3. September 25, 2007 Mitigation Monitoring and Reporting Plan
4. September 25, 2007 Memorandum from LSA Regarding Responses to Comments
5. September 25, 2007 Letter from Alta Planning + Design re Trail Safety
6. Saratoga de Anza Trail ("Joe's Trail") - Trail Management Plan
7. April 26, 2007 Letter from PG&E
8. Resolution approving the Saratoga de Anza Trail Conceptual Plan, mitigated negative declaration, trail name, and plan implementation.