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Walkers stroll through Arana Gulch on Thursday afternoon. The California Supreme Court denied a legal challenge to the city's plans to build bike trails and a bike/pedestrian bridge through the greenbelt.

Greenbelt

GREENBELT

Court favors SC in Arana Gulch suit

City just needs Coastal Commission approval to build path through open space 12-18-09

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SANTA CRUZ — The long slog to build bike paths through Arana Gulch cleared another obstacle Thursday when the California Supreme Court denied an appeal to stop the project on environmental grounds.

"We're delighted we can move forward and it confirms the soundness of the material we presented," said Santa Cruz Council-

woman Cynthia Mathews. "We think (the project) is an environmental plus and will be a big asset to the community."

Opponents, who contend the paths will damage the endangered Santa Cruz tarplant and that the city did not consider proper alternatives, vowed to carry their fight to the Coastal Commission. That state body, which governs development along the coast, is the plan's last stop for approval before construction can begin in the 67.7-

acre Arana Gulch.

"I am greatly disappointed" by the court's ruling, said Jean Brocklebank with Friends of Arana Gulch. However, "we're down, but we're not out."

Plans for the paths began taking shape soon after Santa Cruz bought the open space in 1994. The project, which will cost nearly \$4 million, calls for a handful of trails through the greenbelt and

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a pedestrian-bicycle bridge that would ultimately link Brommer Street and Broadway. Most of the area would remain undeveloped, and restoration efforts would be drawn up for the ecological sensitive meadows, including tarplant habitat.

The plan has the support of many cyclists who would welcome the car-free thoroughfare. Groups representing those with disabilities also support the plan, as it would allow many to

access the public open space independently for the first time.

However, a lawsuit filed by the Native Plant Society and Friends of Arana Gulch after 2006 City Council approval of the project alleged that the city violated the California Environmental Quality Act and California Coastal Act by not adequately considering alternatives to the proposed paths and bridge. It also claimed the plans would harm the federally endangered Santa Cruz tarplant.

Judge Paul Burdick ruled in the city's favor in Santa Cruz Superior Court in

2007. The groups appealed, and the city won again in a San Jose appellate court earlier this year. Now that the Supreme Court has backed the city, opponents have exhausted their legal avenues, and can only now petition the Coastal Commission.

Santa Cruz Planning Director Juliana Rebagliati said city staff has worked with Coastal Commission staff for years on how best to tweak the project for commission approval, and she is hoping for the best as project supporters seek the last necessary approval. A date for that consideration

has not been set.

"Because the project's been in development for so long, we've taken great care through the years to deal with all the environmental concerns," Rebagliati said.

But the deal still might not be a sure thing. Coastal Commissioner Mark Stone, also a county supervisor, voted against lending county support to the plan last month.

"I would like to have a little bit more time to take a look at the entire issue," Stone said then. "We have plenty of time to have appropriate review."