

Exhibit 3: CEQA Documents

Initial Study Environmental Checklist Form

1. **Project title:** **Sierra Vista Open Space Preserve
Proposed Vehicle/Equestrian Staging Areas, and
Multi-Use Trail Project**
2. **Lead agency name and address:** Santa Clara County Open Space Authority (Authority)
6980 Santa Teresa Blvd, Suite 100
San Jose, CA 95119
3. **Contact person / phone number:** Rachel Santos, Open Space Planner/Project Manager
(408) 224-7476 ext. 516
4. **Project location:**
The proposed Project is located in the Authority's Sierra Vista Open Space Preserve (Preserve), which contains approximately 1676 acres and is contiguous to Alum Rock Park. The Preserve is located partially within the City of San Jose and partially within unincorporated Santa Clara County. Figure 1 depicts the Project site's local and regional context.
5. **Project sponsor name / address:** Same as Lead Agency
6. **General plan designation:** Public Park Open Space 7. **Zoning:** R – 1
8. **Description of Project:**
This Initial Study/Mitigated Negative Declaration evaluates the potential for environmental impacts for proposed site improvements within the Preserve. The Project will provide access to a public preserve facility with combined parking for vehicles and equestrians so visitors may access multi-use trails that are part of the Bay Area Ridge Trail and contiguous to Alum Rock Park. Site improvements include the construction of a parking area on the south side of Sierra Road, including a vehicle parking area that will accommodate (21) spaces and an equestrian parking area that will accommodate (2) spaces for single horse trailers. The proposed parking area would serve as the Preserve's first dedicated parking area. Currently, parking to access the Authority's existing 10 miles of multi-use trail in the Preserve is through Alum Rock City Park. The proposed Project also includes approximately 1.3 miles of multi-use trail, including a .3 mile southern connector trail (part of the Bay Area Ridge Trail) and 1 mile northern loop trail. The proposed Project will also include design of a similar parking area for vehicles and equestrians on the north side of Sierra Road, for future parking
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**
The Project site is currently zoned as Public Park Open Space. The southern portion of the trail will connect to the Authority's existing Sierra Vista Trail. The surrounding natural setting within the Project area has four biotic habitat and four land use types. The biotic habitats are California annual grassland, oak savannah, drainage swale and developed/ruderal grassland. Current surrounding land uses include public parkland, private open space, cattle grazing and rural residential.

Exhibit 3: CEQA Documents

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. TOPICS TO BE ADDRESSED ARE AESTHETICS, CULTURAL RESOURCES, AND TRAFFIC/TRANSPORTATION.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Rachel Santos, Open Space Planner/Project Manager

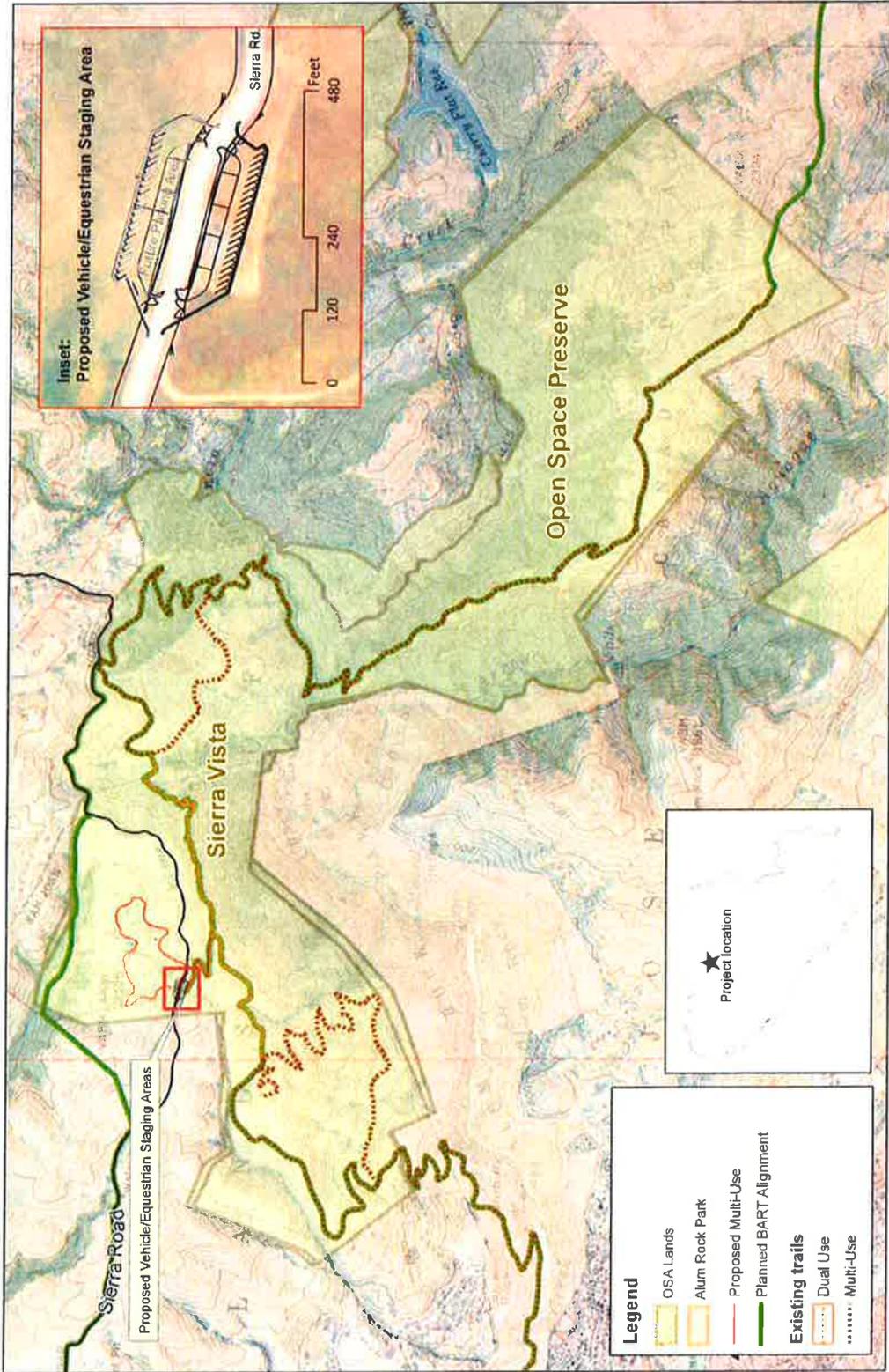


Date

Sierra Vista Open Space Preserve

Proposed Vehicle/Equestrian Staging Areas & Multi-Use Trail Project

Figure 1



Santa Clara County Open Space Authority
Sierra Vista Open Space Preserve

Exhibit 3: CEQA Documents

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Aesthetics – a): (Sources: 1,3,5,6,7,19)

Less Than Significant

The Project site for the proposed parking areas and 1.3 mile multi-use trail is located in the existing Sierra Vista Open Space Preserve. Elevation within the project area ranges from 1875 feet to 2070 feet. The proposed staging areas are located on the north and south sides of Sierra Road at the top of hillsides within the Preserve. The City of San Jose 2040 General Plan (General Plan) identifies Sierra Road as a rural scenic corridor with scenic resources that include the broad sweep of the Santa Clara Valley, the hills and mountains which frame the Valley floor, the baylands and the urban skyline. The proposed project is consistent with the goals of the General Plan regarding Scenic Corridors and Hillside Preservation as design of the proposed improvements will preserve the natural character of the rural scenic corridor within the Diablo Range. The proposed parking design will be minimal and unobtrusive and does not include any formal structures. The proposed northern parking area and northern 1 mile loop trail are not visible from the valley floor. The proposed southern parking area and .3 mile connector trail are partially visible from the valley floor. However, project design will incorporate native tree planting that screens the site from the valley floor. A Vegetative/Bioretenention system will also be incorporated into the Project design. A reduced overall paved footprint of the parking area will preserve the viewshed from the valley floor. The proposed northern loop trail will consist of a 1 mile section to the north of Sierra Road and a 0.3 mile section of trail south of Sierra Road that will connect to the existing Sierra Vista Trail. The proposed trail segments will be constructed of compacted dirt and will be 5 feet wide, consistent with the Countywide Trails Master Plan. The trail alignment will avoid any tree removal.

Exhibit 3: CEQA Documents

Aesthetics – c): (Sources: 1, 7, 10)

Less Than Significant

The project consists of a former cattle staging yard and has been previously disturbed. Both the northern and southern staging areas are located in developed/ruderal grasslands supporting sparse vegetation. Gravel is distributed in these areas as well as weedy, non-native, annual herbaceous species and ruderal grassland. The parking area and trail improvements will be minimal and unobtrusive and do not include formal structures. The proposed multi-use trails align through California grassland, oak savannah and drainage swale habitats. No trees will be removed from the site.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Exhibit 3: CEQA Documents

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Air – a): (Sources: 1,8,9)

Less Than Significant

The most recent Bay Area Air Quality Management Plan (BAAQMD) plan for attaining California Ambient Air Quality Standards is the Bay Area 2010 Clean Air Plan (CAP). The project would be constructed in compliance with the Basic Construction Mitigation Measures of the BAAQMD CEQA Guidelines. The proposed Project would generate emissions during construction and operation but these emissions are not expected to exceed thresholds of significance and be considered less than significant due to the small scale of the Project and Mitigation Measures implemented (see AIR-1 below).

Air – b): (Sources: 1,8,9)

Less Than Significant with Mitigation Incorporated

The BAAQMD is the primary agency responsible for air quality issues in the Bay Area Basin. The BAAQMD plan for attaining California Ambient Air Quality Standards is the 2010 Clean Air Plan (CAP), which provides a comprehensive plan to improve Bay Area air quality and protect public health. The BAAQMD has established thresholds of significance for construction and operational related criteria air pollutant and precursor emissions. The proposed project includes the construction of small parking areas and 1.3 miles of new trail. Due to the small scale of the Project, construction emissions associated with the Project are not expected to exceed thresholds of significance. However, the BAAQMD Basic Construction Mitigation Measures will be implemented to ensure compliance with dust control and Best Management Practices to less than significant level:

(AIR-1) Basic Construction Mitigation Measures

The following Mitigation Measures would be implemented to achieve emissions reductions during construction:

1. All exposed surfaces (e.g. staging areas, soil piles, graded areas, and unpaved access road) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose materials off-site shall be covered.
3. All vehicle speeds on unpaved roads shall be limited to 15 mph.
4. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
5. All construction equipment shall be maintained and property tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

Exhibit 3: CEQA Documents

Air – c): (Sources: 1,8,9)

The proposed parking areas and 1.3 miles of multi-use trail will have low intensity recreational use and are located in a remote setting. Thus, emissions are expected to be under the BAAQMD established thresholds. Implementation of Mitigation Measure (Air -1) will ensure that the Project will not result in a cumulatively significant impact.

IV. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Dept. of Fish & Game or U.S. Fish & Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Bio – a): (Sources: 1,10,11,12)

On June 25, 2013, H. T. Harvey & Associates completed a Biological Resources Report for the Sierra Vista Trail and Staging Project (Report). Reconnaissance-level field surveys of the Project study area were conducted by wildlife ecologist Nellie Thorngate, M.S., and plant ecologist Élan Alford, Ph.D., on January 21, 2013. On April 19, 2013, É. Alford conducted a second reconnaissance survey of the revised trail alignment. N.

Exhibit 3: CEQA Documents

Thorngate conducted an additional wildlife survey on April 23, 2013 to assess a revision to the trail alignment. The purpose of these surveys was to provide a Project-specific impact assessment for the development of the site as described above. Specifically, surveys were conducted to (1) assess existing biotic habitats and plant and animal communities in the study area, (2) assess the study area for its potential to support special-status species and their habitats, and (3) identify potential jurisdictional features such as waters of the U.S. and riparian habitat.

Special Status Plant Species:

The California Native Plant Society (CNPS) identifies 72 special-status plant species that occur in at least one of the nine U.S. Geological Survey (USGS) 7.5-minute quadrangles that contain or surround the Project study area (for Rare Plant Rank 1A, 1B, 2, or 3 species) or in Santa Clara County (for Rare Plant Rank 4 species). California Natural Diversity Database (CNDDDB) records (Figure 4) show that four of these 72 species have been reported within the study area (CNDDDB 2013). Through an analysis of habitat requirements, 55 of the 72 special-species were determined to be absent from the Project study area for one or more of the following reasons: (1) lack of specific edaphic requirements such as serpentine or alkaline soils; (2) other edaphic requirements were not met by the habitats on site; (3) lack of suitable habitat types such as vernal pools, marshes and swamps, chaparral, coastal prairie, and coastal salt marsh; (4) the elevation range of the species is outside the range of the study area; or (5) the species is considered extirpated from the county. The reasons for rejection of these species as potentially occurring in the Project study area are summarized in Table 2, Species Listing. The remaining 17 species were surveyed according to CNPS and California Department of Fish and Wildlife (CDFW) protocols. All were determined to be absent from the Project study area because none were observed during protocol-level surveys on April 19, 2013 and June 19, 2013. Therefore, special-status plants are absent from the Project study area.

Special-status Animal Species:

The legal status and likelihood of occurrence of special-status animal species known to occur, or potentially occurring, in the Project study area are presented in Table 2. Several of the special-status species listed in Table 2 are not expected to occur in the Project study area because the site lacks suitable habitat, is outside the known range of the species, and/or is isolated from the nearest known extant populations by development or otherwise unsuitable habitat. Such species include the bay checkerspot butterfly (*Euphydryas editha bayensis*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), coast horned lizard (*Phrynosoma coronatum frontale*), San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), San Joaquin kit fox (*Vulpes macrotis mutica*), and Townsend's big-eared bat (*Corynorhinus townsendii*).

Several other special-status species are expected to occur in the Project study area only as uncommon to rare visitors, migrants, or transients. However, these species are not expected to breed in the study area, to occur as nonbreeders in any numbers, or to be affected by Project implementation. These species include the northern harrier, American peregrine falcon (*Falco peregrinus anatum*), long-eared owl (*Asio otus*), Vaux's swift (*Chaetura vauxi*), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*), tricolored blackbird (*Agelaius tricolor*), and pallid bat (*Antrozous pallidus*).

Other special-status wildlife species are known or expected to occur regularly in or near the Project study area and may breed there, or are species for which resource agencies

Exhibit 3: CEQA Documents

have expressed particular concern. Expanded discussions of these species are presented below.

California tiger salamander (*Ambystoma californiense*). **Federal Listing Status: Threatened; State Listing Status: Threatened.** No suitable breeding habitat for California tiger salamanders is present within the Project study area; the ephemeral drainage swale running through the site does not support breeding habitat for tiger salamanders, as it does not provide sufficient water depth or persistence. However, the Project study area provides suitable dispersal and refugial habitat (i.e., grasslands and oak savannah with small mammal burrows) and California tiger salamanders have been recorded at several locations within 3 miles to the east of the Project study area (CNDDDB 2013). In addition, a portion of the trail alignment to the north of Sierra Road skirts a seasonal stock pond that could potentially support tiger salamanders; this pond may retain sufficient depth to support breeding salamanders. Further, an analysis of aerial imagery revealed additional potential breeding habitat located in close proximity to the site, including a stock pond south of Sierra Road located 400 ft. west of the lower reach of the proposed trail, and a stock pond north of Sierra Road located approximately 640 ft. from the upper segment of the proposed trail. One of these ponds is on private property and has likely never been surveyed, thus, a lack of CNDDDB recorded occurrences within the Project study area does not necessarily indicate the absence of California tiger salamanders.

Exhibit 3: CEQA Documents

Table 2. Species Listing

NAME	*STATUS	HABITAT	POTENTIAL FOR OCCURRENCE ON SITE
Federal or State Endangered or Threatened Species			
Bay checkerspot butterfly (<i>Euphydryas editha bayensis</i>)	FT	Serpentine grasslands in the San Francisco Bay area where host plant (<i>Plantago erecta</i>) is present.	Absent. The study area falls outside of the current known range of the species.
California tiger salamander (<i>Ambystoma californiense</i>)	FT, ST	Vernal or temporary pools in annual grasslands or open woodlands.	May be Present. The species has been documented in the Project vicinity (CNDDDB 2013), and there is potential breeding habitat near the site in two stock ponds north of Sierra Road and a seasonal pool just south of Sierra Road. These ponds are close enough to the study area that salamanders, if present, may use mammal burrows on or near the proposed trail alignment as refugia.
California red-legged frog (<i>Rana draytonii</i>)	FT, CSSC	Permanent and semi-permanent freshwater habitats, such as creeks and cold-water ponds, with emergent and submerged vegetation.	May be Present. The species has been documented in the Project vicinity (CNDDDB 2013), and there is potential breeding habitat near the site in two stock ponds north of Sierra Road and a seasonal pool just south of Sierra Road. These ponds are close enough to the study area that red-legged frogs, if present, may occasionally use mammal burrows on or near the proposed trail alignment as refugia.
Alameda whipsnake (<i>Masticophis lateralis euryxanthus</i>)	FT, ST	Valley-foothill hardwood habitat of the coast ranges, especially chaparral and coastal sage habitats with adjacent habitat consisting of valley and foothill grasslands and riparian habitat with open canopies.	Absent. The range of the listed subspecies does not extend south as far as the study area.
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	FE, ST	Flat or gently sloping grasslands, mostly on the margins of the San Joaquin Valley and adjacent valleys.	Absent. The study area is outside the known range of this species.

Exhibit 3: CEQA Documents

NAME	*STATUS	HABITAT	POTENTIAL FOR OCCURRENCE ON SITE
California Species of Special Concern and Fully Protected Species			
Western pond turtle (<i>Actinemys marmorata</i>)	CSSC	Ponds, slow-moving streams and rivers, irrigation ditches, and reservoirs with abundant emergent and/or riparian vegetation.	May be Present. No suitable aquatic habitat for this species occurs in the study area. However, the seasonal pond adjacent to the northern portion of the study area provides marginally suitable aquatic habitat. Given the infrequency of use of this seasonal pond by turtles, this species is unlikely to nest in the uplands surrounding this pond.
Coast horned lizard (<i>Phrynosoma coronatum frontale</i>)	CSSC	Sandy soils, usually in dry creek channels or coastal dunes.	Absent. No suitable sandy soils occur in the study area; and this species has not been recorded from the Project vicinity.
Long-eared owl (<i>Asio otus</i>)	CSSC (nesting)	Riparian bottomlands with tall, dense willows and cottonwood stands (also dense live oak and California Bay along upland streams); forages primarily in adjacent open areas.	Absent as Breeder. The species has been recorded in Ed Levin County Park to the north of the study area in the winter (eBird 2013), and may occasionally forage in the study area. No suitable nesting habitat is present in the study area.
Burrowing owl (<i>Athene cunicularia</i>)	CSSC	Found in open, dry grasslands, deserts, and ruderal areas. Requires suitable small mammal burrows for shelter and nesting.	Absent as Breeder. This species is known to occur in the Project vicinity during the winter and breeding seasons (CNDDDB 2013, Open Space Authority staff observations), although successful breeding (fledging of young) has not been documented in the study area, and occurrence has been documented primarily in winter. The grasslands along the Project alignment contain ground squirrel burrows that provide suitable burrowing owl habitat.
Northern harrier (<i>Circus cyaneus</i>)	CSSC (nesting)	Forages in marshes, grasslands, and ruderal habitats; nests in extensive marshes and wet fields.	Absent as Breeder. No suitable nesting habitat occurs in the study area; however, the species was observed foraging in the grasslands on the site during the wildlife survey.
Vaux's swift (<i>Chaetura vauxi</i>)	CSSC	Nests in chimneys and in hollow snags in redwood forests.	Absent as Breeder. No suitable nesting habitat occurs in the study area; this species likely forages over site during migration.

Exhibit 3: CEQA Documents

NAME	*STATUS	HABITAT	POTENTIAL FOR OCCURRENCE ON SITE
Loggerhead shrike (<i>Lanius ludovicianus</i>)	CSSC (nesting)	Forages in grasslands, open woodlands, and other open areas featuring hunting perches and sharp branches or barbed wire for impaling prey items. Nests in dense patches of shrubbery.	Absent as Breeder. Suitable nesting habitat is not present in the study area; however, the species may forage on-site.
Bryant's savannah sparrow (<i>Passerculus sandwichensis alaudinus</i>)	CSSC	Nests in pickleweed dominated salt marsh and adjacent ruderal habitats. During the nonbreeding season, forages in moist grasslands within the fog belt.	Absent as Breeder. The site does not provide suitable breeding habitat. However, occasional dispersing and wintering individuals may forage on-site.
Grasshopper sparrow (<i>Ammodramus savannarum</i>)	CSSC (nesting)	Breeds and forages in grasslands, meadows, fallow fields, and pastures.	Present. Suitable nesting and foraging habitat occurs throughout much of the study area, and the species was observed engaging in breeding behavior, including carrying nesting material, in and adjacent to the study area during the 23 April 2013 wildlife survey.
Tricolored blackbird (<i>Agelaius tricolor</i>)	CSSC (nesting)	Nests in extensive emergent vegetation near ponds. Forages in a variety of open habitats, including grasslands, pastures, and crop fields.	Absent as Breeder. No suitable breeding habitat is present in the study area. However, nonbreeding birds may occasionally forage on-site.
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>)	CSSC	Roosts primarily in caves, mines, attics, abandoned buildings and large trees with bowis such as found in burned old-growth redwoods. Forages over many habitats.	Absent. The species is not expected to occur in the study area because of the lack of cavernous habitat (cave-like habitat including attics and abandoned buildings and sheds).

Exhibit 3: CEQA Documents

NAME	*STATUS	HABITAT	POTENTIAL FOR OCCURRENCE ON SITE
Pallid bat (<i>Antrozous pallidus</i>)	CSSC	Forages over many habitats; roosts in buildings, large oaks or redwoods, rocky outcrops and rocky crevices in mines and caves.	Absent as Breeder. A focused search for pallid bat roosting habitat during the April 2013 site visit detected no suitable roosting habitat in the study area; the large oak within the study area does not contain cavities suitable for the establishment of pallid bat roosts. Individuals from colonies located within several miles of the study area could potentially forage on the site in low numbers, though nothing about the site suggests that it provides particularly important foraging habitat for the species.
San Francisco dusky-footed woodrat (<i>Neotoma fuscipes annectens</i>)	CSSC	Builds nests in a variety of habitats including riparian areas, oak woodlands, and scrub.	Absent. No suitable habitat for this species occurs within the study area, and no nests were observed during site surveys.
American badger (<i>Taxidea taxus</i>)	CSSC	Burrows in grasslands and occasionally in infrequently disked agricultural areas.	May be Present. A badger was observed near the study area along Sierra Road in 2007 (H. T. Harvey & Associates 2011). The rolling annual grasslands and friable soils comprising the majority of the study area provide high-quality habitat for badgers. However, no dens were observed during a focused survey of the site in April 2013.
American peregrine falcon (<i>Falco peregrinus anatum</i>)	SP	Nests on cliffs, and occasionally on buildings, bridges, or other species' nests on electrical towers; forages for birds over many habitats.	Absent as Breeder. The study area does not provide nesting habitat. However, the species is a possible rare forager on the site.

Exhibit 3: CEQA Documents

NAME	*STATUS	HABITAT	POTENTIAL FOR OCCURRENCE ON SITE
Golden eagle (<i>Aquila chrysaetos</i>)	SP	Breeds on cliffs or in large trees (occasionally on electrical towers), and forages in open areas.	Absent as Breeder. Although a large valley oak tree within the study area provides suitable nesting substrate, no nesting activity or material was observed in this tree or elsewhere in the study area, and birders (who regularly visit the area) have not reported any golden eagle nests in this tree. A focused survey within line of sight during the wildlife survey did not detect any nests in nearby areas. Therefore, golden eagles are not expected to be actively nesting on or very close to the site during Project activities. However, golden eagles may occasionally occur in the study area as foragers.
White-tailed kite (<i>Elanus leucurus</i>)	SP	Open habitats such as grassy plains, agricultural fields, open oak woodlands, and marshes. Nests in tall shrubs and trees.	Absent as Breeder. The oak trees within and adjacent to the study area provide suitable nesting habitat, although no nests were observed during site surveys; the entire site comprises suitable foraging habitat for the species.

Exhibit 3: CEQA Documents

Thus, for the purposes of this analysis, potential California tiger salamander presence in areas with suitable breeding ponds was inferred, and the presence/absence of dispersal and aestivation habitat within the study area was assessed on the basis of the locations of these ponds, the type and quality of upland habitat surrounding them, and the presence of barriers to dispersal. The locations of potential upland dispersal/aestivation habitat were determined based on the assumption that all suitable upland habitats within 1.3 mi of potential breeding ponds, and not separated from those ponds by insurmountable barriers, are upland dispersal or aestivation habitat for California tiger salamanders.

Thus, although California tiger salamanders are not expected to breed in the Project study area itself, because there are no barriers between the Project study area and the three potential breeding ponds within 640 feet of the Project alignment, all habitats within the Project study area other than developed habitat could potentially be used by California tiger salamanders for dispersal and/or aestivation.

The number of individual tiger salamanders that are likely to be affected by the Project is small due to the narrow nature of the proposed trail corridor and the limited extent of trail construction. However, in an abundance of caution it has been determined that impacts on tiger salamanders and their upland habitat are potentially significant.

Implementation of the following measures will reduce Project impacts on tiger salamanders to less-than-significant levels.

Note that the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA) prohibit the take of tiger salamanders without incidental take approval from the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). However, because the Project is a covered activity under the Santa Clara Valley Habitat Plan (VHP), upon its implementation the VHP and associated USFWS and CDFW permits will authorize incidental take of listed species within the study area.

Less Than significant With Mitigation Incorporated

(BIO-1) **The Contribution to VHP**, will reduce impacts on individual California tiger salamanders to a less-than-significant level. In the unlikely event that permits for the VHP are not issued by the USFWS and CDFW so that the Project cannot be covered by the VHP, the Authority will employ Mitigation Measures (BIO 2-6) to reduce impacts on individual California tiger salamanders to a less-than-significant level.

(BIO-2) **On-site Construction Crew Education Program**. Before the commencement of construction, a qualified biologist will explain to construction workers how best to avoid the incidental take of California tiger salamanders. The biologist will conduct a training session that will be scheduled as a mandatory informational field meeting for contractors and all construction personnel. The field meeting will include topics on species identification, life history, descriptions, and habitat requirements during various life stages. Emphasis will be placed on the importance of the habitat and life stage requirements within the context of Project avoidance and minimization measures. Handouts, illustrations, photographs, and Project maps showing areas where minimization and avoidance measures are being implemented will be included as part of this education program. The program will increase the awareness of the contractors and construction workers about existing federal and state laws regarding endangered species

Exhibit 3: CEQA Documents

as well as increase their compliance with conditions and requirements of resource agencies.

(BIO-3) Determination of Appropriate Relocation Site(s). Prior to the initiation of any other protective measures, a qualified biologist will determine, in consultation with the USFWS and CDFW, appropriate relocation sites for any California tiger salamanders that may be observed during the pre-construction survey and monitoring described below and that need to be relocated.

(BIO-4) Biological Monitoring. A USFWS- and CDFW-approved biologist will remain on-site at all times as a biological monitor during initial ground disturbing activities. Prior to commencement of construction activities each day, the approved biologist will survey the site to ensure no special-status species are within the work area. Any California tiger salamanders found in areas where they could be impacted by Project activities will be relocated to the pre-approved relocation site(s). If any special-status species are killed or injured during Project activities, the USFWS and CDFW will be notified within 24 hours.

(BIO-5) Habitat Management. The Authority will continue to manage its lands adjacent to the trail in such a way that continues to provide upland dispersal habitat for the California tiger salamander.

(BIO-6) Water Quality BMPs. The Authority will implement BMPs to protect water quality in the seasonal pond immediately adjacent to the northern portion of the trail alignment. These measures will include, but are not limited to the following:

- No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material will be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the U.S./State or aquatic habitats.
- Equipment staging and parking areas shall occur within established access areas in upland habitat above the top of bank.
- Machinery or vehicle refueling, washing, and maintenance shall occur at least 60 ft. from the top-of-bank. Equipment shall be regularly maintained to prevent fluid leaks. Any leaks shall be captured in containers until the equipment is moved to a repair location. A spill prevention and response plan will be prepared prior to construction and will be implemented immediately for cleanup of fluid or hazardous materials spills.
- Standard erosion control and slope stabilization measures will be required for work performed in any area where erosion could lead to sedimentation of a water body.

California Red-legged Frog (*Rana draytonii*). **Federal Listing Status: Threatened; State Listing Status: Species of Special Concern.** Red-legged frogs have been previously recorded near the Project study area. The closest CNDDDB-mapped record is located approximately 0.48 mi to the southwest, downhill from the trail alignment. A portion of the trail alignment to the north of Sierra Road skirts a seasonal stock pond immediately adjacent to the Project study area that could potentially support red-legged frogs; this pond, fed by the ephemeral drainage running through the Project study area, holds some water nearly year-round in wet years and supports emergent wetland vegetation along its margin. Thus, this pond provides potentially suitable breeding

Exhibit 3: CEQA Documents

habitat for California red-legged frogs, and may also be used by nonbreeding foraging frogs. Two other ponds near the proposed trail alignment could also potentially support breeding red-legged frogs: a stock pond south of Sierra Road located 400 ft. west of the lower reach of the proposed trail; and a stock pond north of Sierra Road located approximately 640 ft. from the upper segment of proposed trail. The ephemeral drainage running through the study area does not support breeding habitat for red-legged frogs, as it does not provide sufficient water depth or persistence. However, California red-legged frogs may disperse as much as 2 miles between aquatic habitats (Bulger et al. 2003), and given the proximity of the entire proposed trail to ponds and drainages providing suitable aquatic habitat, red-legged frogs could disperse over virtually the entire Project study area.

No aquatic habitat suitable for use by breeding red-legged frogs, and no wetland or aquatic habitats that may serve as summer refugia for the species, will be directly affected by this Project. However, similar to the situation described above for California tiger salamanders, based on the proximity of the Project study area to known red-legged frog occurrences and potential red-legged frog breeding ponds, this species is expected to use the trail alignment for dispersal among aquatic habitats. Further, it is possible that, on rare occasions, red-legged frogs may use mammal burrows within the study area as refugia as well. Only 2.01 acres of upland habitat that may be used by red-legged frogs would be converted to developed habitat (i.e., paved parking area or earthen trail) as a result of the Project. Loss of this small amount of habitat would not prevent red-legged frogs from moving through the study area or finding suitable refugial habitat, and red-legged frogs would still be able to disperse over these impacted areas after development occurs. Thus, impacts on California red-legged frog habitat are less than significant and no habitat compensation is warranted.

If red-legged frogs are present in the study area, grading and other activities associated with Project construction may result in direct mortality as a result of trampling by construction personnel or equipment or the collapse of occupied burrows. In addition, if red-legged frogs are present in the pond immediately adjacent to the northern trail alignment, Project construction activities could result in impacts on breeding habitat as a result of degradation of water quality due to spills of petrochemicals or hydraulic fluids from construction equipment or increased sedimentation. Further, following Project completion, increased trail use may result in injury or mortality of individuals due to trampling by trail users and increased disturbance of the potential breeding pond by humans and domestic animals.

The number of individual red-legged frogs that are likely to be affected by the Project is small due to the narrow nature of the proposed trail corridor and the limited extent of trail construction. However, in an abundance of caution it has been determined that impacts on red-legged frogs and their aestivation habitat are potentially significant. Implementation of the following measures will reduce Project impacts on red-legged frogs to a less-than-significant level.

Note that the FESA prohibits the take of red-legged frogs without incidental take approval from the USFWS, and consultation with this agency may therefore be necessary. However, because the Project is a covered activity under the VHP, upon its implementation the VHP and associated USFWS permit will authorize incidental take of federally listed species within the study area.

Exhibit 3: CEQA Documents

Less Than significant With Mitigation Incorporated

(BIO-7) **Contribution to VHP.** See (BIO-1) for Mitigation.

(BIO-8) **On-site Construction Crew Education Program.** (See BIO-2) for Mitigation.

(BIO-9) **Determination of Appropriate Relocation Site(s).** (See BIO-3) for Mitigation

(BIO-10) **Habitat Management.** (See BIO-4) for Mitigation

Burrowing owl (*Athene cunicularia*). **Federal Listing Status: None; State Listing Status: Species of Special Concern.** Breeding by burrowing owls has not been documented in the Project study area, and the species' occurrence has been documented in the Project study area primarily in winter. Therefore, the species is not expected to nest within the Project study area. However, the grasslands within the Project study area contain ground squirrel burrows that provide suitable burrowing owl nesting habitat; therefore the potential for burrowing owls to nest on the site cannot be ruled out. If active burrowing owl nests are present in the Project study area at the time of construction, construction-related disturbance could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Even if burrowing owls are not breeding on the site, construction could result in injury or mortality of an owl if an occupied burrow is filled or compacted during construction. Construction that results in a loss of occupied burrowing owl habitat may reduce the extent of habitat available to this species regionally. In addition, an increase in human disturbance of burrowing owls may result from the Project due to the extension of the trail and potential increase in the number of users. Given the regional rarity of burrowing owls, and recent population declines in the Bay Area, any loss of burrowing owls or fertile eggs, any activities resulting in nest abandonment, the destruction of occupied burrowing owl burrows, or the loss of occupied burrowing owl habitat, would constitute a significant impact.

The Project is covered by the VHP, however in the unlikely event that permits for the VHP are not issued by the USFWS and CDFW so that the Project cannot be covered by the VHP, the Authority will employ the following Mitigation Measures to reduce impacts on burrowing owls to a less-than-significant level.

Less Than significant With Mitigation Incorporated

(BIO-11) **Contribution to VHP.** See (BIO-1) for Mitigation.

(BIO-12) **Pre-construction Surveys.** Pre-construction surveys for burrowing owls will be completed in potential habitat in conformance with CDFW's 2012 protocol (CDFG 2012). The initial survey will be conducted 2 to 4 weeks prior to the initiation of Project activities. During the initial site visit, a qualified biologist will survey the entire activity area and (to the extent that access allows) the area within 250 ft. of the site for suitable burrows that could be used by burrowing owls for nesting or roosting. If no suitable burrowing owl habitat (i.e., ruderal grasslands with burrows of California ground squirrels) is present within the survey area, no additional surveys will be required. If suitable burrows are determined to be present within 250 ft. of work areas, a qualified biologist will conduct three additional surveys to investigate each burrow within the survey area for signs of owl use and to determine whether owls are present in areas where they could be affected by proposed activities. A final survey shall be conducted within the 24-hour period prior to the initiation of Project activities in any given area.

(BIO-13) **Buffer Zones.** If burrowing owls are present during the nonbreeding season (generally September 1 to January 31), a 150 ft. buffer zone, within which no new Project-related activity will be permitted, should be maintained around the occupied burrow(s) if feasible. A reduced buffer is acceptable during the nonbreeding season as

Exhibit 3: CEQA Documents

long as construction avoids direct impacts on the burrow(s) used by the owls. During the breeding season (generally February 1 to August 31), a 250 ft. buffer, within which no new Project-related activity will be permitted will be maintained between Project activities and occupied burrows. Owls present at burrows on the site after February 1 will be assumed to be nesting on or adjacent to the site unless evidence indicates otherwise. This protected area will remain in effect until August 31, or based upon monitoring evidence, until the young owls are foraging independently.

(BIO-14) Passive Relocation. If construction will directly impact occupied burrows, eviction of owls will occur outside the nesting season. No burrowing owls will be evicted from burrows during the nesting season (February 1 through August 31) unless evidence indicates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). Eviction will occur through the use of one-way doors inserted into the occupied burrow and all burrows within impact areas that are within 500 ft. of the occupied burrow (to prevent occupation of other burrows that will be impacted). One-way doors will be installed by a qualified biologist and left in place for at least 48 hours before they are removed. The burrows will then be back-filled to prevent re-occupation.

Although relocation of owls may be necessary to avoid the direct injury or mortality of owls during construction, relocated owls may suffer predation, competition with other owls, or reduced health or reproductive success as a result of being relegated to more marginal habitat. However, the benefits of such relocation, in terms of avoiding direct injury or mortality, would outweigh any adverse effects.

(BIO-15) Habitat Management. If burrowing owls are impacted by the Project, existing grassland habitat owned by the landowner adjacent to the trail shall be managed in such a way that it continues to provide low- to medium-height herbaceous grassland vegetation and abundant California ground squirrel populations, which comprise suitable breeding habitat for burrowing owls. Management of grassland habitat for burrowing owls is consistent with management of suitable upland dispersal and aestivation habitat for California tiger salamanders and California red-legged frogs.

Impacts on the Golden Eagle The golden eagle, listed as a Fully Protected animal in California and protected under the Federal Bald Eagle Protection Act, is known to nest widely in the Diablo Range (Bousman 2007a). The entire Project study area comprises suitable foraging habitat for the species, and a large valley oak tree within the Project study area offers suitable golden eagle nesting habitat. However no nests or nesting activity were observed during a focused survey for eagle nests and nesting habitat conducted in the course of the wildlife surveys in both January and April 2013. Although golden eagles forage regularly in the grasslands along the proposed trail, there is ample suitable foraging habitat for this species in the Diablo Range. Thus, impacts on available foraging habitat due to construction of the new trail segments do not reach the threshold of a substantial impact, and impacts on habitat for this species will be less than significant.

Golden eagles have previously been recorded nesting 0.45 mi. downslope of the Project study area (Bousman 2007a); however, this nest site is not within the viewshed of the proposed Project. Further, although the eagles at this nest location may forage in the Project vicinity, given the existing distribution of hiking trails throughout the area, the small increase in recreational use of the area resulting from the proposed Project is not

Exhibit 3: CEQA Documents

expected to significantly impact golden eagle use of foraging habitat in the Project vicinity.

While the likelihood of a golden eagle pair initiating a new nest within the study area before Project activities begin is very low, we cannot entirely rule out the possibility that a nest could be established in the Project vicinity prior to the initiation of construction. This species is quite susceptible to human disturbance near nest sites, and may abandon an active nest if disturbed during the nesting season. Abandonment of an active nest would result in the loss of eggs or chicks, and would be considered a significant impact.

The golden eagle is not a covered species under the VHP. However, avoidance and minimization measures will be implemented to reduce potential impacts on golden eagles to a less-than-significant level.

(BIO-16) Seasonal Avoidance. If construction-related work is conducted outside the nesting period (February 1 through August 31), potential impacts on active nests of golden eagles will be avoided. If it is not feasible to schedule vegetation removal during the nonbreeding season, the following measures shall be implemented.

(BIO-17) Pre-construction Survey. A pre-construction survey for nesting eagles within 0.25 miles of the study area will be conducted within 15 days prior to the initiation of construction activities; this survey will be conducted by a qualified biologist using binoculars and a spotting scope. If an active eagle nest is detected, Measures 4c and 4d will be implemented.

(BIO-18) Buffer Zones and Monitoring. To reduce the potential for the eagles to abandon their nest or territory due to construction disturbance during their reproductive period, if nesting eagles are present, a buffer free from new disturbance will be established within a 0.25 mile radius of the nest (regardless of viewshed), and within 0.5 mile of the nest in areas where eagles on the nest can view Project construction activities. No new Project-related activities (i.e., activities that were not already ongoing when the nest was established, or that are of a substantially greater intensity than when the nest was established) will be undertaken within the buffer. In some cases (e.g., if the development is not visible from the nest site), it is possible that a lesser buffer would be adequate to avoid disturbance of the nesting eagles, but such a variance would require approval of the CDFW and USFWS. In such a case, the biologist and agency personnel will agree on a reduced buffer, and the biologist will monitor the behavior of the nesting birds during the first full day of construction activity immediately surrounding the buffer. The biologist will look for signs of stress such as repeated alarm calls, agitated behavior, or departure of the birds from the nest. If the birds do not show signs of habituation to the new disturbance by resuming their normal nesting activities, work within the vicinity of the nest will stop and the CDFW and USFWS will be consulted to refine the buffer determination. If the birds continue their normal activities, the biologist will inspect the nest site every 1 to 2 days (the frequency determined in consultation with the CDFW and USFWS) for as long as the nest is active and work is ongoing within the reduced buffer to confirm that the birds are tolerant of the construction activities. Any required buffer will remain in place until young are no longer dependent on the nest, or until the nesting attempt fails (for reasons other than Project activities) and it is determined that the birds will not attempt to re-nest. A qualified biologist will determine through direct observation when the nest is no longer in use (e.g., if the young have fledged or the nesting fails for non-Project-related reasons). Constant monitoring of the nest is not

Exhibit 3: CEQA Documents

necessary, but before construction activities occur within the agreed-upon buffer, the biologist must have confirmed that the nest is no longer active.

(BIO-19) Seasonal Restrictions. If an active eagle nest is determined to be present prior to construction, no trail that can be seen by eagles on the existing nest tree will be established within 0.25 mile of the existing eagle nest unless the Authority closes that portion of the trail during the breeding season, when the nest is active, or unless the Authority consults with the USFWS and CDFW and obtains approval to allow the trail to be open during the breeding season. If eagles initiate nesting in any given area at any time after the establishment of the trail, ongoing activities that were part of the existing environmental background at the time of nest establishment can continue, since by establishing a nest in a given area the eagles would be demonstrating tolerance of ongoing conditions in the area.

Bio – b & c): (Sources: 10,11,12)

Less Than Significant

Impacts on Upland Habitats and Associated Animal Communities. Permanent impacts (i.e. conversion of grasslands to bare soil) from trail installation will occur within all upland habitats in the Project study area. The unpaved trail will be 5 ft. wide and require vegetation removal, grading, and soil disturbance during the construction period. However, no trees within the oak savannah will be removed during trail construction and only understory vegetation will be cleared. A paved parking area will be installed along the north and south sides of Sierra Road within California annual grassland and the developed/ruderal grassland habitats. The trail and parking lot will result in permanent impacts on approximately 0.68 ac. of California annual grassland, 0.04 ac. of oak savannah, < 0.01 ac. of drainage swale, and 1.45 ac. of developed/ruderal grassland. All the upland habitats within the study area (California annual grassland, oak savannah, drainage swale, and ruderal grassland) are locally abundant. The California annual grassland, oak savannah, and drainage swale habitats in the study area are of good quality because they support many native species and lack aggressive non-native weeds. The ruderal grassland is of low quality because it supports a high density of non-native weed species and contains gravelly areas that restrict plant growth. Although these grasslands provide important habitats for several grassland-associated wildlife species, and are used by many generalist wildlife species as well, the conversion of a 5 ft. wide path and a portion of one parking area from grassland to developed habitat will affect only a very small portion of the regionally available habitat for these species. As a result, the loss of California annual grassland and ruderal grassland proposed by this Project will have little effect on either local or regional numbers of grassland-specialist wildlife species. Further, the majority of the animal species associated with California annual grassland are regionally abundant. Thus, the conversion of this habitat type to developed uses will affect a very small proportion of the regional populations of these species. Such impacts do not reach the threshold of a *significant* impact. Therefore, impacts on these regionally abundant animal species and their habitats will be less than significant.

Impacts on Habitat and Individuals of Certain Special-Status Wildlife Species. The Project will result in the loss of some habitat for special-status wildlife species, and may result in the injury or mortality of individuals of some of these species. However, many of the special-status species that are known to occur, or could potentially occur, in the Project vicinity occur here only as visitors, migrants, or transients, but are not expected to

Exhibit 3: CEQA Documents

breed within (or immediately adjacent to) the study area. These species include the northern harrier, white-tailed kite, American peregrine falcon, long-eared owl, Vaux's swift, loggerhead shrike, Bryant's savannah sparrow, tricolored blackbird, and pallid bat. Because breeding individuals of these species are not expected to be affected by Project implementation, and because the Project will result in impacts on only a very small proportion of the foraging habitat available regionally for these species, they are expected to be affected only minimally by the implementation of the Project.

Grasshopper sparrows may establish nests in or near areas where the new trail will be located, or in areas where increased human activity may result in disturbance. American badgers may dig dens and forage on or near the Project study area. However, the narrow Project corridor where potential impacts may occur represents a very small proportion of the regional habitats for these species, and American badgers are only expected to occur in extremely low densities due to their large territory requirements. Therefore, the number of active grasshopper sparrow nests and/or badger dens that could potentially be disturbed by Project activities, and the effect on regional populations from direct impacts during construction or longer-term impacts due to increased human disturbance, are expected to be low. These impacts do not reach the threshold of a *significant* impact. Thus, impacts on these species and their habitat will be less than significant.

Bio – d): (Sources: 1,10)

No Impact

Impacts on Wildlife Corridors. The proposed trail installation is expected to have little effect on wildlife movement through the Project vicinity. The new trail segments are not far from Sierra Road for most of their lengths, and the trails often run along well-established cattle trails. The physical presence of the trails, and use of these new trail segments, will have only minimal effects on wildlife movement, particularly compared to the existing adjacent road (although given the light traffic on Sierra Road, the road also likely has little effect on wildlife movement) as the trails will not have raised berms or other vertical surfaces that would impede the movement of small animals. Further, many of the mammals that likely move through the area will do so at night when recreational hikers are not likely to be present. Thus, no substantial change in the movement patterns of any species are expected to result from construction of new trail segments or increased trail use.

Bio – e): (Sources: 12)

No Impact

The Preserve is consistent with the Santa Clara Valley Habitat Conservation Plan biological goals and objectives. Thus, no impact.

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Exhibit 3: CEQA Documents

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cult – b) and Cult – c): *(Sources: 3,4,13)*

A previous Cultural resource investigation was completed by Archeological Survey Report (ART) on March 19, 2007. The current Project study area was included in the previous study area and the findings concluded that the Project will not have any impact on known archaeological resources; however, this does not preclude the potential that ground disturbing activities may reveal previously unidentified buried or otherwise obscured archeological deposits.

Less Than Signification With Mitigation Incorporation:

(CULT-1) Construction personnel will be alerted to the possibility of buried cultural remains in the Project area. Personnel will be instructed that upon discovery of buried cultural materials, work in the immediate area of the find should be halted, and a qualified cultural resources professional should be contacted to examine the discovery and determine its significance.

Cult – d): *(Source: 3,4,13)*

During the course of construction activities within the project area, if a previously unidentified or subsurface archeological site or feature is discovered, work should stop at that location and a qualified cultural resource professional should be contacted to examine the discovery and determine its significance. If Native American human burials and skeletal remains are discovered, according to California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.94, 5097.98 and 5097.99 the following actions must be taken:

(CULT-2) Stop work immediately at that site and any nearby area reasonably suspected to have remains, and contact the County Coroner. The Coroner has two working days to examine the remains after being notified by the person responsible for the excavation. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person believed to be the most likely descendant of the deceased Native American. The most likely descendant has 24 hours to make recommendations for the treatment or disposition, with proper dignity, of the remains and grave goods. If the descendant does not make recommendations within 24 hours, the remains must be reentered in an area of the property secure from further disturbance, or, if the descendant's recommendations are not accepted, the Authority or the descendant may request mediation by the Native American Heritage Commission. If mediation fails to provide acceptable measures, the Authority shall reenter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Exhibit 3: CEQA Documents

VI. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Geo – a): (Sources: 14)

Less Than Significant Impact:

The proposed parking areas and 1.3 miles of trail partially utilizing existing ranch roads are not within the Arroyo Aguague Fault Zone (Alquist Priolo Fault Zone). Further, no evidence of surface faulting or fault creep on these existing roads and adjacent areas have been observed since acquisition of property (2000). The 1.3 miles of proposed trail is not within a landslide zone. No structures for human occupancy are proposed. Preserve parking will have low use and is located in a remote setting, which will reduce the risk to humans to less than significant.

Exhibit 3: CEQA Documents

Geo – b): (Sources: 14)

Less Than Significant Impact:

The proposed 1.3 miles of new trail is to be constructed to not exceed a 10% grade, with drainage features including outsloping, rolling dips, waterbars to ensure positive drainage and erosion control. The proposed parking areas will include an engineered bioretention system to reduce soil erosion. In addition, the Project will implement the following erosion control measures: Construction will occur during the typical dry season from (April 15- October 15). Silt fencing will be installed along the project area during construction. Upon completion of construction any other bare ground resulting from construction will be hydro-seeded to increase soil stability. During the first winter, the Authority will ensure that erosion is kept to a minimum for the proposed trails by inspecting the site and providing additional erosion control measures such as spreading mulch and installing erosion control netting if needed. These measures are sufficient to reduce the potential for substantial soil erosion or loss of topsoil to less than significant levels.

Geo – c): (Sources: 3,14)

Less Than Significant Impact:

The Project area is within the City of San Jose Special Geologic Hazard Study Area. However, the Project area is not within a fault zone or landslide zone. The proposed Project will be constructed in accordance with all relevant provisions of the current California Building Code standards and City of San Jose Standard Specifications for Public Works Construction. Further implementation of erosion control methods described in Geo – b would minimize potential erosion impacts. These measures will reduce to less than significant impact.

VII. GREENHOUSE GAS EMISSIONS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

GHG – a): (Source: 1,8,9,15)

Less Than Significant Impact with Mitigation Incorporated

The BAAQMD CEQA guidelines do not have an adopted threshold of significance for construction related GHG emissions. The proposed small parking areas and 1.3 miles of trail construction would be less than significant due to the small scale of the Project and implementation of BMP's recommended by the BAAQMD to reduce GHG emissions.

(GHG -1) Best Management Practices for Construction

1. Use Alternative-fueled construction vehicles/equipment for at least 15% of the fleet.
2. Use at least 10% local building materials (from within 100 miles of the project site).

Exhibit 3: CEQA Documents

3. Recycle at least 50% of construction generated waste.

The Project would result in less than significant greenhouse gas emissions from operational related GHG emissions. Access to the proposed parking areas and multi-use trails will have low intensity recreational use and located in a remote setting that will not generate significant greenhouse gas emissions from additional vehicle trips due to the small scale of proposed project. Thus, operation of the proposed Project is not anticipated to generate GHG emissions that may have a significant impact on the environment and this impact is considered less than significant.

GHG – b): (Source: 1,8,9,15)

Less Than Significant Impact

The proposed Project would not interfere with the Scoping Plan and the long-term goal of Assembly Bill 32 to reduce the GHG emissions to 1990 levels by 2020. The proposed project would not conflict with applicable plans, policies or regulations intended to reduce GHG emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS : Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Exhibit 3: CEQA Documents

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Haz – h): (Sources: 2,3,22)

Less Than Significant Impact

The Project is in an undeveloped portion of the City of San Jose adjacent to the Alum Rock Park. The agency with primary jurisdiction for responding to any wildland fires at this site is the City of San Jose and the California Department of Forestry and Fire Protection (CalFire) has secondary jurisdiction. The Authority works closely with CalFire regarding appropriate access for emergency vehicles and recommendations pertaining to fire prevention measures. The Project would not change the degree of exposure of neighbors or preserve visitors to wildfires, as it involves the construction of a public trail which connects to trails within an existing preserve and City park open to the public. Authority Ordinance 6.01.01 prohibits any person from building, starting, lighting or maintaining a fire of any nature within Authority lands.

IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would				

Exhibit 3: CEQA Documents

exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hydro – e): (Sources: 3, 16)

Less Than Significant Impact

There is no existing or planned stormwater drainage system that will be affected by the Proposed Project. The proposed parking areas and 1.3 miles of new trail construction are scheduled to occur during the typical dry season (April 15 - October 15). Silt fencing will be installed along the edge of the trail area during construction. Upon completion of construction the swales and any other bare ground resulting from construction will be hydro-seeded with a native seed mix to increase soil stability and increase percolation of water.

X. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Exhibit 3: CEQA Documents

XI. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. NOISE : Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Noise – a): (Sources: 1,3,4)

Less Than Significant Impact

According to the Santa Clara County General Plan Noise Element, significant noise impacts occur when the noise levels are equal or above 65 Day-Night Average Sound Level (DNEL). The City of San Jose General Plan Noise Goals and Policies are consistent with the County General Plan where DNEL levels ≥ 76 are considered

Exhibit 3: CEQA Documents

hazardous to health as determined by EPA. Within the Project area, current ambient noise levels are under 65 DNEL. In the long term the increase to the noise levels in the area resulting from preserve visitors and occasional minor maintenance activities will be minimal. Because the proposed trail is in a relatively remote site, heavy usage is not anticipated. Preserves are limited to non-motorized, low-intensity recreational uses adjacent to the project area, which create minimal noise. Authority Ordinance 4.01.02 prohibits after-hours use of the proposed trail.

Noise – b) and Noise – d): (Source: 1,3,4)

Less Than Significant Impact

During construction, construction machinery will generate temporary increases in ambient noise, ground borne noise, and vibration levels. The construction work will occur in a relatively remote region of an open space preserve and in an area that would be closed to public use during construction.

XIII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Exhibit 3: CEQA Documents

Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Pub – a): (Source: 1,21,22,23,24)

Fire Protection ?

Less Than Significant Impact

The Project area is in relatively undeveloped portion of the City of San Jose adjacent to Alum Rock Park. The agency with primary jurisdiction for responding to any wildland fires at this site is the City of San Jose and CalFire has secondary jurisdiction. Authority also works closely with Calfire during emergency situations - see Section VIII.h. It is not anticipated that the proposed Project would increase demand on fire protection services based on the Preserves minimal amount of vehicular, bicycle and pedestrian traffic expected to be generated for the Project. No major fire incidences within the Preserve area have been recorded within the last 10 years. The OSA will maintain operating hours of the parking area from dawn to dusk with the parking areas being closed after hours with a locked gate. Therefore the proposed Project would result in a less than significant impact on fire services in the area.

Police Protection ?

Less Than Significant Impact

Based on the Preserve's minimal amount of vehicular, bicycle and pedestrian traffic expected to be generated for the Project, it is not anticipated that the proposed Project would significantly increase demand on police protection services. Further, the OSA will maintain operating hours of the parking area from dawn to dusk with the parking areas being closed after hours with a locked gate. The agency with primary jurisdiction for police protection at this site is the City of San Jose. The OSA will monitor the need for additional police services if warranted in the future. Therefore the proposed Project would result in a less than significant impact on police protection services in the area.

Parks ?

Less than Significant Impact

The proposed parking areas and multi-use trail will bring visitors to the adjacent City of San Jose, Alum Rock Park trails. These trails are currently open to the public, and the increase in visitors is anticipated to be low and the existing facilities will accommodate them. Thus, less than significant impact on Parks services in the area.

XV. RECREATION --

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

Exhibit 3: CEQA Documents

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Rec – a): (Source: 1.3)

Less Than Significant Impact

The proposed parking areas and 1.3 miles of trail will bring visitors to both the Sierra Vista and Boccardo trail systems, which join the adjacent Alum Rock Park trails. The number of visitors is anticipated to be low due to the remote location, size of the Preserve, the extensive trail systems and linkages and the daily hours of park operations. The minor increase in the use of the Preserve is not expected to result in a substantial physical deterioration of existing recreational facility.

Rec – b): (Source: 1, 3)

The Project in itself is an expansion of a recreational trail facility, will provide parking to a Preserve, will allow trail access to the existing Sierra Vista/Calaveras Fault Trail and Boccardo Trail, and connects to trails in Alum Rock Park. As discussed in previous section, is not expected to have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Exhibit 3: CEQA Documents

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
-

Traffic – a): (Sources: 1, 19, 21)

Less Than Significant Impact

A Focused Traffic Analysis for the Project was completed by Fehr and Peers Transportation Consultants, 12/2012. Based on that analysis, minimal amount of vehicular, bicycle and pedestrian traffic would be generated and the proposed Project is not expected to substantially affect the traffic operations of the surrounding roadway system. Project would have a less than significant impact.

Traffic – d): (Sources: 1, 19, 21)

Less Than Significant Impact

The proposed locations of the parking area entrance and exit points provide adequate stopping sight distances. Since the parking area spans a crest in the road, advanced warning signs will be placed 600 ft. in advance of the closest access point for both approaches. At the exit driveways, R5-1 (Do Not Enter) signage will be placed. Arrows will be pointed along the parking lot roadway to reinforce the intended direction of travel. Appropriate signage is incorporated into this Project resulting in a less than significant impact.

XVII. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Exhibit 3: CEQA Documents

providers existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mandatory Findings – a):

Less Than Significant with Mitigation Incorporated

Mitigation incorporated into the development of the proposed Project would reduce adverse affects to protected wildlife habitats to less than significant. (BIO – 1) through (BIO – 19) would insure that potential impacts to biological resources would be reduced to less than significant level. Implementation of Mitigation Measures (CULT – 1) and (CULT – 2) would ensure that potential impacts to cultural resources would also be reduced to less than significant.

Mandatory Findings – b):

Less Than Significant Impact

The proposed Project impacts are individually limited and not cumulatively considerable. Further, much of the Project’s impacts would result from construction activities and would be temporary. The Project would result in the development of low intensity recreational facilities that would provide expanded connectivity to existing facilities within the Preserve and adjacent Alum Rock Park.

Exhibit 3: CEQA Documents

Sierra Vista Staging and Trail Project – 2013/14 Sierra Vista Open Space Preserve

INITIAL STUDY SOURCE LIST

- ¹ Santa Clara County Open Space Authority staff professional opinions and conclusions
- ² Santa Clara County Open Space Authority, *Access and Use Regulations for Open Space Authority*, Adopted September 26, 2002 <http://www.openspaceauthority.org/about/policies.html>
- ³ Envision San Jose 2040 General Plan. <http://www.sanjoseca.gov/index.aspx?nid=1737>
- ⁴ Santa Clara County General Plan, 1995-2010.
<http://www.sccgov.org/sites/planning/PlansPrograms/GeneralPlan/Pages/GP.aspx>
- ⁵ Santa Clara Countywide Trails Master Plan Update, Nov 1995.
<http://www.sccgov.org/sites/parks/PlansProjects/Pages/countywide-trails-mstr-pln.aspx>
- ⁶ Bay Area Ridge Trail website: <http://www.ridgetrail.org/index.php/the-trail>
- ⁷ California State Scenic Highways for Santa Clara County, www.dot.ca.gov/hq/LandArch/scenic_highways/sclara.htm
- ⁸ Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Quality Guidelines, Updated May 2012*.
<http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx>
- ⁹ Bay Area Air Quality Management District. *Particulate Matter Air Pollution, 2012*.
<http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans/PM-Planning.aspx>
- ¹⁰ H. T. Harvey, *Sierra Vista Trail and Staging Project Biological Resources Report, Project #3444-01*, May 2013.
- ¹¹ California Department of Fish and Wildlife, California Natural Diversity Database Website:
<http://www.dfg.ca.gov/biogeodata/cnddb/> and by subscription: government version California Natural Diversity Database GIS Data CD, January 2013.
- ¹² Santa Clara Valley Habitat Plan – 2013: <http://www.scv-habitatplan.org/www/default.aspx>
- ¹³ Archaeological Resources Technology, *Cultural Resource Evaluation for Sierra Vista Project*. March 2007.
- ¹⁴ Parikh Consultants, Inc., *Geotechnical Engineering Investigation for Sierra Vista Project, Santa Clara County, California*, March 2007.
- ¹⁵ Bay Area Air Quality Management District 2010. *Inventory of Bay Area Greenhouse Gas Emissions*.
<http://www.baaqmd.gov/Divisions/Planning-and-Research/Emission-Inventory/Greenhouse-Gases.aspx>
- ¹⁶ Santa Clara Valley Water District 100 Year Flood Zone Map from Website:
http://www.valleywatercompplan.org/plan_elements/learn/2
- ¹⁷ NV5 Beyond Engineering, *Sierra Vista Project Construction Plans*, May 2013.
- ¹⁸ NV5 Beyond Engineering, *Sierra Vista Technical Specifications*, May 2013.
- ¹⁹ NV5 Beyond Engineering, *Minor Street Improvement Plan For The Improvement of Sierra Road*, July 2013
- ²⁰ California Department of Transportation, *Construction Site Best Management Practices (BMPs) Manual*, from website: <http://www.dot.ca.gov/hq/construc/stormwater/>
- ²¹ Fehr and Peers Transportation Consultants, *Focused Traffic Analysis for Sierra Vista Project*. December, 2012.
- ²² California Department of Forestry and Fire Projection website: <http://www.fire.ca.gov/>
- ²³ City of San Jose Police Department website: <http://www.sjpd.org/>
- ²⁴ Santa Clara County Office of the sheriff website: <http://www.sccgov.org>



List of Comments Received

Project: Sierra Vista Open Space Preserve Vehicle/Equestrian Staging Areas and Multi- Use Trail Project
Initial Study/Mitigated Negative Declaration

1. Office of Historic Preservation, Carol Roland-Nawi, Ph.D.
2. Resident, George T. Kammerer, M.D.

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



June 6, 2014

Rachel Santos
Open Space Planner
Santa Clara County Open Space Authority
6980 Santa Teresa Blvd., Suite 100
San Jose, CA 95110

Dear Ms. Santos:

RE: MND for Sierra Vista Open Space Preserve Proposed Vehicle/Equestrian Staging Areas and Multi-Use Trail Project

Thank you for including the California Office of Historic Preservation (OHP) in the environmental review process for the Sierra Vista Open Space Proposed Vehicle/Equestrian Staging Areas and Multi-Use Trail Project. Pursuant the National Historic Preservation Act and the California Public Resources Code, the State Historic Preservation Officer (SHPO) and the OHP have broad responsibility for the implementation of federal and state historic preservation programs in California. The following comments are based on the information included in the Mitigated Negative Declaration.

Pursuant to Section 21080(c) of the Public Resources Code a Lead Agency may adopt a negative declaration if "[t]here is no substantial evidence, in the light of the whole record before the lead agency, that the project may have a significant effect on the environment." There is no evidence in this negative declaration that the Lead Agency made any effort to determine if archeological or other cultural properties exist, or potentially exist, within the project area.

The Mitigated Negative Declaration has addressed archeological resources only in terms of mitigation. An effort needs to be made prior to the adoption of an environmental document to identify the potential for archeological resources in the project area and vicinity. If potential sites are identified before work begins on the site, they can be addressed early on, before construction occurs, and perhaps avoid impacts. Simply stating, as a mitigation measure, that personnel connected with construction should be made aware of the possibility of encountering cultural resources is not adequate. At a minimum, the Lead Agency should request a cultural resources site records report from the Northwest Information Center at Sonoma State University. Based on that report the Lead Agency should determine what further actions should be undertaken. Any monitoring at the project site during the ground disturbing parts of the

1-1

project should be undertaken by professionals meeting the Secretary of the Interior's Professional Qualifications for Archeology. We do not believe that simply adopting the mitigation measure included in the MND, without any prior analysis, would reduce the impacts to archeological resources to a less-than-significant-level.

We also recommend that the Lead Agency consult with the Native American Heritage Commission and pursue efforts to consult Native American tribes regarding the presence of cultural materials significant to them.

If you have questions, please contact Lucinda Woodward, Supervisor of the Local Government Unit, at (916) 445-7028 or at Lucinda.Woodward@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

↑ 1-1
] 1-2

Exhibit 3: CEQA Documents

Comment Letter 1

- Response 1-1 As indicated in Section V. Cultural Resources of the Initial Study/Mitigated Negative Declaration, a previous cultural resource investigation was completed and included the Project Area. Potential impacts of the Project on archaeological resources were evaluated through archival research and field investigations. A records search was conducted at the Northwest Information Center and revealed that no known archaeological sites were located within the Project area and no surface evidence of prehistoric archaeological sites found. The findings of the investigation concluded that the Project would not have any impact on known archaeological resources. Thus, appropriate Mitigation Measures were included as part of the Mitigation Monitoring Program.
- Response 1-2 Appropriate Mitigation Measures were included as part of the Mitigation Monitoring Program and will provide for consultation with the appropriate Native American tribe if warranted.

RECEIVED JAN 21 2014

George T. Kammerer, M.D.
22331 Alum Rock Falls Road
San Jose, California 95127

January 20, 2014

Rachel Santos
Open Space Planner
Santa Clara County Open Space Authority
6980 Santa Teresa Blvd., Suite 100
San Jose, CA 95119

Dear Ms. Santos,

Thank you for the information about the Proposed Vehicle/Equestrian Staging Areas on Sierra Road. We understand and appreciate the need for a Staging Area and realize that it will increase the use of Alum Rock Falls Road

This note is about the existing trail that goes through the Open Space Authority property and then onto about ½ mile of Alum Rock Falls Road.

I am concerned about the chances of an accident occurring with a horse or a bike on this part of Alum Rock Falls Road. If a person riding a horse or a bike suddenly meets a car on a blind turn on this steep part of the road there likely would be an accident.

This probably would increase the liability for Santa Clara County and the Open Space Authority as well as for those of us who travel the road daily.

Thank you for considering my concerns.

Sincerely,


George Kammerer

Cc: Andrea Mackenzie

2-1

Comment Letter

Response 2-1 As indicated in Section XV. Recreation and Section XVI. Transportation of the Initial Study/Mitigated Negative Declaration, the parking area and .3 mile connector trail will bring visitors to both the Sierra Vista and Boccardo trail systems, which is also contiguous to Alum Rock Park trails. The number of visitors is anticipated to be low due to the remote location, size of the Preserve and extensive trail systems and linkages and the daily hours of park operations. Traffic analysis for the Project concluded that a minimal amount of vehicular, bicycle and pedestrian traffic would be generated and the Project is not expected to substantially affect the traffic operations of the surrounding roadway systems.

Alum Rock Falls Road does have existing informational signs in place that clearly delineate the trail's portion on this Road. Monitoring of trail users and trail conditions at this location is conducted regularly by field staff. However, informational signs will be posted at the parking area to further educate the public regarding shared trail use on this portion of Alum Rock Falls Road.

DEC 24 2013

COASTAL CONSERVANCY
OAKLAND, CALIF.**Santa Clara County Open Space Authority****Mitigated Negative Declaration**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resource Code 21000, et sec) that the following project, when implemented, will not have a significant impact on the environment.

Lead Agency Santa Clara County Open Space Authority **Date:** 12/23/13
6980 Santa Teresa Blvd., Suite 100
San Jose, CA 95119

Contact Person Rachel Santos, Open Space Planner (408) 224-7476 ext. 516

Project Name Sierra Vista Open Space Preserve Proposed Vehicle/Equestrian Staging Areas and Multi-Use Trail Project

Project Location Sierra Road, within Sierra Vista Open Space Preserve,
San Jose, CA, North of Alum Rock Park

Project Description

This Initial Study/Mitigated Negative Declaration evaluates the potential for environmental impacts for proposed site improvements within the Preserve. The Project will provide access to a public preserve facility with combined parking for vehicles and equestrians so visitors may access multi-use trails that are part of the Bay Area Ridge Trail and contiguous to Alum Rock Park. Site improvements include the construction of a parking area on the south side of Sierra Road, including a vehicle parking area that will accommodate (21) spaces and an equestrian parking area that will accommodate (2) spaces for single horse trailers. The proposed parking area would serve as the Preserve's first dedicated parking area. Currently, parking to access the Authority's existing 10 miles of multi-use trail in the Preserve is through Alum Rock City Park. The proposed project also includes approximately 1.3 miles of multi-use trail, including a .3 mile southern connector trail (part of the Bay Area Ridge Trail) and 1 mile northern loop trail. The proposed Project will also include design of a similar parking area for vehicles and equestrians on the north side of Sierra Road, for future parking.

Purpose of Notice

The purpose of this notice is to inform you that the Santa Clara County Open Space Authority Staff has recommended that a Mitigated Negative Declaration be approved for this project. Action is scheduled on this proposed Mitigated Negative Declaration before the Santa Clara County Open Space Authority Board of Directors on **February 13, 2014** in the **Santa Clara County Open Space Authority Office, 6980 Santa Teresa Blvd, Suite 100, San Jose, CA.**

Review Period

Public comments regarding the correctness, completeness, or adequacy of the Mitigated Negative Declaration are invited and must be received on or before **January 22, 2014**, no later than **5pm**. Such comments should be based on specific environmental concerns. Written comments should be addressed to the **Santa Clara County Open Space Authority, 6980 Santa Teresa Blvd, Suite 100, San Jose, CA 95119, (408) 224-7476**. Oral comments may be made at the hearing. The Initial Study for this Project may be reviewed at the Santa Clara County Open Space Authority office or can be reviewed via website, www.openspaceauthority.org.

Responsible Agencies sent copy of this document

California Department of Fish and Wildlife
City of San Jose

San Francisco Bay Area Regional Water Quality Control Board
Santa Clara Valley Habitat Agency
United States Fish and Wildlife Service

Proposed Findings

The Santa Clara County Open Space Authority Staff has reviewed the initial study for the project and based upon substantial evidence in the record, finds that:

The mitigation measures, as listed below and incorporated in the project, are adequate to mitigate the environmental effects to a less than significant level.

MITIGATION MEASURES INCORPORATED INTO THE PROJECT

(AIR-1) Basic Construction Mitigation Measures

The following Mitigation Measures would be implemented to achieve emissions reductions during construction:

1. All exposed surfaces (e.g. staging areas, soil piles, graded areas, and unpaved access road) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose materials off-site shall be covered.
3. All vehicle speeds on unpaved roads shall be limited to 15 mph.
4. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
5. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

(GHG -1) Best Management Practices for Construction

1. Use Alternative-fueled construction vehicles/equipment for at least 15% of the fleet.
2. Use at least 10% local building materials (from within 100 miles of the project site).
3. Recycle at least 50% of construction generated waste.

(BIO-1) The **Contribution to VHP**, will reduce impacts on individual California tiger salamanders to a less-than-significant level. In the unlikely event that permits for the VHP are not issued by the USFWS and CDFW so that the Project cannot be covered by the VHP, the Authority will employ Mitigation Measures (BIO 2-6) to reduce impacts on individual California tiger salamanders to a less-than-significant level.

(BIO-2) **On-site Construction Crew Education Program.** Before the commencement of construction, a qualified biologist will explain to construction workers how best to avoid the accidental take of California tiger salamanders. The biologist will conduct a training session that will be scheduled as a mandatory informational field meeting for contractors and all construction personnel. The field meeting will include topics on species identification, life history, descriptions, and habitat requirements during various life stages. Emphasis will be placed on the importance of the habitat and life stage requirements within the context of Project avoidance and minimization measures. Handouts, illustrations, photographs, and Project maps showing areas where minimization and avoidance measures are being implemented will be included as part of this education program. The program will increase the awareness of the contractors and construction workers about existing federal and state laws regarding endangered species as well as increase their compliance with conditions and requirements of resource agencies.

(BIO-3) **Determination of Appropriate Relocation Site(s).** Prior to the initiation of any other protective measures, a qualified biologist will determine, in consultation with the USFWS and CDFW, appropriate relocation sites for any California tiger salamanders that may be observed during the pre-construction survey and monitoring described below and that need to be relocated.

Exhibit 3: CEQA Documents

(BIO-4) **Biological Monitoring.** A USFWS- and CDFW-approved biologist will remain on-site at all times as a biological monitor during initial ground disturbing activities. Prior to commencement of construction activities each day, the approved biologist will survey the site to ensure no special-status species are within the work area. Any California tiger salamanders found in areas where they could be impacted by Project activities will be relocated to the pre-approved relocation site(s). If any special-status species are killed or injured during Project activities, the USFWS and CDFW will be contacted within 24 hours.

(BIO-5) **Habitat Management.** The Authority will continue to manage its lands adjacent to the trail in such a way that it continues to provide upland dispersal habitat for the California tiger salamander.

(BIO-6) **Water Quality BMPs.** The Authority will implement BMPs to protect water quality in the seasonal pond immediately adjacent to the northern portion of the trail alignment. These measures will include, but are not limited to the following:

- No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material will be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the U.S./State or aquatic habitat.
- Equipment staging and parking areas shall occur within established access areas in upland habitat above the top of bank.
- Machinery or vehicle refueling, washing, and maintenance shall occur at least 60 ft from the top-of-bank. Equipment shall be regularly maintained to prevent fluid leaks. Any leaks shall be captured in containers until the equipment is moved to a repair location. A spill prevention and response plan will be prepared prior to construction and will be implemented immediately for cleanup of fluid or hazardous materials spills.
- Standard erosion control and slope stabilization measures will be required for work performed in any area where erosion could lead to sedimentation of a waterbody.

(BIO-7) **Contribution to VHP.** (See BIO-1) for Mitigation.

(BIO-8) **On-site Construction Crew Education Program.** (See BIO-2) for Mitigation.

(BIO-9) **Determination of Appropriate Relocation Site(s).** (See BIO-3) for Mitigation.

(BIO-10) **Habitat Management.** (See BIO-4) for Mitigation.

(BIO-11) **Contribution to VHP.** See (BIO-1) for Mitigation.

(BIO-12) **Pre-construction Surveys.** Pre-construction surveys for burrowing owls should be completed in potential habitat in conformance with CDFW's 2012 protocol (CDFG 2012). The initial survey will be conducted 2 to 4 weeks prior to the initiation of Project activities. During the initial site visit, a qualified biologist will survey the entire activity area and (to the extent that access allows) the area within 250 ft of the site for suitable burrows that could be used by burrowing owls for nesting or roosting. If no suitable burrowing owl habitat (i.e., ruderal grasslands with burrows of California ground squirrels) is present within the survey area, no additional surveys will be required. If suitable burrows are determined to be present within 250 ft of work areas, a qualified biologist will conduct three additional surveys to investigate each burrow within the survey area for signs of owl use and to determine whether owls are present in areas where they could be affected by proposed activities. The final survey shall be conducted within the 24-hour period prior to the initiation of Project activities in any given area.

(BIO-13) **Buffer Zones.** If burrowing owls are present during the nonbreeding season (generally 1 September to 31 January), a 150-ft buffer zone, within which no new Project-related activity will be permissible, should be maintained around the occupied burrow(s) if feasible, though a reduced buffer is acceptable during the nonbreeding season as long as construction avoids direct impacts on the burrow(s)

Exhibit 3: CEQA Documents

used by the owls. During the breeding season (generally 1 February to 31 August), a 250-ft buffer, within which no new Project-related activity will be permissible, will be maintained between Project activities and occupied burrows. Owls present at burrows on the site after 1 February will be assumed to be nesting on or adjacent to the site unless evidence indicates otherwise. This protected area will remain in effect until 31 August, or based upon monitoring evidence, until the young owls are foraging independently.

(BIO-14) Passive Relocation. If construction will directly impact occupied burrows, eviction of owls will occur outside the nesting season. No burrowing owls will be evicted from burrows during the nesting season (1 February through 31 August) unless evidence indicates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). Eviction will occur through the use of one-way doors inserted into the occupied burrow and all burrows within impact areas that are within 500ft of the occupied burrow (to prevent occupation of other burrows that will be impacted). One-way doors will be installed by a qualified biologist and left in place for at least 48 hours before they are removed. The burrows will then be back-filled to prevent re-occupation. Although relocation of owls may be necessary to avoid the direct injury or mortality of owls during construction, relocated owls may suffer predation, competition with other owls, or reduced health or reproductive success as a result of being relegated to more marginal habitat. However, the benefits of such relocation, in terms of avoiding direct injury or mortality, would outweigh any adverse effects.

(BIO-15) Habitat Management. If burrowing owls are impacted by the Project, existing grassland habitat owned by the landowner adjacent to the trail shall be managed in such a way that it continues to provide low- to medium-height herbaceous grassland vegetation and abundant California ground squirrel populations, which comprise suitable breeding habitat for burrowing owls. Management of grassland habitat for burrowing owls is consistent with management of suitable upland dispersal and aestivation habitat for California tiger salamanders and California red-legged frogs.

(BIO-16) Seasonal Avoidance. If construction-related work is conducted outside the nesting period (1 February through 31 August), potential impacts on active nests of golden eagles will be avoided. If it is not feasible to schedule vegetation removal during the nonbreeding season, the following measures shall be implemented.

(BIO-17) Pre-construction Survey. A pre-construction survey for nesting eagles within 0.25 mi of the study area will be conducted within 15 days prior to the initiation of construction activities; this survey will be conducted by a qualified biologist using binoculars and a spotting scope. If an active eagle nest is detected, Measures 4c and 4d will be implemented.

(BIO-18) Buffer Zones and Monitoring. To reduce the potential for the eagles to abandon their nest or territory due to construction disturbance during their reproductive period, if nesting eagles are present, a buffer free from new disturbance will be established within a ¼-mile radius of the nest (regardless of viewshed), and within ½-mile of the nest in areas where eagles on the nest can view Project construction activities. No new Project-related activities (i.e., activities that were not already ongoing when the nest was established, or that are of a substantially greater intensity than when the nest was established) will be undertaken within the buffer. In some cases (e.g., if the development is not visible from the nest site), it is possible that a lesser buffer would be adequate to avoid disturbance of the nesting eagles, but such a variance would require approval of the CDFW and USFWS. In such a case, the biologist and agency personnel will agree on a reduced buffer, and the biologist will monitor the behavior of the nesting birds during the first full day of construction activity immediately surrounding the buffer. The biologist will look for signs of stress such as repeated alarm calls, agitated behavior, or departure of the birds from the nest. If the birds do not show signs of habituation to the new disturbance by resuming their normal nesting activities, work within the vicinity of the nest will stop and the CDFW and USFWS will be consulted to refine the buffer determination. If the birds continue their normal activities, the biologist will inspect the nest site every 1 to 2 days (the frequency determined in consultation with the CDFW and USFWS) for as long as the nest is active and work is ongoing within the reduced buffer to confirm that the birds are tolerant of the construction activities. Any required buffer will remain in place until young are no longer dependent on the nest, or until the nesting attempt fails (for reasons other than Project activities) and it is determined that the birds will not attempt to re-nest. A qualified biologist will determine through direct

Exhibit 3: CEQA Documents

observation when the nest is no longer in use (e.g., if the young have fledged or the nesting fails for non-project-related reasons). Constant monitoring of the nest is not necessary, but before construction activities occur within the agreed-upon buffer, the biologist must have confirmed that the nest is no longer active.

(BIO-19) **Seasonal Restrictions.** If an active eagle nest is determined to be present prior to construction, no trail that can be seen by eagles on the existing nest tree will be established within ¼- mile of the existing eagle nest unless the Authority closes that portion of the trail during the breeding season, when the nest is active, or unless the Authority consults with the USFWS and CDFW and obtains approval to allow the trail to be open during the breeding season. If eagles initiate nesting in any given area at any time after the establishment of the trail, ongoing activities that were part of the existing environmental background at the time of nest establishment can continue, since by establishing a nest in a given area the eagles would be demonstrating tolerance of ongoing conditions in the area.

Mitigation incorporated into project for cultural resources:

(CULT-1) Construction personnel should be alerted to the possibility of buried cultural remains in the Project area. Personnel should be instructed that upon discovery of buried cultural materials, work in the immediate area of the find should be halted, and a qualified cultural resources professional should be contacted to examine the discovery and determine its significance.

(CULT-2) Stop work immediately, at that site and any nearby area reasonably suspected to have remains, and contact the County Coroner. The Coroner has two working days to examine the remains after being notified by the person responsible for the excavation. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American. The most likely descendant has 24 hours to make recommendations for the treatment or disposition, with proper dignity, of the remains and grave goods. If the descendant doesn't make recommendations within 24 hours, the remains must be reentered in an area of the property secure from further disturbance, or: If the descendant's recommendations are not accepted, the Authority or the descendant may request mediation by the Native American Heritage Commission. If mediation fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reenter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Approved by:


Open Space Planner

Date:

12/23/13

Exhibit 3: CEQA Documents

operation when the nest is no longer active (e.g., if the young have fledged or the nesting fails for non-project-related reasons). Constant monitoring of the nest is not necessary, but before construction activities occur within the agreed-upon buffer, the biologist must have confirmed that the nest is no longer active.

(BIO-19) Seasonal Restrictions. If an active eagle nest is determined to be present prior to construction, no trail can be seen by eagles on the existing trail line will be established within 1/2-mile of the existing trail line unless the Authority closes that portion of the trail during the breeding season, when the nest is active, or unless the Authority consults with the USFWS and CDFW and obtains approval to allow the trail to be open during the breeding season. If eagles initiate nesting in any given area at any time after the establishment of the trail, ongoing activities that were part of the existing environmental background at the time of nest establishment can continue, since by establishing a nest in a given area the eagles would be demonstrating tolerance of ongoing conditions in the area.

Mitigation incorporated into project for cultural resources. (CULT-1) Construction personnel should be alerted to the possibility of buried cultural remains in the project area. Personnel should be instructed that upon discovery of buried cultural materials, work in the immediate area of the find should be halted, and a qualified cultural resources professional should be contacted to examine the discovery and determine its significance.

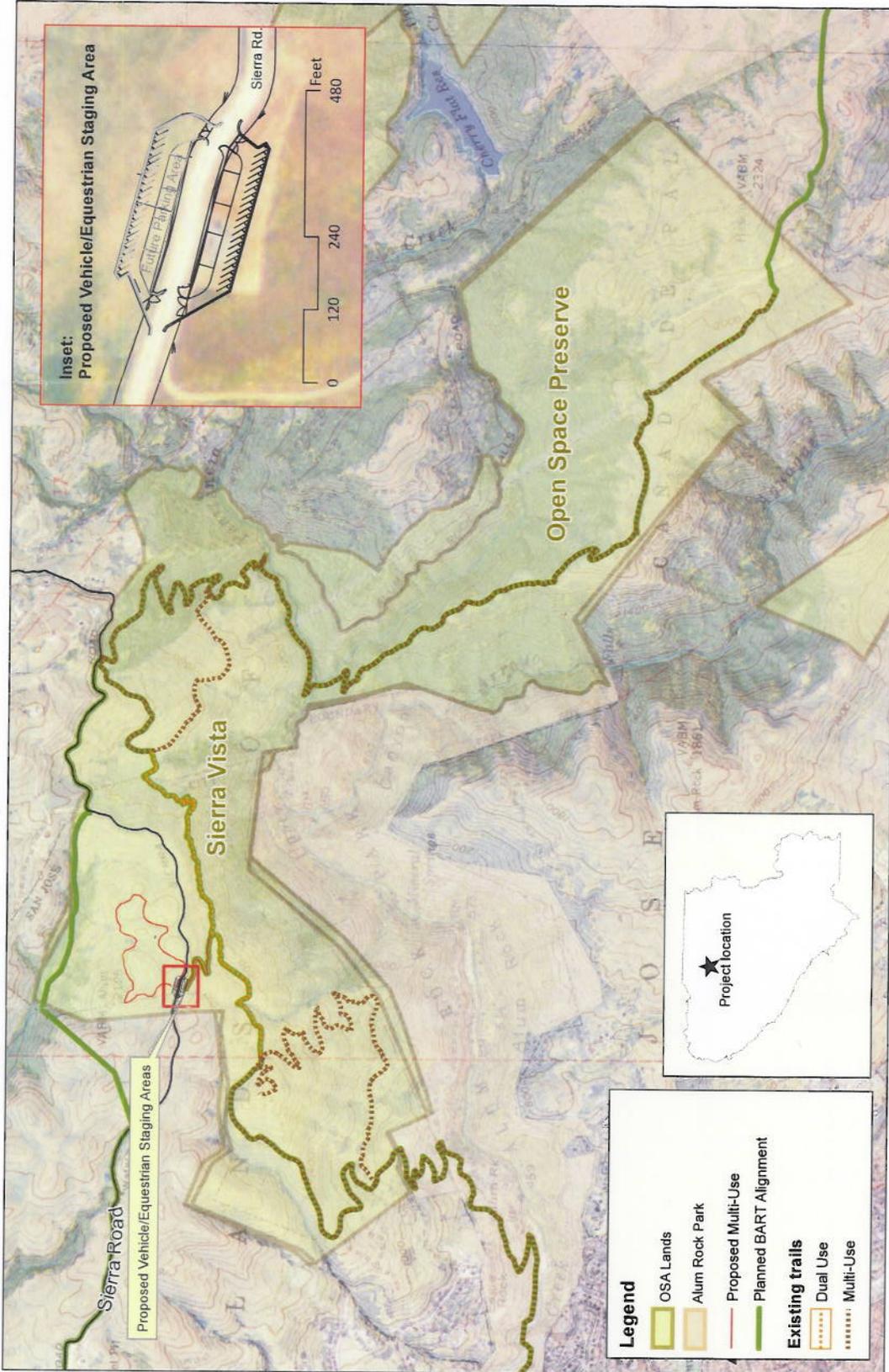
(CULT-2) Stop work immediately if that site and any nearby area are possibly suspected to have remains, and contact the County Coroner. The Coroner has two working days to examine the remains after being notified by the person responsible for the excavation. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American. The most likely descendant has 24 hours to make recommendations for the treatment or disposition, with proper dignity, of the remains and grave goods. If the descendant doesn't make recommendations within 24 hours, the remains must be treated in an area of the property secure from further disturbance, or if the descendant's recommendations are not accepted, the Authority or the descendant may request mediation by the Native American Heritage Commission. If mediation fails to provide measures acceptable to the landowner, the landowner, in his or her authorized representative shall enter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

10/20/10 Date:  Open Space Planner

Sierra Vista Open Space Preserve

Proposed Vehicle/Equestrian Staging Areas & Multi-Use Trail Project

Figure 1



Santa Clara County Open Space Authority
Sierra Vista Open Space Preserve



Figure 1: Project Area Map

MITIGATION MONITORING PROGRAM

**Sierra Vista Open Space Preserve
Proposed Vehicle/Equestrian Staging Areas and
Multi-Use Trail Project
Santa Clara County, CA**

December 23, 2013
Santa Clara County Open Space Authority
6980 Santa Teresa Blvd, Suite 100
San Jose, CA 95119
(408) 224-7476

Exhibit 3: CEQA Documents

MITIGATION MONITORING PROGRAM CONTENTS

This mitigation monitoring program (MMP) includes a brief discussion of the legal basis and purpose of the program, a key to understanding the monitoring matrix, discussion and direction regarding noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resources Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigations incorporated into the Proposed Vehicle/Equestrian Staging Areas and Multi-Use Trail Project at the Sierra Vista Open Space Preserve (the project). These mitigations are reproduced from the Negative Declaration for the project. The columns within the tables have the following meanings:

- Number: The number in this column refers to the Initial Study section where the mitigation is discussed.
- Mitigation: This column lists the specific mitigation identified within the Negative Declaration.
- Timing: This column identifies at what point in time, review process, or phase the mitigation will be completed. The mitigations are organized in roughly chronological order relative to the time of implementation.
- Who will verify? This column references the person(s) that will ensure implementation of the mitigation.
- Agency / Department Consultation: This column references any public agency or Authority department with which coordination is required to ensure implementation of the mitigation.
- Verification: This column will be initialed and dated by the individual designated to confirm implementation.

Exhibit 3: CEQA Documents

Number	Mitigation	Timing	Who will verify?	Department or Agency Consultation	Verification (Date & Initials)
Mitigation in section III	<p>(AIR-1) Basic Construction Mitigation Measures The following Mitigation Measures would be implemented to achieve emissions reductions during construction:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g. staging areas, soil piles, graded areas, and unpaved access road) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose materials off-site shall be covered. 3. All vehicle speeds on unpaved roads shall be limited to 15 mph. 4. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points. 5. All construction equipment shall be maintained and property tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. 	Preconstruction and during construction.	OSA Staff	Planning Department	
Mitigation in section VII	<p>(GHG -1) Best Management Practices for Construction</p> <ol style="list-style-type: none"> 1. Use Alternative-fueled construction vehicles/equipment for at least 15% of the fleet. 2. Use at least 10% local building materials (from within 100 miles of the project site). 3. Recycle at least 50% of construction generated waste. 	Preconstruction and during construction.	OSA Staff	Planning Department	
Mitigation in section IV	<p>Mitigation incorporated into project for biological resource: (BIO-1) The Contribution to VHP, will reduce impacts on individual California tiger salamanders to a less-than-significant level. In the unlikely event that permits for the VHP are not issued by the USFWS and CDFW so that the Project cannot be covered by the VHP, the Authority will employ Mitigation Measures (BIO 2-6) to reduce impacts on individual California tiger salamanders to a less-than-significant level.</p>	Preconstruction and during construction.	OSA Staff	Planning Department	

Exhibit 3: CEQA Documents

<i>Number</i>	<i>Mitigation</i>	<i>Timing</i>	<i>Who will verify?</i>	<i>Department or Agency Consultation</i>	<i>Verification (Date & Initials)</i>
	<p>(BIO-2) On-site Construction Crew Education Program. Before the commencement of construction, a qualified biologist will explain to construction workers how best to avoid the accidental take of California tiger salamanders. The biologist will conduct a training session that will be scheduled as a mandatory informational field meeting for contractors and all construction personnel. The field meeting will include topics on species identification, life history, descriptions, and habitat requirements during various life stages. Emphasis will be placed on the importance of the habitat and life stage requirements within the context of Project avoidance and minimization measures. Handouts, illustrations, photographs, and Project maps showing areas where minimization and avoidance measures are being implemented will be included as part of this education program. The program will increase the awareness of the contractors and construction workers about existing federal and state laws regarding endangered species as well as increase their compliance with conditions and requirements of resource agencies.</p> <p>(BIO-3) Determination of Appropriate Relocation Site(s). Prior to the initiation of any other protective measures, a qualified biologist will determine, in consultation with the USFWS and CDFW, appropriate relocation sites for any California tiger salamanders that may be observed during the pre-construction survey and monitoring described below and that need to be relocated.</p> <p>(BIO-4) Biological Monitoring. A USFWS- and CDFW-approved biologist will remain on-site at all times as a biological monitor during initial ground disturbing activities. Prior to commencement of construction activities each day, the approved biologist will survey the site to ensure no special-status species are within the work area. Any California tiger salamanders found in areas where they could be impacted by Project activities will be relocated to the pre-approved relocation site(s). If any special-status species are killed or injured</p>	<p>Preconstruction and during project construction</p> <p>Preconstruction and during construction</p> <p>Preconstruction and during construction</p>	<p>OSA Staff</p> <p>OSA Staff</p> <p>OSA Staff</p>	<p>Planning Department</p> <p>Planning Department</p> <p>Planning Department</p>	

Exhibit 3: CEQA Documents

Number	Mitigation	Timing	Who will verify?	Department or Agency Consultation	Verification (Date & Initials)
	<p>during Project activities, the USFWS and CDFW will be contacted within 24 hours.</p> <p>(BIO-5) Habitat Management. The Authority will continue to manage its lands adjacent to the trail in such a way that it continues to provide upland dispersal habitat for the California tiger salamander.</p> <p>(BIO-6) Water Quality BMPs. The Authority will implement BMPs to protect water quality in the seasonal pond immediately adjacent to the northern portion of the trail alignment. These measures will include, but are not limited to the following:</p> <ul style="list-style-type: none"> - No debris, soil, silt, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products or other organic or earthen material will be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the U.S./State or aquatic habitat. - Equipment staging and parking areas shall occur within established access areas in upland habitat above the top of bank. - Machinery or vehicle refueling, washing, and maintenance shall occur at least 60 ft from the top-of-bank. Equipment shall be regularly maintained to prevent fluid leaks. Any leaks shall be captured in containers until the equipment is moved to a repair location. A spill prevention and response plan will be prepared prior to construction and will be implemented immediately for cleanup of fluid or hazardous materials spills. - Standard erosion control and slope stabilization measures will be required for work performed in any area where erosion could lead to sedimentation of a waterbody. <p>(BIO 7) Contribution to VHP. (See BIO-1) for Mitigation.</p> <p>(BIO-8) On-site Construction Crew Education Program. (See BIO-2) for Mitigation.</p> <p>(BIO-9) Determination of Appropriate Relocation Site(s). (See BIO-3) for Mitigation.</p>	<p>Ongoing</p> <p>Preconstruction and during construction</p>	<p>OSA Staff</p> <p>OSA Staff</p>	<p>Planning Department</p> <p>Planning Department</p>	

Exhibit 3: CEQA Documents

Number	Mitigation	Timing	Who will verify?	Department or Agency Consultation	Verification (Date & Initials)
	<p>(BIO-10) Habitat Management. (See BIO-4) for Mitigation.</p> <p>(BIO-11) Contribution to VHP. See (BIO-1) for Mitigation.</p> <p>(BIO-12) Pre-construction Surveys. Pre-construction surveys for burrowing owls should be completed in potential habitat in conformance with CDFW's 2012 protocol (CDFG 2012). The initial survey will be conducted 2 to 4 weeks prior to the initiation of Project activities. During the initial site visit, a qualified biologist will survey the entire activity area and (to the extent that access allows) the area within 250 ft of the site for suitable burrows that could be used by burrowing owls for nesting or roosting. If no suitable burrowing owl habitat (i.e., ruderal grasslands with burrows of California ground squirrels) is present within the survey area, no additional surveys will be required. If suitable burrows are determined to be present within 250 ft of work areas, a qualified biologist will conduct three additional surveys to investigate each burrow within the survey area for signs of owl use and to determine whether owls are present in areas where they could be affected by proposed activities. The final survey shall be conducted within the 24-hour period prior to the initiation of Project activities in any given area.</p> <p>(BIO-13) Buffer Zones. If burrowing owls are present during the nonbreeding season (generally 1 September to 31 January), a 150-ft buffer zone, within which no new Project-related activity will be permissible, should be maintained around the occupied burrow(s) if feasible, though a reduced buffer is acceptable during the nonbreeding season as long as construction avoids direct impacts on the burrow(s) used by the owls. During the breeding season (generally 1 February to 31 August), a 250-ft buffer, within which no new Project-related activity will be permissible, will be maintained between Project activities and occupied burrows. Owls present at burrows on the site after 1 February will be assumed to be nesting on or adjacent to the site unless evidence indicates otherwise. This protected area will remain in effect until 31 August, or based upon</p>	<p>Preconstruction and during construction</p> <p>Preconstruction and during construction</p>	<p>OSA Staff</p> <p>OSA Staff</p>	<p>Planning Department</p> <p>Planning Department</p>	

Exhibit 3: CEQA Documents

Number	Mitigation	Timing	Who will verify?	Department or Agency Consultation	Verification (Date & Initials)
	<p>it is not feasible to schedule vegetation removal during the nonbreeding season, the following measures shall be implemented.</p> <p>(BIO-17) Pre-construction Survey. A pre-construction survey for nesting eagles within 0.25 mi of the study area will be conducted within 15 days prior to the initiation of construction activities; this survey will be conducted by a qualified biologist using binoculars and a spotting scope. If an active eagle nest is detected, Measures 4c and 4d will be implemented.</p> <p>(BIO-18) Buffer Zones and Monitoring. To reduce the potential for the eagles to abandon their nest or territory due to construction disturbance during their reproductive period, if nesting eagles are present, a buffer free from new disturbance will be established within a ¼-mile radius of the nest (regardless of viewshed), and within ½-mile of the nest in areas where eagles on the nest can view Project construction activities. No new Project-related activities (i.e., activities that were not already ongoing when the nest was established, or that are of a substantially greater intensity than when the nest was established) will be undertaken within the buffer. In some cases (e.g., if the development is not visible from the nest site), it is possible that a lesser buffer would be adequate to avoid disturbance of the nesting eagles, but such a variance would require approval of the CDFW and USFWS. In such a case, the biologist and agency personnel will agree on a reduced buffer, and the biologist will monitor the behavior of the nesting birds during the first full day of construction activity immediately surrounding the buffer. The biologist will look for signs of stress such as repeated alarm calls, agitated behavior, or departure of the birds from the nest. If the birds do not show signs of habituation to the new disturbance by resuming their normal nesting activities, work within the vicinity of the nest will stop and the CDFW and USFWS will be consulted to refine the buffer determination. If the birds continue their normal activities, the biologist will inspect the nest site every 1 to 2 days (the frequency determined in consultation with the CDFW and USFWS) for as long as the nest is active and work is ongoing within the reduced buffer to confirm that the birds are tolerant of the construction activities. Any</p>	<p>Preconstruction and during construction</p> <p>Preconstruction and during construction</p>	<p>OSA Staff</p> <p>OSA Staff</p>	<p>Planning Department</p> <p>Planning Department</p>	

Exhibit 3: CEQA Documents

Number	Mitigation	Timing	Who will verify?	Department or Agency Consultation	Verification (Date & Initials)
	<p>required buffer will remain in place until young are no longer dependent on the nest, or until the nesting attempt fails (for reasons other than Project activities) and it is determined that the birds will not attempt to re-nest. A qualified biologist will determine through direct observation when the nest is no longer in use (e.g., if the young have fledged or the nesting fails for non-project-related reasons). Constant monitoring of the nest is not necessary, but before construction activities occur within the agreed-upon buffer, the biologist must have confirmed that the nest is no longer active.</p> <p>(BIO-19) Seasonal Restrictions. If an active eagle nest is determined to be present prior to construction, no trail that can be seen by eagles on the existing nest tree will be established within 1/4-mile of the existing eagle nest unless the Authority closes that portion of the trail during the breeding season, when the nest is active, or unless the Authority consults with the USFWS and CDFW and obtains approval to allow the trail to be open during the breeding season. If eagles initiate nesting in any given area at any time after the establishment of the trail, ongoing activities that were part of the existing environmental background at the time of nest establishment can continue, since by establishing a nest in a given area the eagles would be demonstrating tolerance of ongoing conditions in the area.</p>	<p>Preconstruction and during construction</p>	<p>OSA Staff</p>	<p>Planning Department</p>	
<p>Mitigation in section V</p>	<p><u>Mitigation incorporated into project for cultural resources:</u> (CULT-1) Construction personnel should be alerted to the possibility of buried cultural remains in the Project area. Personnel should be instructed that upon discovery of buried cultural materials, work in the immediate area of the find should be halted, and a qualified cultural resources professional should be contacted to examine the discovery and determine its significance.</p> <p>(CULT-2) Stop work immediately, at that site and any nearby area reasonably suspected to have remains, and contact the County Coroner. The Coroner has two working days to examine the remains after being notified by the person responsible for the excavation. If the remains are Native American, the Coroner has 24 hours to notify</p>	<p>During Construction</p>	<p>OSA Staff</p>	<p>Planning Department</p>	

Exhibit 3: CEQA Documents

<i>Number</i>	<i>Mitigation</i>	<i>Timing</i>	<i>Who will verify?</i>	<i>Department or Agency Consultation</i>	<i>Verification (Date & Initials)</i>
	<p>the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American. The most likely descendant has 24 hours to make recommendations for the treatment or disposition, with proper dignity, of the remains and grave goods. If the descendant doesn't make recommendations within 24 hours, the remains must be reentered in an area of the property secure from further disturbance, or: If the descendant's recommendations are not accepted, the Authority or the descendant may request mediation by the Native American Heritage Commission. If mediation fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reenter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p>				

FINAL MINUTES
Regular Meeting
February 13, 2014
Meeting 14-03

**CALL MEETING TO
ORDER / ROLL CALL**

Chairperson Mike Potter called the regular Board meeting of the Santa Clara County Open Space Authority (Authority) to order at 6:32 p.m. at the Administration Office, 6980 Santa Teresa Blvd. Suite 100, San Jose, California.

Members Present

Ms. Guerra performed Roll Call:
Alex Kennett, Jim Foran, Sequoia Hall, Mike Potter, Dorsey Moore, Virginia Holtz, Calvin Gill

Members Absent

None

Staff Present

Andrea Mackenzie, General Manager
Matt Freeman, Assistant General Manager
Lauren Monack, Administration Manager
Rachel Santos, Open Space Planner
Kellie Guerra, Office Manager/Deputy Clerk of the Board
William Parkin, Legal Counsel

**CONVENE TO CLOSED
SESSION**

At 6:33 p.m. Director Potter announced the items to be discussed in Closed Session and asked if any members of the public wished to comment; there were none.

Director Potter convened the meeting to Closed Session.

**RETURN FROM
CLOSED SESSION**

Members returned from Closed Session at 7:09 p.m.

Legal Counsel William Parkin stated there were no reportable actions taken in Closed Session.

**ADOPTION OF
AGENDA**

Director Potter asked if any members of the public wished to comment on the Agenda; there were none.

MOTION: Director Kennett moved to approve the Agenda. Director Hall seconded the motion. The motion passed unanimously. (Vote: 7-0-0. Ayes: Kennett, Foran, Hall, Potter, Moore, Holtz, Gill. Noes: 0. Abstention: 0)

**PUBLIC
PRESENTATIONS**

Director Potter asked if any member of the public wished to comment on any items not on the Agenda; there were none.

Exhibit 3: CEQA Documents

WRITTEN COMMUNICATIONS

Ms. Guerra stated there was one: A letter addressed to the Board of Directors from the Santa Clara County Cattlemens' Association regarding the Grazing Management Policy. She stated the letter had been copied and placed in the Directors' folders.

Discussion ensued. Matt Freeman, Assistant General Manager, referenced the letter received and a draft response letter he had generated. He provided background information regarding the matter. Director Potter asked for comments on the draft response letter. There were none. Director Potter requested the response letter be mailed to the Cattlemens' Association as written.

APPROVAL OF MINUTES

January 23, 2014

MOTION: Director Moore moved to approve the minutes from January 23, 2014. Director Gill seconded the motion. The motion passed unanimously. (Vote: 5-0-2. Ayes: Foran, Moore, Holtz, Potter, Gill. Noes: 0. Abstention: Hall, Kennett)

APPROVAL OF CONSENT ITEMS

Director Potter asked if any members of the public wished to comment on any item on the Consent Calendar; there were none.

C1: Approve Draft BRD-038-00 Santa Clara County Open Space Authority Other Power-Driven Mobility Devices Policy

C2: Approve Contract with Kahana Design for Graphic Design Services

MOTION: Director Foran moved to approve the Consent Calendar. Director Moore seconded the motion. The motion passed unanimously. (Vote: 7-0-0. Ayes: Kennett, Foran, Hall, Potter, Moore, Holtz, Gill. Noes: 0. Abstention: 0)

NEW BOARD BUSINESS

Agenda Item #1: Approval of the Sierra Vista Open Space Preserve Proposed Vehicle/Equestrian Staging Area and Multi-Use Trail Project

Mr. Freeman introduced the Item. He reported that Rachel Santos, Open Space Planner, had drafted the Mitigated Negative Declaration, the final requirement required to qualify for State Coastal Conservancy funding for the project. Ms. Santos provided background on the CEQA process that had been followed and provided additional project details.

Board discussion ensued.

MOTION: Director Foran moved to approve the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for, and approval of, the Sierra Vista Open Space Preserve Vehicle/Equestrian Staging Areas and Multi-Use Trail Project. Director Kennett seconded the motion. Motion passed unanimously. (Vote: 7-0-0. Ayes: Kennett, Foran, Hall, Potter, Moore, Holtz, Gill. Noes: 0. Abstention: 0)

Exhibit 3: CEQA Documents

Agenda Item #2: Provide Input for Comment Letter on Morgan Hill Draft EIR for Southeast Quadrant

Andrea Mackenzie, General Manager, introduced the Item. She provided details regarding the City of Morgan Hill's Citywide Agricultural Preservation Program and Southeast Quadrant Land Use Plan and presented maps of the affected areas for reference. She also referenced a briefing paper she had prepared on the matter and included in the Board folders and asked for input for inclusion in her response letter to the City regarding the proposed Plan.

Board discussion ensued. Director Hall announced he was abstaining from comments or direction to Staff given his Local Agency Formation Commission involvement.

COMMITTEE MEETING SUMMARIES

Citizens' Advisory Committee	Director Moore reported the Citizens' Advisory Committee had met and had heard a presentation from Helen Chapman, San Jose Parks Visionaries.
Administration & Budget Committee	Director Potter reported that the Committee met and received an update on the Budget and Work Plan.
Conservation Vision/Strategic Plan Ad Hoc Committee Update	No report.
Use & Management Report	No report.
General Manager's Report	Ms. Mackenzie invited Mr. Freeman to report on the Draft Valley Greenprint release for review and comment. Mr. Freeman referenced a copy of the Draft Greenprint included in the Director's folders and provided an overview of the timeline for official finalization of the publication and data that was still being compiled for the final product. Ms. Mackenzie highlighted several sections of the Greenprint. Mr. Freeman invited feedback to the Draft.

Ms. Monack referenced the Board maps that had been distributed and referenced the Event Horizon publication that had been emailed to the Directors that included specifics about outreach, events and Speaker's Bureau activities, and explained that the Event Horizon will be sent out each Friday to keep the Board informed. She also reported that a subcommittee had met to provide input to an OSA introductory video that was currently in production. She reported that the Santa Clara Valley Water District would be combining several subcommittees into a Water Commission and that they had requested a representative be assigned from the

Exhibit 3: CEQA Documents

OSA Board to sit on the Commission.

Ms. Mackenzie announced an upcoming pancake breakfast at which she, together with Senator Jim Beall, would be discussing the Valley Greenprint, to be held on March 15th at the Almaden Community Center beginning at 8:30 am.

Ms. Mackenzie complimented the Local Agency Formation Commission for the impressive audit reports that were released. She commented that the OSA report was one of the most comprehensive publications to-date on the Authority.

Legal Counsel Report

No report.

Board Member Reports

Director Foran reported that the Santa Clara Valley Water District Committees would be meeting in the near future and confirmed the formation of the Water Commission that Ms. Monack had referenced.

Director Kennett complimented Staff for all the items that now have the new logo.

Director Hall announced the next Special Districts Association meeting would be held the beginning of March and that the Local Agency Formation Commission recently met and discussed the completed audits.

Director Moore reported that he attended the Martial Cottle Perimeter Trail opening, the Guadalupe Coyote Resource Conservation District meeting and the Willow Glen Neighborhood Association meeting, and that he hopes to set up a presentation by the Authority at the Association's May meeting.

Director Holtz announced she had attended the Cambrian Community Council meeting. She commended the OSA Starry Night events at Rancho Canada del Oro Preserve. She also commended Ms. Mackenzie for her presentation to the Bay Area League of Women Voters.

Director Gill announced he had attended an Evergreen Community meeting at which the Evergreen Elementary School District Board members had discussed a potential parcel tax measure and that the City of San Jose had a presentation on a Capitol Expressway traffic study. He also announced that Supervisor Dave Cortese's office would be sponsoring a free bus trip to Sacramento on April 30th from 6 am – 6 pm. Director Gill then announced that he had graduated with a doctorate degree in natural medicine. Director Potter congratulated Director Gill.

ADJOURNMENT

At 8:55 p.m. Director Potter adjourned the meeting in honor of Lester Cottle.

Respectfully submitted by
Kellie Guerra
Acting Clerk of the Board