

COASTAL CONSERVANCY

Staff Recommendation
May 24, 2012

BAY AREA RIDGE TRAIL: SANBORN PARK PHASE I CONSTRUCTION

File No. 04-058-02
Project Manager: Jeff Melby

RECOMMENDED ACTION: Authorization to disburse up to \$169,000 to the County of Santa Clara for the construction, realignment and upgrade of segments of the San Francisco Bay Area Ridge Trail at Sanborn Park in western Santa Clara County.

LOCATION: Sanborn Park, near City of Saratoga, western Santa Clara County

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: [Project Location and Site Maps](#)

Exhibit 2: [Photographs](#)

Exhibit 3: [Initial Study/Mitigated Negative Declaration](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 – 31165 of the Public Resources Code:

“The State Coastal Conservancy (Conservancy) hereby authorizes disbursement of an amount not to exceed one hundred sixty-nine thousand dollars (\$169,000) to the County of Santa Clara (County) for construction, realignment and upgrade of segments of the San Francisco Bay Area Ridge Trail at Sanborn Park.

Prior to the disbursement of Conservancy funds for construction, the County shall submit for the review and approval of the Executive Officer of the Conservancy:

1. Evidence that the County has obtained all necessary permits and approvals.
 2. A signing plan for the project acknowledging Conservancy participation and identifying the trail as part of the San Francisco Bay Area Ridge Trail system.
 3. A final work plan (including the names of any contractors to be used in the completion of the project), project schedule and budget.
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Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
 2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the resource and recreation goals of the San Francisco Bay area.
 3. The Conservancy has independently reviewed the Mitigated Negative Declaration (attached to the accompanying staff recommendation as Exhibit 3) adopted by the County on April 24, 2007 for the proposed project pursuant to the California Environmental Quality Act. The Conservancy finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment as defined in 14 California Code of Regulations Section 15382.”
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PROJECT SUMMARY:

Staff is recommending that the Conservancy authorize a grant of up to \$169,000 to the County of Santa Clara (County) for construction, realignment and upgrade of segments of the San Francisco Bay Area Ridge Trail (Ridge Trail) in Sanborn Park (originally named Sanborn-Skyline County Park; also known as Sanborn County Park) in western Santa Clara County (Exhibit 1). The proposed Ridge Trail construction and improvements constitute the first implementation phase of the Sanborn County Park Trails Master Plan (Master Plan), funded by the Conservancy and adopted by the County in 2008. This project significantly enhances the Ridge Trail in western Santa Clara County by adding approximately 8 miles of full multi-use Ridge Trail, and creating a continuous corridor 22 miles long from Lake Ranch in Sanborn Park to Russian Ridge Open Space Preserve that crosses through seven different parks or open space preserves, and portions of three counties.

The Master Plan identified construction of the John Nicholas Trail and realignment and upgrade of the Skyline Trail as the first phase in expanding multi-use access (adding cycling) on trails in Sanborn Park. Per long-standing policies, cyclists have been excluded from trails in Sanborn Park. Since the early 1980s, cyclists have petitioned for access, and by the mid-1980s trail poaching by cyclists in Sanborn Park was a severe problem, with illegal trails being carved into the landscape. Skyline Trail is one of only three cycling gaps in Santa Clara County’s dedicated Ridge Trail and the cycling community considers it is by far the most important to close.

County Parks and Recreation Department (County Parks) will construct an approximately 3.2-mile, new segment of the John Nicholas Trail and realign and upgrade approximately 4.9 miles of the existing Skyline Trail. The Skyline and John Nicholas Trails intersect one another and are part of the Bay Area Ridge Trail system. The Skyline Trail reaches the highest elevation of any segment of Ridge Trail in the nine Bay Area counties and was the first segment of Ridge Trail dedicated in Santa Clara County (October 1989).

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The new segment of the John Nicholas Trail will be a natural-surface, multi-use trail (5-6 feet in width), with needed trail features (e.g., fabrication and installation of up to three multi-use bridges, one culvert, one multi-use puncheon and needed natural material retaining walls). The Skyline Trail segment will be upgraded to full multi-use, including trail re-routes (about 1,800 feet being re-routed and the original footprint obliterated and restored) designed to open the trail to multi-use. These multi-use trail segments will be constructed to County Park standards and will meet the Santa Clara County County-wide Trails Master Plan construction guidelines.

Construction work will primarily be provided by County Parks' Trail Crew staff and California State Park-trained California Conservation Corps members. Additionally, County Parks will use volunteers to assist staff with performing the trail construction and reconstruction activities. The grant from the Conservancy will cover Conservation Corps labor and a portion of the materials costs.

Site Description: The project is located in Sanborn Park, a lushly wooded park of over 3,688 acres nestled in the Santa Cruz Mountains between the town of Saratoga and the ridgetop road, Skyline Boulevard. This mountain park of Redwoods, Douglas Fir, and Tan Bark Oak, offers hiking, camping, and picnicking opportunities year round and serves a diverse regional community. Sanborn Park has one of the coolest summer climates of the County's parks.

Project History: The vision for the Bay Area Ridge Trail is a 550-mile trail that rings San Francisco Bay high on the ridgeline and that serves hikers, mountain bicyclists and equestrians. Under the leadership of the Conservancy and the Bay Area Ridge Trail Council (BARTC), and supported by a diverse group of project participants, the Ridge Trail creates an interconnected system of open space and trails that provide recreational opportunities and scenic views to the public. Begun over 20 years ago, over 330 miles of Ridge Trail are now dedicated and open to the public in all nine Bay Area counties. This authorization will further the Conservancy's statutory and strategic goal of improving access around San Francisco Bay and is consistent with previous Conservancy authorizations to negotiate and acquire trail easements, prepare trail construction plans and designs, and construct and open trail segments to the public. The proposed project will continue to build connections between existing trail segments and help complete the 550-mile Ridge Trail.

In December 2004, the Conservancy Board authorized disbursement of \$75,000 to the County to develop a Trail Master Plan for Sanborn Park, which included the planning of the Ridge Trail within the park. The County adopted the master plan for this project in 2008.

BARTC and Conservancy staff rank this project as a high priority due to the regional significance of the trail system, the location of the proposed trail near a major population center, and the importance of the partnership with the County completing the Ridge Trail in its jurisdiction.

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PROJECT FINANCING:

Coastal Conservancy	\$169,000
County of Santa Clara	<u>35,000</u>
Total Project Cost	\$204,000

The anticipated source of Conservancy funds for this grant is the fiscal year 2010/11 appropriation to the Conservancy from the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” (Proposition 84), Public Resources Code section 75001 et seq. Proposition 84 funds may be used for projects of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, that promote access to and enjoyment of the coastal resources of the state (Public Resources Code section 75060(c)). The proposed project is an appropriate use of Proposition 84 funds because it will promote access to and enjoyment of the coastal resources of San Francisco Bay by extending a ridgetop trail providing recreational opportunities and scenic views. The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, as described below.

The County will provide matching labor and equipment totaling \$60,000 in addition to the \$35,000 cash contribution.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This proposed project is consistent with the Conservancy’s San Francisco Bay Area Conservancy Program enabling legislation codified at Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160 to 31165). That chapter directs the Conservancy to address the resource and recreational goals of the nine Bay Area counties in a “coordinated, comprehensive, and effective way.”

Pursuant to Section 31162(a) of the Public Resources Code, the Conservancy may award grants in the nine-county San Francisco Bay Area that will help to improve public access to, within, and around the ridgetops, consistent with the rights of private property owners, and without having a significant adverse impact on agricultural operations and environmentally sensitive areas and wildlife, through completion of ridge trail systems which are part of a regional trail system and are consistent with locally and regionally adopted master plans and general plans. Consistent with Section 31162(a), the proposed project will help to complete the Ridge Trail in western Santa Clara County, one of the nine Bay Area counties. Further, as discussed in greater detail below, the proposed project will not have significant adverse impacts on agricultural operations, environmentally sensitive areas or wildlife, and it is consistent with locally and regionally adopted master plans and general plans.

Consistent with Section 31163(a), the Conservancy cooperates with nonprofit land trusts and other organizations in identifying and adopting long-term resource and outdoor recreational goals for the San Francisco Bay Area. Completion of the Ridge Trail is identified in (1) *The San Francisco Bay Area Conservancy Program Regional Needs Briefing Book* (Bay Area Open

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Space Council, July 1999) and (2) *400 Miles and Beyond: A Strategic Plan for Completing the Bay Area Ridge Trail* (BARTC, 2006).

The proposed project satisfies the criteria for determining project priorities under Section 31163(c) in the following respects:

- 1) The project is consistent with approved plans including:
 - a) The Ridge Trail alignment that has been adopted by the BARTC;
 - b) Sanborn County Park Trails Master Plan;
 - c) Santa Clara County Countywide Trails Master Plan; and
 - d) Juan Bautista de Anza National Historic Trail Plan
- 2) The Ridge Trail is a multijurisdictional resource that extends throughout all nine counties of the San Francisco Bay Area and serves a regional constituency;
- 3) The project can be implemented in a timely way as the grantee is prepared to begin work upon project approval;
- 4) The construction of the Ridge Trail through the lands managed by the County provides an opportunity for benefits to public access and safety that could be lost if the County does not receive Ridge Trail funding; and
- 5) The project includes significant matching contributions from the County.

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal #11, Objective G** of the Conservancy's 2007 Strategic Plan, which seeks to develop an additional 30 miles of the Ridge Trail, the proposed project will create 3.2 miles of new trail and upgrade use on an additional 4.9 miles of the Bay Area Ridge Trail.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on November 10, 2011, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** There is strong support for the project from trail users, members of the community, and regional agencies, including Responsible Organized Mountain Pedalers (ROMP). See Project Letters in Exhibit 4.

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4. **Location:** The proposed project is in Santa Clara County, within the jurisdiction of the San Francisco Bay Area Conservancy Program.
5. **Need:** Conservancy funding is needed to enable the County to implement this trail construction project. The funding the County currently has available is insufficient to complete the project.
6. **Greater-than-local interest:** The Ridge Trail is truly a regional attraction. The Ridge Trail offers spectacular views of the Bay Area and link many parklands and open space preserves. In addition, the Ridge Trail includes ties to the San Francisco Bay Trail and the California Coastal Trail systems, creating an extensive trail network. Completion of the Ridge Trail is one of the goals identified in the Bay Area Open Space Council's *Regional Needs Briefing Book*.
7. **Sea level rise vulnerability:** The project is not expected to be impacted by sea level rise as it is located at an elevation of at least 1,000 feet above sea level.

Additional Criteria

8. **Leverage:** See the “Project Financing” section above.
9. **Readiness:** The County is prepared to start construction immediately upon approval.
10. **Realization of prior Conservancy goals:** “See “Project History” above.
11. **Cooperation:** The San Francisco Bay Area Program of the State Coastal Conservancy has been working cooperatively with BARTC to identify projects that help implement the Ridge Trail. The highest priority proposals from that cooperative effort are recommended for funding by the Conservancy.

COMPLIANCE WITH CEQA:

Pursuant to the California Environmental Quality Act (CEQA), the County, as lead agency, prepared the Initial Study and Mitigated Negative Declaration (MND), which were noticed and circulated for public review on April 24, 2008. The comment period ended on May 24, 2008. The County approved the project and adopted the MND including a Mitigation Monitoring and Reporting Program (Exhibit 3) on October 21, 2008. On April 22, 2008 the County filed a Notice of Determination with the County Clerk of Santa Clara County. The County has also paid the filing fee required by the Department of Fish and Game pursuant to Fish and Game Code section 711.4(c).

The Initial Study/MND identified potentially significant impacts in the areas of air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise; however, mitigation measures have been incorporated into the project to assure that these potential impacts were eliminated or reduced to less than significant levels, as summarized below.

Best Management Practices (BMPs) have been incorporated into the project to ensure that project-related effects are minimized or avoided. Successful implementation of these design guidelines and BMPs by County Parks’ staff will ensure the minimization of air quality impacts

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related to construction dust, avoidance of spread of sudden oak death syndrome, avoidance of geological hazards, and minimization of erosion and siltation of creeks and other water bodies.

Along with the BMPs listed in Chapter 2 of the Initial Study/MND (Exhibit 3) the following mitigation measures will ensure that all impacts remain less than significant:

Impact: Trail construction could affect populations or individual plants, listed by California Native Plant Society (CNPS) as rare, threatened or endangered. The listing covers two plants that could occur at Sanborn County Park: King's Mountain manzanita and round-headed coyote-mint.

Mitigation Measure BIO-1: If a trail alignment is within suitable habitat for either plant species, preconstruction plant surveys shall occur after the preliminary trail alignment has been flagged. If plants are found within fifteen feet of any proposed trail alignment, the alignment shall be reconfigured to ensure at least a fifteen foot buffer.

Impact: If trails are present within a creek corridor or adjacent upland habitat, California red legged frog (CRLF), western pond turtle (WPT), and San Francisco dusky-footed woodrat nests could be disturbed by project activities or by vehicle or human access.

Mitigation Measure BIO-2: The following avoidance measures for WPT, CRLF, and dusky-footed woodrat shall be implemented:

1. Preconstruction Survey. In the two days prior to the start of project activities, a qualified biologist or natural resource county staff shall perform one daytime survey for WPT, CRLF, and dusky-footed woodrat. The entire work area, including any burrows, rocks and woodpiles that may be disturbed by construction activities, shall be inspected for CRLF.

Although it is unlikely the CRLF will be detected, if CRLF is detected, work shall be delayed and the United States Fish and Wildlife Service (USFWS) shall be contacted on how to proceed (since it is a Federally Threatened species).

If during this survey WPT is detected, the WPT will be observed to determine if it is moving through the area in which it was detected or if the WPT is occupying the habitat for nesting, foraging, or basking. During construction activities within the immediate area of the WPT detection, an onsite monitor will work with construction crews. If the WPT is relocated during construction activities, the monitor will observe the WPT and alert work crews to delay work if the WPT is within the work area or begins to move toward or into the work area. If the WPT appears to be traveling from upland habitat to a nearby aquatic site such as Lake Ranch Reservoir or vice versa, work shall cease until the WPT has traveled a safe distance from the immediate project site. The monitor shall observe the WPT from a distance to ensure it does not wander back into the work area. If the WPT is relocated and appears to be occupying the habitat within the project footprint for activities such as nesting, basking, or foraging, the County or its representatives will contact CDFG for guidance (due to its status as a State Species of Special Concern).

If during this survey a dusky-footed woodrat nest is detected, the County shall complete one of the following avoidance/minimization measures. These measures are listed in order of priority,

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meaning the first measure is the preferred measure to be implemented as it provides the least amount of impact to the woodrat. If the first measure cannot be implemented due to extenuating site conditions, the second shall be implemented and so forth down the list.

- a. The trail alignment shall be rerouted to avoid the woodrat nest by at least 50 feet.
- b. If the trail cannot be rerouted at least 50 feet from the nest, it shall be rerouted as far away from the nest as possible but not closer than 5 feet from the nest.
- c. If the trail must go directly through a nest or within 5 feet of a nest, the nest shall be moved. It shall be moved no more than 15 feet from its original location as far from the trail alignment as possible. On steep slopes, the nest shall be moved upslope of the trail alignment. Nests shall only be moved in the late afternoon during the non-breeding season (October through January). Prior to nest relocation activities, the nest shall be assessed as to whether it is active or inactive. This includes searching for fresh scat or vegetation around the nest. Extra care, such as attempting to keep the nest as intact as possible, shall be taken if it is determined that the nest to be moved is active. If it is determined that a nest is active and that breeding is occurring outside of the breeding season, trail construction shall cease and a buffer shall be established around the nest until young have matured (approximately 21 days from birth).

2. **Employee and Contractor Education Program.** An employee education program shall be conducted prior to the initiation of project activities. The program shall consist of a brief presentation by persons knowledgeable in federally listed and state special status species biology and legislative protection to explain concerns to contractors and their employees. The program would include the following: a description of CRLF, WPT, and woodrat and their habitat needs; an explanation of the status of CRLF, WPT, and woodrat and their protection under state and federal laws; and a list of measures being taken to reduce impacts to CRLF, WPT, and woodrat during project activities. Crews shall be instructed that if a CRLF is found, it is to be left alone and the project foreman and the USFWS must be notified immediately. Likewise, if a WPT or woodrat nest is found in the project footprint, it is to be left alone and the project foreman must be notified immediately.

3. **Daily Monitoring.** During the construction phase of the project, a qualified biologist, natural resource county staff, or a trained, on-site monitor shall check the site in the morning every day before construction activities begin for the presence of CRLF, WPT, woodrat or other wildlife present within the work area. If CRLF, WPT, or woodrat is found, construction would be halted and the monitor would immediately notify the appropriate regulatory agency. Subsequent recommendations made by the USFWS or CDFG shall be followed. The monitor would not handle or try to relocate any special-status species.

4. **Speed Limit.** Vehicles shall not drive more than 5 miles per hour within the construction area if these species have been determined to be present. If any WPT, CRLF, or woodrat are seen in the path of a vehicle, the vehicle shall stop until the animal is out of the path. Parked vehicles shall be thoroughly checked underneath before they are moved to ensure that no WPT, CRLF or woodrat are on the ground below the vehicle.

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Impact: The removal or trimming of shrubs or trees for trail and bridge construction and trail realignment or obliteration could impact nesting birds, if present.

Mitigation Measure BIO-3: In order to avoid impacts to existing raptor and migratory bird nests, a preconstruction survey of all vegetation along the flagged trail alignment that could support nests shall be completed. Every attempt shall be made to protect trees and nests that contain raptor and migratory bird nests.

A qualified biologist or natural resource county staff member shall conduct a survey for nesting raptors and other birds within five days prior to the start of construction activities. If active nests are not present, construction activities can take place as scheduled. If more than 5 days elapse between the initial nest search and the beginning of construction activities, another nest survey shall be conducted. If any active nests are detected, a qualified biologist or natural resource county staff member shall determine the appropriate buffer to be established around the nest. CDFG generally accepts a 50-foot radius buffer around passerine and non-passerine land bird nests, and up to a 250-foot radius for raptors, however the natural resource staff or biologist member shall have flexibility to reduce or expand the buffer depending on the specific circumstances.

Impact: Trail construction and other ground disturbing activities as part of the Trails Master Plan could result in disturbance of known or unknown historic, archaeological, or paleontological resources.

Mitigation Measure CUL-1: All known prehistoric and historic archaeological resources on Sanborn County Park property shall be formally recorded and evaluated for inclusion on the California Register and the National Register of Historic Places by a professional archaeologist. Architectural resources will be evaluated for eligibility by a qualified architectural historian.

Mitigation Measure CUL-2: A focused field survey under the direction of a professional archaeologist shall be conducted in those portions of the park near future trail alignments to locate unrecorded prehistoric sites. An additional focused field survey for historic archaeological sites under the direction of a professional archaeologist will also be conducted, but the area surveyed can be restricted to those trails and areas adjacent to them which have been identified by County Parks as areas which have seen land alteration (lumbering and or agricultural) since the middle 19th Century.

Mitigation Measure CUL-3: If any prehistoric sites are discovered on or near the proposed trail system, a program of mechanical subsurface testing (hand-augering) shall be completed under the direction of a professional archaeologist. If midden (subsurface archaeological soil) components are discovered, the site shall be formally recorded by a professional archaeologist and maps will be produced showing the extent of the deposit area. New facilities identified in the Trails Master Plan shall be reviewed for potential impacts at the discretion of County Park staff on a case-by-case basis in consultation with a professional archaeologist.

Mitigation Measure CUL-4: A baseline study under the direction of a qualified archaeologist and architectural historian shall be conducted of all prehistoric and historic sites identified. The baseline study shall consist of photo-documentation and description of each site.

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Mitigation Measure CUL-5: Annual follow-up photo-documentation shall be conducted at all prehistoric sites identified. If subsequent photo-documentation finds opportunistic or deliberate vandalism and destruction of the resource, a cultural resource specialist will be contacted to determine adequate protection measures.

Staff concurs with the County's determination and therefore recommends that the Conservancy find that the project as mitigated will not have a significant effect on the environment as defined in 14 California Code of Regulations Section 15382. Upon approval, staff will file a Notice of Determination for the project.