



Midpeninsula Regional
Open Space District

R-12-33
Meeting 12-09
March 14, 2012

AGENDA ITEM 9

AGENDA ITEM

Adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for Implementation of the Pond Management Plan at La Honda Creek Open Space Preserve

GENERAL MANAGER'S RECOMMENDATIONS

1. Approve a Mitigated Negative Declaration and Mitigation Monitoring Program in accordance with the California Environmental Quality Act (CEQA) for Implementation of the Pond Management Plan at La Honda Creek Open Space Preserve.
2. Adopt the CEQA findings set out in the attached Resolution.

SUMMARY

The Board of Directors are asked to consider approving a Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP), in accordance with CEQA, to implement the Pond Management Plan at La Honda Creek Open Space Preserve. The goal of the Pond Management Plan is to improve habitat conditions for the benefit of the California red-legged frog and to extend the long-term viability of the existing livestock ponds to support ongoing grazing activities.

DISCUSSION

In 2000 and 2006, the District completed a field inventory of reptile and amphibian species on District lands. Field surveys focused on sensitive reptile and amphibian populations in ponds and streams throughout the District, and specifically identified locations and breeding populations of California red-legged frog (CRLF) and western pond turtle. The 2006 survey included the former Wool Ranch portion of La Honda Creek Open Space Preserve. The former Wool Ranch contains a pond complex of eleven livestock watering ponds, developed springs, and other valuable reptile and amphibian habitat (see Attachment 2). CRLF, a species listed as Threatened under the federal Endangered Species Act, occurs within the pond complex. The former Wool Ranch area also provides suitable habitat for the San Francisco garter snake, a state and federally listed Endangered Species whose principal food source is small amphibians, including CRLF.

Management of the pond complex is of priority because of its regionally significant habitat for sensitive species. A 2007 report prepared by Seymour and Associates that followed the 2006 field surveys described the site as the center of a regional “metapopulation” of red-legged frogs, meaning that all individuals in the isolated area are connected by genetics or by colonization patterns. Because these ponds are in close proximity to one another and year-round habitat is available, the location is highly resilient to population variations and other pressures that put rare species at risk. Seymour’s report emphasized that in order to protect this regionally important habitat, the group of ponds should be managed as a cohesive unit. In 1992, this same area was proposed to the California Department of Fish and Game as an “Ecological Reserve” specifically for rehabilitation of the San Francisco garter snake (SFGS).

As a result of Seymour’s report, staff released a request for proposals in 2007 to develop a Pond Management Plan (PMP) for this regionally-important pond complex. The highest-ranking proposal was submitted by Vollmar Consulting. A contract to Vollmar Consulting was awarded in December 2007 and Vollmar completed a PMP for the former Wool Ranch area in 2009. Site specific recommendations identified in the 2009 PMP were developed to enhance CRLF and potential SFGS habitat, and were informed by two years of targeted biological surveys. The PMP identified repairs to eleven ponds, including Pond DR06, which was recently completed in 2010. During permitting of Pond DR06, the District received an Endangered Species Act Section 10 Recovery Permit from the U.S. Fish and Wildlife Service (USFWS) to implement all actions identified in the PMP with the goal of fostering recovery of CRLF and SFGS at the site. Staff is applying this Recovery Permit to repair the next set of ponds, Ponds DR07 and DR08.

A list of previous board meetings pertaining to development and implementation of the PMP has been provided as Attachment 3.

FISCAL IMPACT

The FY2011-12 budget includes \$58,500 to fund the geotechnical investigations, project design, and permitting stages for the next phase of PMP implementation, namely repairs to Ponds DR07 and DR08. To date, plans and permit applications have been submitted at a cost of \$39,018. Of this, the District received \$20,000 in mitigation monies from San Jose Water Company to offset design costs. The proposed FY2012-13 budget includes \$100,000 in funds for bidding and reconstruction of the two ponds. Staff has applied for a \$75,000 grant from the North American Wetlands Conservation Act to offset seventy-five percent (75%) of the anticipated bidding and construction costs. Total costs anticipated for repairs to Ponds DR07 and DR08 is \$158,500, at an estimated cost of \$79,250 per pond. Of this, the District hopes to recoup a total of \$95,000 in outside funding (60% of total project costs).

Repairs to the remaining eight ponds identified in the 2009 PMP is anticipated to cost anywhere from \$350,000 to \$700,000, depending on the extent of structural failures and site specific design constraints encountered at each pond. Based on past experience with grant applications, the District can expect to pay an estimated forty percent (40%) of these future costs.

PUBLIC NOTICE

A copy of the Notice of Intent to Adopt the MND was provided to La Honda Creek Open Space Preserve adjoining owners, La Honda Creek interested parties, Resource Management interested parties, U.S. Fish and Wildlife Service, California Department of Fish and Game, San Francisco

Bay Regional Water Quality Control Board, the U.S. Army Corps of Engineers, and San Mateo County. The public and agency comment period for the project ended on February 13, 2012. Two comments were received, one from the California Department of Fish and Game and one from the Bay Area Ridge Trail Council. Comments received and a response to comments is provided in Attachment 6. Public notice of this Agenda Item was also provided per the Brown Act. No additional notice is required.

CEQA COMPLIANCE

Project Description

The project consists of repairing pond basins, earthen berms, and spillways at an eleven pond complex in order to improve habitat conditions for the benefit of the California red-legged frog and to extend the long-term viability of the existing livestock ponds. Additional project components include: removal of invasive and non-native vegetation, installation of cattle exclusion fencing, alternate water source installation (such as troughs), and prevention of erosion and downstream sedimentation.

The recommended CEQA action before the Board is adoption of the proposed MND and associated documents and findings for this project. The Board is not determining how or when to implement any site-specific work efforts under the guidance of the PMP. Rather, the Board is completing CEQA compliance with regard to implementation of the PMP. Approval to implement the next phase of the Project (construction of Ponds DR07 and DR08) will occur at the award of bid for that phase, which is anticipated in late spring of 2012. Future implementation items (additional pond repairs) will return to the Board at a later time for approval consideration.

CEQA Determination

An initial study for the PMP has been completed and a MND is proposed. Six mitigation measures identified in the MND have been designed to mitigate potential negative effects to biological and cultural resources to a level of insignificance. Copies of these documents are provided as Attachments 4 and 5. The public and agency review period ended on February 13, 2012.

Comments Received

As of February 13, 2012, the District received two comments. Please see the attached comments and response to comments (Attachment 6). This completes the CEQA comment period for the project.

Mitigation Monitoring Program

In accordance with CEQA, the District has prepared a Mitigation Monitoring Program, which describes project-specific mitigation measures and monitoring process (Attachment 5). The Mitigation Monitoring Program ensures that all adopted measures intended to mitigate potentially significant environmental impacts will be implemented. The project incorporates all of these mitigation measures.

CEQA Findings

The Board Findings required by CEQA to adopt the MND and the Mitigation Monitoring Program are set out in the attached Resolution (Attachment 1).

NEXT STEPS

Design and permitting for the next two, highest priority projects, Ponds DR07 & DR08, are underway with permit approval anticipated in late spring or early summer. Should the Board approve the MND and MMP, staff would proceed with preparing a bid package for these two pond repair projects with the expectation of completing construction in late summer, after CRLF tadpoles have fully developed and before the subsequent breeding season begins (as directed by the USFWS Biological Opinion and Recovery Permit issued for the project). Staff anticipates returning to the Board for approval to implement the Pond DR07 and DR08 repair project in June of 2012. Meanwhile, staff will continue to pursue grant funding opportunities to implement the remaining phases of work to offset total project costs.

Attachments:

1. Resolution of the Board of Directors Adopting the Mitigated Declaration, the Mitigation Monitoring Program, and the CEQA Findings for Implementation of Pond Management Plan project at La Honda Creek Open Space Preserve
2. La Honda Creek Pond Complex Map (Ponds DR07 and DR08 circled)
3. List of Previous Board Meetings related to Pond Management Plan Development and Implementation
4. Initial Study and Mitigated Negative Declaration
5. Mitigation Monitoring Program
6. Comments Received and Response to Comments

Prepared by:

Julie K. Andersen, Planner II

Contact person:

Julie K. Andersen, Planner II

Matt Baldzikowski, Planner III

RESOLUTION NO. 12-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION INCLUDING A MITIGATION MONITORING PROGRAM IN CONNECTION WITH IMPLEMENTATION OF THE POND MANAGEMENT PLAN AT LA HONDA CREEK OPEN SPACE PRESERVE

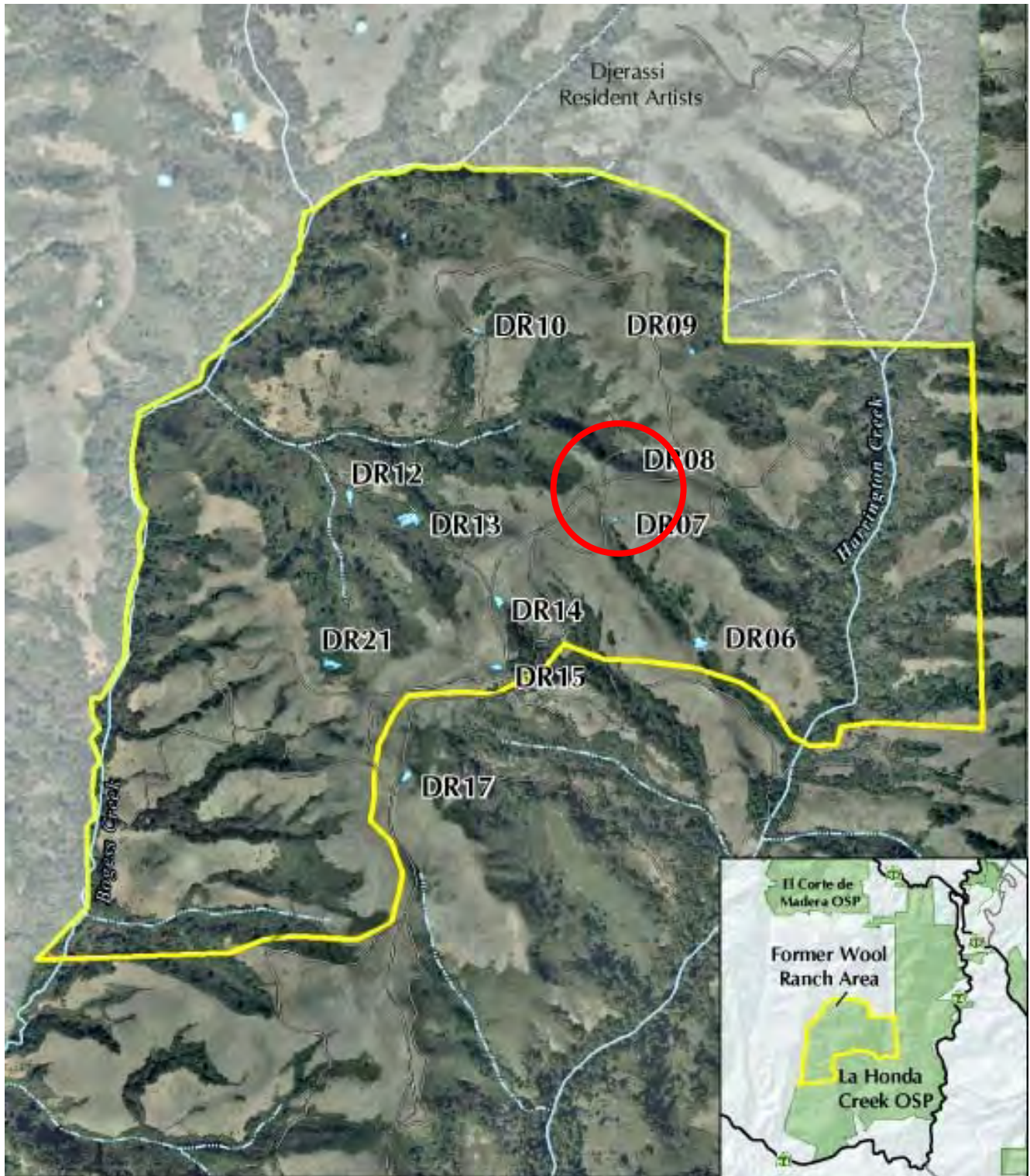
- I. The Board of Directors of the Midpeninsula Regional Open Space District (District) has reviewed the proposed Implementation of Pond Management Plan (Project) within the La Honda Creek Open Space Preserve (Preserve).
- II. An Initial Study (IS) was prepared for the proposed Project pursuant to the requirements of the California Environmental Quality Act (CEQA) Public Resources Code sections 21000 et seq.) and the CEQA Guidelines (14 Cal. Code. Regulations sections 15000 et seq.).
- III. The IS identified potentially significant adverse effects on the environment from the proposed project but found that mitigation measures for the proposed Project which were made a part of the proposed Project would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
- IV. The IS and a notice of intent to adopt a Mitigated Negative Declaration (MND) and the Mitigated Monitoring Program were circulated for public review from January 13, 2012 to February 13, 2012.
- V. On March 14, 2012 the Board of Directors conducted a duly noticed public hearing on the adequacy of the MND (including the IS) at which oral and written comments and a staff recommendation for approval of the MND were presented to the Board of Directors. The Board of Directors reviewed and considered the information in the IS and MND as required by CEQA.

NOW, THEREFORE, BE IT RESOLVED by the District Board of Directors that, based upon the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring Program, all comments received, and all substantial evidence in light of the whole record presented, the Board of Directors finds that:

1. Notice of the availability of the Initial Study and Mitigated Negative Declaration and all hearings on the MND was given as required by law and the actions were conducted pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.
2. All interested parties desiring to comment on the MND were given the opportunity to submit oral and written comments on the adequacy of the MND prior to this action by the Board of Directors and all comments raised during the public comment period and at the public hearings on the MND were responded to adequately.

3. Prior to approving the Project that is the subject of the MND, the Board has considered the MND, along with all comments received during the public review process.
4. The MND finds potentially significant effects and the Board hereby finds that these effects will be mitigated or avoided by the changes made in the Project as described in the Initial Study and the MND.
5. The Board finds that, on the basis of the whole record before it, including the MND and all comments received, there is no substantial evidence that the Project will have a significant effect on the environment in that, although the Project could have significant effect on the environment, there will not be a significant effect in this case since Mitigation Measures have been made a part of the Project to avoid such effects.
6. The Board adopts the MND and determines that the MND reflects the District's independent judgment and analysis.
7. The Board adopts the attached Mitigation Monitoring Program and requires it to be implemented as part of the Project.
8. The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based are located at the offices of the District Clerk of the Midpeninsula Regional Open Space District, 330 Distel Circle, Los Altos, California 94022.

* * * * *



Attachment 1. La Honda Creek Pond Complex Map
(Next Phase of Implementation - Ponds DR07 and DR08 circled)

Attachment 3. Previous Board Meetings related to Pond Management Plan Development and Implementation:

January 12, 2006; Meeting 06-01; R-06-07- Driscoll Ranch Purchase Addition to La Honda Creek

January 25, 2006; Meeting 06-03; R-06-05- Authorization to Enter into a Professional Services Agreement with Richard Seymour and Associates to Survey and Assess the Presence of Sensitive Aquatic Amphibians and Reptiles on District Lands

December 12, 2007; Meeting 07-27; R-07-124- Authorization to Enter into a Professional Services Agreement with Vollmar Consulting to Survey and Prepare Recommendations for Management of Sensitive Aquatic Habitats at La Honda Creek Open Space Preserve

April 8, 2009; Meeting 09-10; R-09-34 Authorization to Amend the Contract with Vollmar Consulting to Conduct Second Year Pond Monitoring in the Former Wool Ranch Area of La Honda Creek Open Space Preserve and Determine the Recommended Actions are Exempt from California Environmental Quality Act

September 23, 2009; Meeting 09-26; R-09-108 Approval of a Habitat Conservation Fund Grant Application, Mitigated Negative Declaration, and Mitigation Monitoring Program for the Pond DR06 Repair Project located within the Driscoll Ranch area of La Honda Creek Open Space Preserve.

January 27, 2010; Approval of the Five Star/Nature Restoration Trust Restoration Program (Five Star/NRT) Grant Application for the Pond DR06 Repair Project located within the Driscoll Ranch area of La Honda Creek Open Space Preserve.

April 28, 2010; Authorization to Amend a Contract with BAGG Engineers to Include Construction Monitoring for the Pond DR06 Repair Project located in the Former Wool Ranch Area of La Honda Creek Open Space Preserve.

June 9, 2010; Award of Contract with TKO General Engineering and Construction Inc., for the Pond DR06 Repair Project at La Honda Creek Open Space Preserve.

August 30, 2010; Contract Amendment with TKO General Engineering and Construction, Inc., (TKO) for the Pond DR06 Repair Project at La Honda Creek Open Space Preserve for an Additional Amount Not to Exceed \$24,500.

September 14, 2011; Award of Contract for Geotechnical Investigations and Pond Repair Design for Ponds DR07 and DR08 located at La Honda Creek Open Space Preserve and Determination that the Recommended Actions are Categorically Exempt from the California Environmental Quality Act (CEQA)



Midpeninsula Regional Open Space District

MITIGATED NEGATIVE DECLARATION

Implementation of Pond Management Plan La Honda Creek Open Space Preserve San Mateo County, CA

State Clearinghouse Number: 2012012026

January 13, 2012

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022
650-691-1200

Midpeninsula Regional Open Space District

MITIGATED NEGATIVE DECLARATION

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.) stating that the following project: Implementation of Pond Management Plan, that when implemented will not have a significant impact on the environment.

PROJECT DESCRIPTION

In partnership with the United States Fish and Wildlife Service (USFWS), the Midpeninsula Regional Open Space District (District) is planning to implement certain pond management actions identified in the District's Pond Management Plan (PMP) at the La Honda Creek Open Space Preserve (PMP completed in 2009).

Pond management actions identified in the 2009 PMP have been evaluated by the USFWS Recovery Program for both the California red-legged frog (CRLF) and San Francisco garter snake (SFGS). The USFWS recovery program works to protect species and restore habitat by providing guidance and technical assistance for implementation of recovery actions such as species monitoring, research, habitat improvements, and implementation of breeding programs for threatened and endangered species. In order to implement the 2009 PMP, the USFWS issued a biological opinion (March 2010) and an Endangered Species Act Section 10(a)1(A) Recovery Permit (April 2010) to the District for enhancing habitat on the La Honda Creek Open Space Preserve for both the California red-legged frog and San Francisco garter snake.

Pond management actions covered by this document include the following:

- 1) Completing pond repairs and improvements
- 2) Redirecting cattle access through the use of fencing and alternate water sources such as troughs
- 3) Removing invasive and non native vegetation
- 4) Completing ongoing pond inspections and biological monitoring

These elements of the 2009 PMP are not included for analysis in this document:

- Prescribed Burning
- Prescribed Grazing

Prescribed Burning is not included in this document because the District does not currently have the ability to implement prescribed burn operations without the assistance of outside agencies such as the California Department of Forestry and Fire Protection (Calfire). Negotiating agreements with outside agencies to complete prescribed burning is outside of the scope of pond repair projects and constitutes a separate work effort within the District.

Prescribed Grazing is currently conducted under an existing Resource Management Plan (RMP) for the Preserve. Environmental analysis for implementation of the existing RMP was conducted during the District acquisition of the property (See MROSD 2005). Recommendations for prescribed grazing outlined in the Pond Management Plan are consistent with prescribed grazing operations being conducted at the Preserve under the existing RMP and does not warrant further consideration under CEQA at this time.

Pond repair and improvements are planned at 11 stock watering ponds located in the 5,759-acre La Honda Creek Open Space Preserve (LHCOSP) in San Mateo County, California (Refer to Figures 1 and 2). The purpose of the project is to: repair failing ponds, prevent erosion and sedimentation, enhance sensitive species habitat, improve water availability for cattle, and remove invasive and non-native plant species.

The project area includes 11 stock ponds, staging areas, and associated access roads. All of the ponds are located in upland areas above Harrington and Bogess Creeks (both tributaries to San Gregorio Creek). All of the ponds are human-made features comprised of earthen berms, spillways and/or outlet pipes, and excavated basins. Currently, each pond outlet is either an unreinforced earthen spillway, and/or a drainage pipe/culvert. The ponds depend primarily on surface runoff, and onsite springs for water supply. Many of the ponds are structurally compromised. Known issues include: erosion problems, leaking berms or basins, berm breaches, siltation, and overall deterioration. Pond repairs are being conducted to enhance wildlife habitat, improve longevity of the ponds, improve ponding duration, correct erosion and sedimentation problems, and improve water availability to cattle.

Earth work is recommended to rebuild failing berms, spillways, and pond basins in order to prevent ongoing erosion, over-topping of berms, and failure of the ponds to provide suitable habitat for target species. Earth work will be completed in summer or early fall using manual labor and/or heavy equipment, depending on site specific conditions. Minor road improvements may occur in conjunction with pond improvements to provide equipment access to the sites and to provide erosion control after project completion. Invasive and non native vegetation will be removed prior to pond reconstruction and after pond repairs are completed. Treatment of invasive and non native plant species will be completed by trained District staff and/or a qualified contractor hand crew. Disturbed areas will be reseeded with native plant species and pasture grasses consistent with those in the surrounding area. Once pond improvements are completed, cattle exclusion fencing and placement of alternate watering sources may be used to restrict or redirect cattle access away from a pond in order to improve use and breeding success by target species. As recommended in the PMP, ongoing pond inspections and biological monitoring will be conducted at each pond site for a minimum of three years following repairs to ensure that repairs have resulted in favorable outcomes for special status species and that repaired infrastructure is continuing to function as planned or if minor modifications may be necessary.

FINDINGS AND BASIS FOR MITIGATED NEGATIVE DECLARATION

The Manager of the Planning Department of the Midpeninsula Regional Open Space District, based upon substantial evidence in the record, finds that:

1. The mitigation measures, as listed below and incorporated into the project, are adequate to mitigate the environmental effects to a less than significant level.
2. The project will have no impact on population and housing, public services, or mineral resources given its remote, rural setting and will have no impact on recreation because the project area is currently closed to the public and will not increase anticipated public use once the site is open.
3. The project will not adversely affect agricultural resources or current land use because project design is expected to provide long term improvements to watering sites for livestock during and after project construction and will not change current land use.
4. The project may have a limited affect on aesthetics, air quality, geology & soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, and noise, transportation/traffic, and utilities, but these effects will be minor and less than significant given the remote location, sensitivity of design to the natural surroundings, limited equipment needed, small scale disturbance, short annual duration, adherence to Best Management Practices, local and regional plans, policies and regulations.
5. The project will not adversely affect biological resources and cultural resources, based on project-specific mitigations that reduce impacts to a less than significant level.

6. The project will not:

- Create impacts that 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 (excepting the targeted invasive plant species), 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, due to the project's scale and localized nature.
- Create impacts that are individually limited, but cumulatively considerable, based on project-specific mitigations that reduce these impacts to a less than significant level.
- Create environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Therefore, the Midpeninsula Regional Open Space District has determined that the project will have no significant effect on the environment.

MITIGATION MEASURES INCORPORATED INTO THE PROJECT

The biological resource mitigations identified below are discussed in Section IV(a). Cultural resources mitigations identified below are discussed in Section V(b).

(BIO- 1) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, worker environmental awareness training will be conducted for all construction crews and contractors that will be accessing the site. The education training will be conducted prior to starting work on the project and upon the arrival of any new worker. The training will include a brief review of the California red-legged frog, San Francisco garter snake, and western pond turtle, their life history, field identification, habitat requirements for each species, location of sensitive areas, possible fines for violations, avoidance measures, and necessary actions if sensitive species are encountered.

(BIO- 2) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, a biological monitor will be required to be present on site during all construction. The monitor will survey parking areas, staged equipment, access routes, and the project area prior to the beginning of construction each day. The biological monitor will continue to survey the project throughout construction each day.

(BIO- 3) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, all earth work must be completed when ponds are dry, or for those ponds that do not completely dry, draining of ponds to perform earth work shall only occur during the part of the year when the tadpole life stage of California red-legged frog has been completed and before the subsequent breeding season. According to the Biological Opinion issued for the Project, this corresponds to a work period between August 15 and November 1. Within two days of the start of pond draining, the pond will be sampled by a qualified biologist to ensure that all frogs from the pond are in the post metamorphic stage and will not be significantly affected by pond draining.

(BIO- 4) If California red-legged frog, San Francisco garter snake or western pond turtle are encountered, no work shall occur until the frog, snake or turtle has left the area on its own, or until a qualified wildlife biologist is consulted and appropriate arrangements are made with United States Fish and Wildlife Service and the California Department of Fish and Game.

(CUL-1) Implementation of the following measures would reduce potential impacts to cultural and historical resources, including buried and unknown archeological and paleontological resources to a less-than significant level:

- If any commonly recognized sensitive cultural resources such as human formed artifacts, including projectile points, grinding stones, bowls, baskets, historic bottles, cans, or trash deposits, are encountered during project construction, every reasonable effort shall be made to avoid the resources. Work shall stop within 100 feet of the object(s) and the contractor shall contact the District. No work shall resume within 100 feet until a qualified cultural and/or historical resources expert can assess the significance of the find.
- A reasonable effort will be made by the District to avoid or minimize harm to the discovery until significance is determined and an appropriate treatment can be identified and implemented. Methods to protect finds include fencing and covering with protective material such as culturally sterile soil or plywood.
- If vandalism is a threat, 24-hour security shall be provided.
- Construction can continue 100 feet outside of the find location during the significance evaluation period and while mitigation for cultural and/or historical resources is being carried out. A qualified cultural and/or historical resources expert must be present onsite to monitor subsurface excavations within 100 feet of the find to ensure that impacts to resources are avoided.
- If a resource cannot be avoided, a qualified cultural and/or historical resources expert will develop an appropriate Archaeological or Paleontological Action Plan for treatment to minimize or mitigate the

adverse effects. The District will not proceed with reconstruction activities within 100 feet of the find until the Action Plan has been reviewed and approved.

- Findings will be detailed in a professional report in accordance with current professional standards. Any non-grave associated artifacts will be curated with an appropriate repository.
- Project documents shall include a requirement that project personnel shall not collect cultural and/or historical resources encountered during construction. This measure is consistent with federal guideline 36 CFR 800.13(a) for invoking unanticipated discoveries.

(CUL-2). If human remains are encountered, all work within 100 feet of the remains shall cease immediately and the contractor shall contact the District. The District will contact the San Mateo County Coroner to evaluate the remains, and follow the procedures and protocols set forth in §15064.5(e) of the CEQA Guidelines. No further disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has made a determination of origin and disposition, which shall be made within two working days from the time the Coroner is notified of the discovery, pursuant to State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) within 24 hours, which will determine and notify the Most Likely Descendant (MLD). The MLD may recommend within 48 hours of their notification by the NAHC the means of treating or disposing of, with appropriate dignity, the human remains and grave goods. In the event of difficulty locating a MLD or failure of the MLD to make a timely recommendation, the human remains and grave goods shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

RESPONSIBLE AGENCY CONSULTATION

The California Department of Fish and Game, United States Fish and Wildlife Service and San Francisco Bay Regional Water Quality Control Board have been notified of the project and a copy of this mitigated negative declaration is being submitted for review along with applicable permit applications from each of the agencies.

INITIAL STUDY

A copy of the initial study is attached.

REVIEW PERIOD

The Review Period begins on January 13, 2012 and ends on February 13, 2012. If you have any comments about the Mitigated Negative Declaration or Initial Study, have information that should be included, and/or disagree with the findings of our study as set forth in the proposed Mitigated Negative Declaration, please submit your comments in writing no later than 5 p.m. on February 13, 2012 to Midpeninsula Regional Open Space District, 330 Distel Circle, Los Altos, CA 94022. Electronic comments should be sent to: jandersen@openspace.org. Following review and response to public comments, the District's Board of Directors is tentatively scheduled to approve the Mitigated Negative Declaration at their regularly scheduled Board meeting on Wednesday March 14, 2012 beginning at 7:00 pm. The board meeting will be held at 330 Distel Circle, Los Altos, CA 94022 and the public is invited to attend.

CONTACT PERSON

Julie K. Andersen,
Planner II, 650-691-1200



Ana Ruiz, Planning Manager
Midpeninsula Regional Open Space District

Midpeninsula Regional Open Space District INITIAL STUDY

Project title:	Implementation of Pond Management Plan, La Honda Creek Open Space Preserve, San Mateo County, California		
Lead agency name and address:	Midpeninsula Regional Open Space District 330 Distel Circle, Los Altos, CA 94022		
Contact person and phone number:	Julie K. Andersen, Planner II, (650) 691-1200		
Project location:	The project area is located south of Skyline Boulevard (Hwy 35) and west of La Honda Road (Hwy 84) within the former Wool Ranch portion of the La Honda Creek Open Space Preserve at Township 07 South, Range 04 West, Sections 4 & 9. The preserve is located within unincorporated San Mateo County approximately 2 miles northwest of the community of La Honda.		
Project APNs:	078-270-030 & 078-270-010		
Project sponsor's name and address:	Midpeninsula Regional Open Space District 330 Distel Circle, Los Altos, CA 94022		
General plan designation:	General Open Space	Zoning:	Resource Management
Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)			
Repair pond basins, earthen berms and spillways in order to improve ponding duration for the benefit of the California red-legged frog and to increase the long term viability of existing livestock ponds. Additional project components include: removal of invasive and non native vegetation, installation of cattle exclusion fencing and alternate watering sources such as troughs, and prevention of erosion and downstream sedimentation.			
Surrounding land uses and setting. Briefly describe the project's surroundings:			
The project is located in a rural area. The primary surrounding land uses are: agriculture, ranching, and rural residential. Project sites are located within a portion of the Preserve which is managed for cattle and is not open to the public. Highway 84 is located along the eastern and southern edge of the Preserve boundary. North of the Preserve is the Djerassi Resident Artists, an internationally recognized resident artist program. To the southeast of the project area (about 2 miles) is the small community of La Honda (approximately 1,500 residents). The La Honda Elementary School is located adjacent to the southeastern Preserve boundary. South of the Preserve is the Driscoll Ranch Event Center where an annual rodeo is held each year.			

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

- United States Fish and Wildlife Service
- California Department of Fish and Game
- California Regional Water Quality Control Board
- US Army Corps of Engineers
- San Mateo County

Document availability:

All documents referenced in the Initial Study are available for review from 8:30 a.m. to 5:00 p.m. at the Midpeninsula Regional Open Space District office at the address listed above.

Subsequent Actions:

Upon Board certification of this mitigated negative declaration, the following actions will occur:

- Contract bid and approval
- Individual pond, spillway and berm repairs
- Revegetation
- Ongoing monitoring

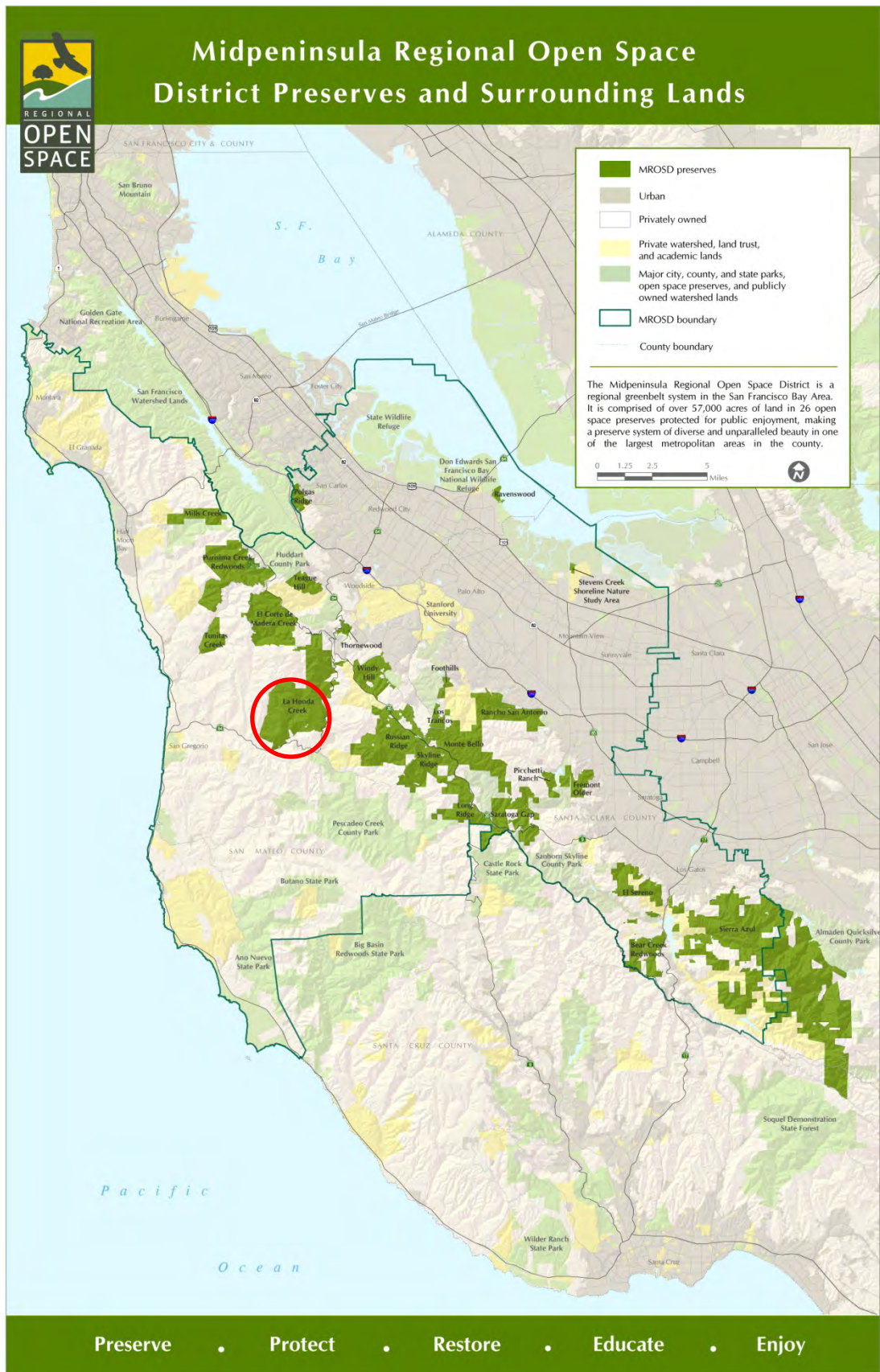
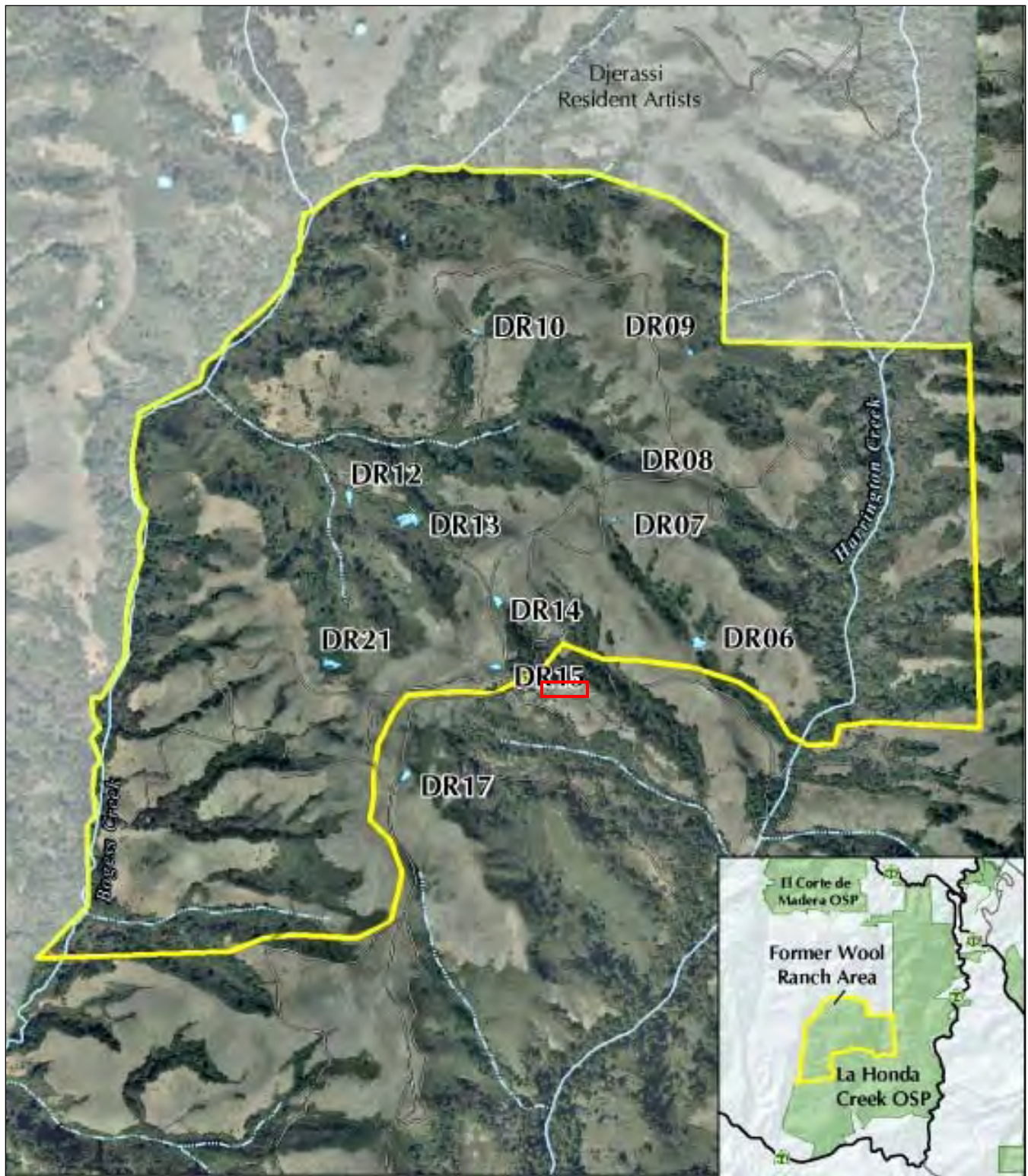


Figure 1. Project vicinity, La Honda Creek Open Space Preserve




 Corral #5, SLIC site

Figure 2. Project area with individual ponds identified.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | |

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.
- 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.


Signature

1/11/2012
Date

ENVIRONMENTAL IMPACTS

Issues: <u>I. AESTHETICS</u> 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 type="checkbox"/>	<input checked="" type="checkbox"/>
a) The project will not have a substantial adverse effect on a scenic vista or degrade the existing visual character of the site or its surroundings because the project will incorporate site suitable design that is sensitive and in keeping with the natural surroundings. The project goal is to restore and stabilize existing ponds with minimal improvements so that there will be no change to the aesthetic view of any scenic vista.				
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"/>
b) The project area is not immediately adjacent to or within the viewshed of a state scenic highway.				
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"/>
c) The project will not substantially degrade the existing visual character or quality of the site because the primary goal is to restore and stabilize existing ponds in a manner consistent with their current location and size. Use of human constructed materials will be minimized and the design on pond repairs is in keeping with the existing agricultural use of the site. Whenever possible, natural onsite materials will be used. If natural onsite materials are not feasible, human made materials will be selected that blend with the natural surroundings (e.g. using rock instead of concrete when feasible, covering exposed piping with soil or vegetation, and selecting colors, textures or materials that blend with the natural surroundings). Human made objects such as water troughs, piping, and water storage tanks already exist on the site and are considered site appropriate given the historic and ongoing agricultural use at the site.				
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"/>
d) All work will be completed during the day and materials used will not result in light or glare impacts during the day or evening.				
<u>II. AGRICULTURE RESOURCES</u> 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"/>
a) The project is not located on prime or unique farmland or farmland of statewide importance.				
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"/>
b) The project does not conflict with a Williamson Act contract or the existing Resource Management zoning for the area.				
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"/>
c) The existing agricultural land use of cattle ranching will not be impacted by project construction. As a result of seasonal fencing and installation of alternate watering sources such as troughs, the availability of clean water for cattle, wildlife, and downstream creek flow is expected to improve.				

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 type="checkbox"/>	<input checked="" type="checkbox"/>

a) The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards. Such plans describe air pollution control strategies to be implemented by a city, county or region.

The most recent BAAQMD plan for attaining California Ambient Air Quality Standards, the 2010 Clean Air Plan, was adopted on September 15, 2010. The Clean Air Plan demonstrates how the San Francisco Bay Area will achieve compliance with the State 1-hour air quality standard for ozone and how the region will reduce transport of ozone and ozone precursors to neighboring air basins. The purpose of the Clean Air Plan is to:

1. Update the Bay Area 2005 Ozone Strategy in accordance with the requirements of the California Clean Air Act to implement “all feasible measures” to reduce ozone. The Bay Area 2005 Ozone Strategy was developed in order to bring the region into compliance with State and federal air quality standards and was adopted by the BAAQMD Board of Directors in January 2006;
2. Consider the impacts of ozone control measures on particulate matter, air toxics, and greenhouse gases in a single, integrated plan;
3. Review progress in improving air quality in recent years; and
4. Establish emission control measures to be adopted or implemented in the 2009 to 2012 timeframe.

The County and the project site are located in the San Francisco Bay air basin and are within the jurisdiction of the BAAQMD. The County General Plan is consistent with this plan. No General Plan amendment would be required to implement the proposed project and the proposed uses are consistent with the District’s management of the Preserve for open space uses and passive recreation. Therefore, the proposed project is consistent with the General Plan, and therefore would not conflict with the Clean Air Plan, resulting in a less-than-significant impact.

III. AIR QUALITY (continued) Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) The project site is located in the San Francisco Bay Area Air Basin (Bay Area), a region that is designated as a "non-attainment" area (i.e., currently experiences violations) with respect to state and national ambient air quality standards for ozone, as well as state standards for respirable particulate matter (PM-10). The Bay Area is also designated as a "maintenance" area with respect to carbon monoxide standards. The "maintenance" designation corresponds to areas that had once been designated as "non-attainment" for a given pollutant, but have since been re-designated in recognition of having achieved the standard.</p> <p>The project could affect air quality temporarily during earthmoving activities related to berm reconstruction and pond recontouring. Heavy equipment traveling over the ranch roads and excavating soil at the project site could generate fugitive dust. Wind erosion from exposed surfaces could also result in fugitive dust. The amount would vary from day to day, depending on the level and type of activity, silt content of the soil, and the prevailing weather. The nature of dust particulates is that larger, coarser material settles out quickly and closer to the emission source whereas smaller particulates are in suspension for a longer period of time and are able to travel further. Due to the large surrounding rural area and the discrete, small-scale area of individual pond reconstruction zones, any potential dust emissions created by the project would tend to remain more localized and limited to the short-term, two to eight week construction period each year. The remote and individually small scale work areas and the limited number of construction equipment will further reduce the level of potential dust emissions. Moreover, construction-related earthmoving activities will occur during the daylight hours of summer and will avoid the high PM10 levels generally recorded in the evening and night hours and during the winter, when increased use of wood burning stoves and fireplaces occur, cool temperatures, low wind speeds, low inversion layers, and high humidity favor the buildup of PM levels.</p> <p>As part of the project, the District will follow its standard dust control measures to prevent fugitive dust:</p> <p>Dust resulting from ground disturbance shall be controlled by applying water or a dust palliative. Use of temporary enclosures, coverings and water sprinkling, or combinations thereof, will be used as necessary to limit dust to lowest practicable level. If required at each site, an Erosion Control and Pollution Prevention Plan will be developed and adherence will be required by the selected contractor. Water may not be used on dry surfaces to the extent that it causes flooding, erosion, or runoff.</p> <p>As a result, temporary air quality impacts from dust generated from project construction will result in a less than significant impact.</p>				

III. AIR QUALITY (continued) Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
c) Emissions released as a result of the project are not anticipated to cause a considerable net increase of any criteria pollutant for which the project region is in non-attainment. Emissions will be limited to project implementation (1-2 ponds are expected to be repaired each construction season). Limited use of vehicles and equipment are needed to implement the project (1-4 pieces of equipment are expected each construction season including but not limited to: bulldozer, excavator, water truck, and compactor). Large equipment will be stored onsite for the duration of the project. Emissions will be limited due to the short duration of construction expected to occur each season (estimated at two to eight weeks). An average of 3-4 vehicle trips daily is anticipated to and from the site in order to complete construction each year. Whenever feasible, workers will be encouraged to carpool to the project site.				
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Due to the rural location of the project, no sensitive receptors are located within or adjacent to the project location. The nearest receptor is the La Honda Elementary School which is located over 2 miles away.				
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) No objectionable odors are expected and the number of people adjacent to the project is minimal.				

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 Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a) The Project will result in an improvement to the environment by repairing failing earthen berms and ponds in order to reduce downstream sediment delivery and improve habitat for the California red-legged frog (CRLF). Project implementation will remove invasive plant species that displace native vegetation. Impacts to special-status wildlife species potentially occurring within the project area can either be avoided or reduced to less than significant levels through project timing and incorporation of mitigation measures.</p> <p>Ponds within the project area are highly disturbed due to the large number of invasive plant species and long-term cattle use. Botanical surveys conducted by District staff did not reveal the presence of any special status plant species occurring within or immediately adjacent to ponds at the project site. Special status animal species are known to occur within the project site; however the potential for them to be affected is considered low because work will be confined to one to two ponds per season and work will occur during the dry season when aquatic species are not likely to be present. The project area is located within Critical Habitat for the California red-legged frog and potential habitat for the San Francisco garter snake (SFGS). CRLF are known to utilize ponds within the project area. During the wet season, CRLF utilize many of the ponds. During the dry season, CRLF disperse to upland vegetation locations. Through numerous surveys to date, SFGS have not been observed using the ponds or the surrounding preserve. Western Pond Turtle (WPT) has been observed at one of the pond locations.</p> <p><u>Special-Status Animal Species</u></p> <p>Special-status animal species that occur, or have the potential to occur within or adjacent to the project area include: CRLF, SFGS, WPT, dusky footed woodrat, Coho salmon, and steelhead trout. Information on natural history, potential for occurrence, and potential impacts to the species that may be affected by this project is discussed in detail below.</p> <p>California red-legged frog (<i>Rana aurora draytonii</i>)</p> <p>The California red-legged frog (CRLF) is federally-listed as threatened and is designated as a California species of special concern. It is one of two subspecies of red-legged frog (<i>Rana aurora</i>) endemic to the Pacific Coast. The CRLF is distributed throughout 26 counties in California, but is most abundant in the San Francisco Bay Area.</p> <p>The project area is located within the United States Fish and Wildlife Service’s “SNM-2” critical habitat unit for the CRLF. Pond repairs are being undertaken to improve habitat for this species. Because CRLF occupy the project area, avoidance and mitigation measures have been incorporated that will reduce the potential to affect this species to a less than significant level. With the implementation of these measures, the project is not expected to result in injury or mortality to the CRLF or in any adverse affects to its designated or proposed critical habitat.</p>				

IV. BIOLOGICAL RESOURCES (continued)

San Francisco garter snake (*Thamnophis sirtalis tetrataenia*)

The San Francisco garter snake (SFGS) is federally and state-listed as endangered and is a fully protected species under Section 5050 of the California Fish and Game Code. An aquatic subspecies of the common garter snake and endemic to the San Francisco Bay Area, SFGS are distributed along the western San Francisco Peninsula from the southern San Francisco County border south to Waddell Lagoon south of Año Nuevo and as far east as the Crystal Springs Reservoir Watershed. It often occurs with its primary prey species, the CRLF; however, it will opportunistically prey on a variety of species including other frogs, tadpoles, egg masses, newts, small fish, salamanders, reptiles, small mammals, birds and their eggs and several small invertebrates.

Preferred habitat for SFGS is comprised of densely vegetated areas close to water where the snake can retreat when disturbed. The species often occurs near ponds, marshes, streams and other wetlands associated with cattails (*Typha* spp.), bulrushes (*Amphiscirpus*, *Bolboschoenus*, *Isolepis*, *Schoenoplectus* and *Trichophorum* spp.) and rushes (*Juncus* and *Eleocharis* spp.). Mating occurs shortly after they leave their winter retreats in May and females give birth to live young between June and September. Species may hibernate near the coastal areas in fossorial mammal burrows and other refuges, or remain active year-round, weather permitting.

To date, no SFGS have been observed at the project site. Biological surveys conducted in 2006, 2008, 2009, 2010, and 2011 did not reveal the presence of SFGS at the project site. Although habitat at the project site is suitable for the SFGS, they are not assumed to be present (based on past survey data) until a confirmed observation occurs. However, mitigation measures have been incorporated into the project that will reduce the potential to affect this species to a less than significant level in the event that they are discovered. With the implementation of these measures, the project is not expected to result in harm, harassment, injury, or mortality to the SFGS or adversely affect its potential habitat.

Western Pond Turtle (*Actinemys marmorata*)

The Western Pond Turtle (WPT) is a federal and state species of concern. Pond turtles are primarily aquatic, and are highly dependent on basking sites such as logs or sunny slopes for thermoregulation. WPT range from northern Baja California north to the Puget Sound of Washington state. Although they spend much of their active time in water, nearby upland habitat is essential for female WPT to burrow and deposit eggs.

WPT have been observed at the La Honda Creek Open Space Preserve, and within one pond at the project site. Due to the presence of WPT, mitigation measures have been incorporated that will reduce the potential to affect the species to a less than significant level. With the implementation of these measures, the project is not expected to result in injury or mortality to the WPT or any adverse affects to its potential habitat.

Impact BIO-1: California red-legged frogs occupy the project area and could potentially be harmed or harassed by project implementation.

Impact BIO-2: Although numerous surveys have not resulted in San Francisco garter snake observations, suitable habitat is present within the project area indicating that snakes may be present and in need of mitigation measures for avoidance.

Impact BIO-3: Western pond turtle are present within the project area and could be potentially harmed or harassed by project implementation.

IV. BIOLOGICAL RESOURCES (continued)

Mitigations:

(BIO- 1) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, worker environmental awareness training will be conducted for all construction crews and contractors that will be accessing the site. The education training will be conducted prior to starting work on the project and upon the arrival of any new worker. The training will include a brief review of the California red-legged frog, San Francisco garter snake, and western pond turtle, their life history, field identification, habitat requirements for each species, location of sensitive areas, possible fines for violations, avoidance measures, and necessary actions if sensitive species are encountered.

(BIO- 2) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, a biological monitor will be required to be present on site during all construction. The monitor will survey parking areas, staged equipment, access routes, and the project area prior to the beginning of construction each day. The biological monitor will continue to survey the project area throughout construction each day.

(BIO- 3) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, all earth work must be completed when ponds are dry, or for those ponds that do not completely dry, draining of ponds to perform earth work shall only occur during the part of the year when the tadpole life stage of California red-legged frog has been completed and before the subsequent breeding season. According to the Biological Opinion issued for the Project, this corresponds to a work period between August 15 and November 1. Within two days of the start of pond draining, the pond will be sampled by a qualified biologist to ensure that all frogs from the pond are in the post metamorphic stage and will be minimally affected by pond draining.

(BIO- 4) If California red-legged frog, San Francisco garter snake or western pond turtle are encountered, no work shall occur until the frog, snake or turtle has left the area on its own, or until a qualified wildlife biologist is consulted, and appropriate arrangements are made with United States Fish and Wildlife Service and the California Department of Fish and Game.

San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*)

The San Francisco dusky-footed woodrat is a state species of concern. Woodrats are small mammals that build nests made of sticks, typically at the base of trees and shrubs. The species prefers forested habitat with a moderate canopy and brushy understory, particularly on the upper banks of riparian forests or within poison-oak dominated shrublands. The dusky-footed woodrat is known to feed on a variety of woody plants, fungi, flowers and seeds. The project is located primarily in open pasture and wetland areas, which are not the preferred habitat for this species. To date, no woodrat nests have been observed in or adjacent to the ponds sites so no impact is anticipated; however, in the event a woodrat moves in to the area and a nest is discovered, the nest will be flagged for avoidance.

Coho salmon (*Oncorhynchus kisutch*)

Coho salmon are federally and state listed as an endangered species. The species ranges from Santa Cruz County, northward to Alaska. Coho salmon in San Mateo County are included in the listings for the Central California Coast Evolutionarily Significant Unit (ESU). An ESU is based on genetic and regional climatic and habitat conditions that can be distinguished from other regions within the species range. Coho salmon are an anadromous (ocean going) species that begin life in coastal streams during the rainy season. Eggs are deposited in stream gravels and fertilized. Small “fry” emerge from the gravels and then grow in the stream for their first year. Juvenile “smolts” out-migrate into the ocean during the spring and early summer and will typically spend two years at sea before returning to their natal stream to spawn and die. Coho salmon populations have dramatically decreased as a result of land use practices (timber harvesting, mining, agriculture, rural and urban development), water diversions, predation, and changing oceanic conditions.

IV. BIOLOGICAL RESOURCES (continued)

The proposed project area is located above Harrington and Bogess Creeks, both tributaries to San Gregorio Creek. Coho salmon prefer low gradient streams for spawning and rearing. It is estimated that potential Coho salmon habitat exists within 1/2 mile of the project area based on stream topography and past California Department of Fish and Game (CDFG) inventories. Coho salmon populations from San Gregorio Creek were depressed in the 1960's and are believed to have been lost from the watershed during the late 1970's and early 1980's. A few juvenile coho salmon were once again observed in the middle portion of the main stem of San Gregorio Creek in 2006, approximately seven miles downstream of the project area. The project area consists of ponds located in upland areas high in the watershed. Intermittent stream flow below the ponds is discontinuous during the dry portion of the year which prevents fish from migrating upstream to the project sites.

No significant indirect or direct impacts to Coho salmon or their habitat is expected as a result of the project due to the use of Best Management Practices (BMPs) previously approved by the CDFG and in use by the District (MROSD, 2007). Adherence to the BMPs will prevent erosion at the project site and downstream sedimentation that could otherwise affect Coho Salmon. Implementation of the project is expected to reduce erosion at the project site, which will contribute to improved water quality downstream. The potential for the project to negatively impact this species is considered less than significant.

Steelhead trout (*Oncorhynchus mykiss*)

Steelhead trout are an anadromous form of rainbow trout that spend part of their lives in the ocean before returning back to streams to spawn. Steelhead range from Alaska to Southern California. Steelhead trout are federally listed as threatened within the Central California Coast ESU, including San Mateo County.

Steelhead are an anadromous (ocean going) species that begin life in San Mateo County coastal streams during the rainy season. Eggs are deposited in stream gravels and fertilized. Small "fry" emerge from the gravels and then grow in the stream typically for one to three years. Juvenile "smolts" out-migrate into the ocean during the spring and early summer where they spend between one and four years before returning to their natal stream to spawn. Unlike Coho salmon, steelhead do not necessarily die after spawning, but may once again move back to the ocean and return again to spawn. Steelhead have been documented spawning in successive years, though rarely more than two. Steelhead trout are known to inhabit San Gregorio Creek below the project area.

Steelhead populations have also significantly decreased within the region due to the same factors as noted above for Coho salmon. Steelhead can utilize steeper portions of the stream network than Coho salmon. However, the project consists of ponds located in upland areas high in the watershed where intermittent stream flow below the ponds is discontinuous during the dry portion of the year which prevents fish from migrating upstream to the pond sites. Project implementation is expected to reduce erosion at the project site and contribute to improved water quality downstream which will benefit Steelhead trout.

No significant direct or indirect impact to Steelhead or their habitat is expected as a result of the project due to the use of Best Management Practices (BMPs) previously approved by the CDFG and in use by the District (MROSD, 2007). Adherence to the BMPs will prevent erosion at the project site and downstream sedimentation that could otherwise affect Steelhead. The potential for the project to negatively impact this species is considered less than significant.

IV. BIOLOGICAL RESOURCES (continued) Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and 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"/>
b) The project will occur during the dry season and will not adversely affect riparian areas, sensitive natural communities, or wetlands identified in regional plans, policies, and regulations. Work is being done in conjunction with a US Fish and Wildlife Service-issued biological opinion (USFWS, 2010a) and an Endangered Species Act Section 10(a)1(A) Recovery Permit (USFWS, 2010b) in order to enhance habitat at La Honda Creek Open Space Preserve for both the California red-legged frog and San Francisco garter snake.				
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"/>
c) The project is designed to improve water quality in federally protected wetlands and prevent downstream sedimentation in downstream jurisdictional streams. Project implementation will occur during the dry season to prevent impacts to wetlands. In cases where ponds do not fully dry during the dry season, a diversion will be used to reroute water around the area of impact until construction is complete, in these instances impacts to wetlands will be temporary in nature and the resulting wetland after construction will be in a improved state.. Impacts to wetland will be further reduced by adhering to the Districts Best Management Practices for completing work in water courses (MROSD 2007). All individual pond repair projects are subject to Section 404 of the Clean Water Act and consultation with the US Army Corps of Engineers (Corps) will occur during the design phase of each project to ensure that individual pond repair designs will result in an overall improvement to wetlands. Each season, earthwork will commence only after the appropriate Section 404 permits are issued.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) The proposed project is located above the limits of anadromy, and no fish are present. Native and migratory fish populations are currently known to inhabit Harrington and Bogess Creeks, below the proposed project area. Both creeks are tributaries to San Gregorio Creek. Project improvements are expected to improve water quality within the project area and downstream from the project site. Project design through timing, phasing and limited duration each year avoids impacts to native resident or migratory wildlife. Work will be completed during the dry season after sensitive aquatic wildlife (CRLF) has had a chance to fully develop each year. It is anticipated that 1-2 ponds will be repaired each season to ensure alternate water sources are available for wildlife during individual pond repairs. In cases where ponds do not dry fully each year, temporary biological exclusion fencing will be placed prior to construction to redirect wildlife away from the area of impact. Any wildlife observed within the construction zone will be directed out of the project area by opening a section of the exclusion fence and observing the animal until it has left the area on its own. The biological monitor may halt construction at any time to allow safe passage of an animal. In the event an animal needs to be physically relocated out of the project area, transport will be performed by qualified personnel pursuant to the Biological Opinion and Recovery Permit issued by the USFWS for the project (See USFWS 2010a and 2010b). Project design elements including timing, phasing, and adherence to the Recovery permit issued for the project will insure that impacts to native or migratory wildlife species, their travel corridors, and nursery sites will be avoided to a less than significant level.				

IV. BIOLOGICAL RESOURCES (continued) Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
e) The project will not conflict with local policies or ordinances protecting biological resources. No significant or heritage trees will be removed. Any significant or heritage trees within or adjacent to individual work sites will be flagged for avoidance prior to project implementation. Tree removal associated with the project will be limited to those needed for pond recontouring or to rebuild earthen berms. At some locations small trees and branches are present on berm faces, along the outside margin of the ponds, or overhanging access roads and may need to be removed. Any removed trees will be replaced at a 3:1 ratio. (Three new trees planted for every one tree removed).				
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"/>
f) The project is consistent with goals identified in the 2010 San Gregorio Creek Watershed Management Plan. No other habitat conservation plan, community conservation plan or local, regional, or state habitat conservation plan has been developed for the area. This project is consistent with the 2009 Pond Management Plan (Vollmar 2009) developed for the area by Vollmar Consulting on behalf of the District and approved by the USFWS in 2010.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>
a-d) An archeology survey report (ARS) (Baldzikowski, 2009) was completed for the project area in 2009. The ARS indicated that during a 2007 survey of the area, consultant team Jones & Stokes did not identify any existing structures as historically or architecturally significant. No existing structures within the project area will be affected because the structures are not located within close proximity to the pond sites. One known Native American site (a bedrock mortar) is located within the La Honda Creek Preserve; however project implementation will be located away from this site and the mortar will not be impacted. An onsite survey of the project area conducted in 2009 by qualified District staff did not locate any archaeological or paleontological resources. Although the possibility of subsurface resources exists, it is considered unlikely because ground disturbance will occur in areas that have been previously disturbed during initial pond construction. Implementation of the project is unlikely to yield any undiscovered archaeological or paleontological resources. Due to these factors, the project is not anticipated to cause a substantial adverse change in the significance of a historical or archeological resource defined in § 15064.5 or directly or indirectly destroy unique paleontological resources or disturb any human remains.				
Impact CUL-1, CUL-2: Although impacts to cultural and paleontological resources are unlikely due to previous construction at the site, ground disturbance associated with reconstruction may expose undiscovered subsurface archaeological or paleontological features. In order to prevent disturbance to undiscovered cultural resources, the following mitigation measures are recommended.				

V. CULTURAL RESOURCES (continued)

Mitigations:

(CUL-1) Implementation of the following measures would reduce potential impacts to cultural and historical resources, including buried and unknown archeological and paleontological resources to a less-than significant level:

- If any commonly recognized sensitive cultural resources such as human formed artifacts, including projectile points, grinding stones, bowls, baskets, historic bottles, cans, or trash deposits, are encountered during project construction, every reasonable effort shall be made to avoid the resources. Work shall stop within 100 feet of the object(s) and the contractor shall contact the District. No work shall resume within 100 feet until a qualified cultural and/or historical resources expert can assess the significance of the find.
- A reasonable effort will be made by the District to avoid or minimize harm to the discovery until significance is determined and an appropriate treatment can be identified and implemented. Methods to protect finds include fencing and covering with protective material such as culturally sterile soil or plywood.
- If vandalism is a threat, 24-hour security shall be provided.
- Construction can continue 100 feet outside of the find location during the significance evaluation period and while mitigation for cultural and/or historical resources is being carried out. A qualified cultural and/or historical resources expert must be present onsite to monitor subsurface excavations within 100 feet of the find to ensure that impacts to resources are avoided.
- If a resource cannot be avoided, a qualified cultural and/or historical resources expert will develop an appropriate Archaeological or Paleontological Action Plan for treatment to minimize or mitigate the adverse effects. The District will not proceed with reconstruction activities within 100 feet of the find until the Action Plan has been reviewed and approved.
- Findings will be detailed in a professional report in accordance with current professional standards. Any non-grave associated artifacts will be curated with an appropriate repository.
- Project documents shall include a requirement that project personnel shall not collect cultural and/or historical resources encountered during construction. This measure is consistent with federal guideline 36 CFR 800.13(a) for invoking unanticipated discoveries.

(CUL-2). If human remains are encountered, all work within 100 feet of the remains shall cease immediately and the contractor shall contact the District. The District will contact the San Mateo County Coroner to evaluate the remains, and follow the procedures and protocols set forth in §15064.5(e) of the CEQA Guidelines. No further disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has made a determination of origin and disposition, which shall be made within two working days from the time the Coroner is notified of the discovery, pursuant to State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) within 24 hours, which will determine and notify the Most Likely Descendant (MLD). The MLD may recommend within 48 hours of their notification by the NAHC the means of treating or disposing of, with appropriate dignity, the human remains and grave goods. In the event of difficulty locating a MLD or failure of the MLD to make a timely recommendation, the human remains and grave goods shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
<p>a) According to the California Geologic Survey, the project location has not been mapped for fault zones by the California Geological Survey under the Alquist-Priolo Earthquake Fault Zoning Act. However, the larger area surrounding the project site has been mapped on the Mindego Hill, Woodside, and Franklin Point Seismic Hazard Zones Quadrangle maps. These maps indicate “areas where previous occurrence of landslide movement, or local topographic, geologic, geotechnical and subsurface water conditions indicate a potential for permanent ground displacements.” Although ground displacements may occur on surrounding lands, the project is actually designed to improve the condition of the existing ponds and earthen berms in order to prevent failure during such an event.</p> <p>Major active faults in the vicinity of the project area are the San Andreas and San Gregorio faults, which are located approximately 4 miles northeast and 6 miles southwest, respectively. Minor faults that may possibly be active include the La Honda fault extending approximately 0.5 miles south of the community of La Honda northwest toward highway 92 and the Woodhaven fault approximately 2 miles north of the project area trending northwest (Brady 2004). Although there is the potential for on-site fault rupture or severe ground shaking during a large magnitude earthquake, these risks are considered negligible and highly unlikely in the project area during project construction. Project design and a project location in an unpopulated setting having no overhead hazards, and where no new roads, trails or structures are proposed, will prevent exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from rupture of a known earthquake fault.</p> <p>According to the Association of Bay Area Governments online liquefaction map, and San Mateo County Hazard and Mitigation maps, the project area has a very low potential to experience liquefaction.</p> <p>Although the proposed project is located in an area where landslides may occur, the project is not expected to increase the potential for landslides. Reconstruction of failing ponds and earthen berms is designed to reduce the possibility of future slumping of material into drainages below.</p> <p>A Certified Engineering Geologist or Professional Engineer/Geotechnical Engineer will be required to prepare individual pond reconstruction design plans and specifications. Design plans will identify areas of grading and placement of materials and identify methods for project implementation to avoid the potential for landslides. All earth work will occur during the dry season and require the use of erosion controls to reduce the possibility of a rain driven landslide event.</p>				

VI. GEOLOGY AND SOILS (continued) Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) All earth work will occur within areas immediately surrounding existing ponds, berms and spillways. Design plans and specifications will be prepared by a Certified Engineering Geologist or Professional Engineer/Geotechnical Engineer. Design plans specific to each pond repair will identify erosion control methods in order to prevent substantial soil erosion or loss of topsoil. Site specific revegetation plans using native plants will be developed. Installation of cattle exclusion fencing and water troughs will be used to prevent concentration of cattle around single water sources to further reducing erosion. All earth work will occur during the dry season to further reduce the potential for soil erosion or loss of topsoil. Best Management Practices previously approved by the CDFG (MROSD 2007) and in use by the District will prevent soil erosion, reduce the potential for loss of topsoil, and prevent downstream sedimentation during project implementation. Successful implementation of individual pond repairs is expected to improve the overall condition of topsoil, by removing areas of actively eroding soils and replanting them with native vegetation or pasture grasses.				
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"/>
c) The project is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. As mapped and described in the Soil Survey, San Mateo Area California (U.S.D.A. Soil Conservation Service 1961) and A Supplement to Soil Survey, San Mateo Area California (U.S.D.A. Soil Conservation Service 1973) soils in the project area include loams and clay loams on moderately steep to very steep slopes. Soil units include: Butano, Gazos, Laughlin Sweeny and Santa Lucia loams, and Sweeny clay loams. Although some landslide-prone areas occur at middle elevations within the project area, individual ponds are located in areas that are generally considered "stable" because the landscape is not sufficiently steep, so shallow landslides are not expected to occur. Naturally occurring deep-seated landslides involving the underlying bedrock may occur in the area (Best 2007b), but are not expected to increase as a result of implementing small scale pond improvements.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) The project is not located on expansive soils or located on lateral spreading, subsidence, liquefaction or collapse prone soils.				
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"/>
e) No septic tanks or alternative waste water disposal systems will be installed as part of the project.				

VII. GREENHOUSE GAS EMISSIONS --		Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	
Would the project:	Potentially 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>a) As stated in Appendix G of the State CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to determine the significance of GHG or climate change impacts. Pursuant to BAAQMD’s CEQA Air Quality Guidelines (BAAQMD 2011), the proposed project would result in a significant air quality impact if it would result in annual operational emissions greater than 1,100 metric tons per year (MT/yr) of CO2e.</p> <p>Due to the small project footprint, limited equipment needed to implement the project, and short construction duration each year, implementation of the project will not generate emissions greater than 1,100 metric tons per year (MT/yr) of CO2e either directly or indirectly. Although, the proposed project will result in some GHG emissions during construction they will be short term and temporary in duration. GHG emissions will be primarily generated from mobile sources and will vary as a function of the types and number of heavy duty, off road equipment used and the intensity and frequency of their operation; and the number of vehicle trips per day associated with delivery of construction materials, the importing and exporting of soil, vendor trips, and worker commute trips. However, even all of these sources combined over the life of the project will not exceed 1,100 metric tons per year (MT/yr) of CO2e.</p> <p>Project specific emissions will be limited each year because project implementation will occur over time (usually 1-2 ponds will be repaired each construction season). Limited use of vehicles will be needed to implement the project (1-4 pieces of equipment are expected each construction season including but not limited to: bulldozer, excavator, water truck, and compactor). Emissions will be further limited due to the short duration of construction expected to occur each season (estimated at two to eight weeks). An average of 3-4 vehicle trips daily is anticipated to and from the site in order to complete construction each year. Whenever feasible, workers will be encouraged to carpool to the project site.</p> <p>The number of daily trips and limited equipment use will have less daily and cumulative emission outputs than larger District projects where the quantity of emissions was specifically estimated and were not found to exceed the applicable threshold for CO2e not to be cumulatively considerable. Specific larger-scale District projects that were not found to have GHG emission impacts that exceeded the applicable threshold nor were cumulatively considerable include the Mount Umunhum Environmental Restoration and Public Access Project and the El Corte de Madera Parking/Staging Area and Trails Project. Given that construction related impacts from this project will be significantly less than those measured above (that were not found to be significant) implementation of the project will not substantially contribute to the cumulative impact of climate change nor exceed applicable thresholds.</p>				

VII. GREENHOUSE GAS EMISSIONS (continued) --		Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	
Would the project:	Potentially Significant Impact			No Impact
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"/>
<p>b) Various statewide and local initiatives to reduce the state’s contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and economic effects in the long term. Locally, San Mateo County is currently in the process of developing an Energy Efficiency Climate Action Plan (EECAP) to build on its existing Energy Reduction Strategy and Adaptation Plan.</p> <p>In general, the creation of a regional greenbelt of open space such as the District greatly benefits the GHG reduction initiatives undertaken in the San Francisco Bay Area. District acquisition and protection of open space lands (including grasslands and forests) prevents land use conversion from open space (which provides carbon sequestration benefits) into developed land. Through these land acquisitions and ongoing stewardship, the District is complying with voluntary actions identified in the Scoping Plan created for the California Global Warming Solutions Act in order to decrease emissions of carbon dioxide (CO2) and other greenhouse gases (GHGs). Mere existence of the District land preserved in perpetuity represents the potential for ongoing carbon sequestration in support of existing plans, policies and regulations.</p> <p>Temporary construction related impacts from the project are not considered significant and do not conflict with any plan, policy, or regulation adopted to reduce greenhouse gas emissions. Therefore, impacts related to conflict with established GHG reduction plans would be less than significant. (Less than Significant)</p>				

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS</u> 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<p>a) One SLIC site (Spills, Leaks, Investigation, and Cleanup) was identified from the State Water Resource Control Board Geotracker database (SWRCB 2011). The SLIC site identifies an area of potentially contaminated soils within the La Honda Creek Open Space Preserve. The Potential contaminants listed include: Other Insecticides, Pesticide, Fumigants, Herbicides, Diesel, Heating Oil and Fuel Oil. A 2008 Remedial Investigation (RI) report for the Preserve was prepared on behalf of the Midpeninsula Regional Open Space District (the District) by Northgate Environmental Management, Inc (Northgate 2008). The RI report identified 5 specific contamination areas within the Preserve (The Main Oil Field Area, Tank Farm Area, Product Tank Area, Stock Corral #5 and Fuel Aboveground Storage Tank). Only one of these sites (Stock Corral #5) is located in proximity to the overall project area (see Figure 2), however this site is well away from individual pond locations, so no soil disturbance will occur and no significant hazard to the public or the environment will occur. Additional information regarding the Stock Corral #5 SLIC site can be found in Northgate Environmental 2008. During implementation, project contractors will be required to follow all necessary regulations involved in the transportation, use and disposal of any hazardous materials needed to implement the project (such as equipment fuel and lubricants).</p>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Few hazardous materials are needed to implement the project (typical construction equipment fuel and lubricants). In the event of an unintended spill or other hazardous material incident, District Rangers trained in first aid will be available as first responders to potential emergencies, until a hazardous materials team can arrive. The District's radio and repeater system together with ranger and staff availability on call 24 hours per day provides for effective communication for prompt notification to emergency service providers in the event of a hazardous materials emergency. No significant hazard to the public is anticipated.</p>				
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"/>
<p>c) No existing or proposed school is located within one-quarter mile of the project site.</p>				
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"/>
<p>d) No hazardous materials sites pursuant to Government Code Section 65962.5 exist on the site.</p>				
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"/>
<p>e) The project is not located within an area affected by an airport land use plan or within two miles of a public airport.</p>				

VIII. HAZARDS AND HAZARDOUS MATERIALS (continued) Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
f) The project is not located within the vicinity of a private airstrip.				
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"/>
g) The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.				
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"/>
<p>h) According to the California Department of Forestry and Fire Protection, the project area is located in a moderate fire hazard zone, based on vegetation type (fuel), topography (especially slope), weather (temperature, humidity, and wind), frequency and severity of past fires, and how far fire brands move and where they are likely to land (Calfire 2011a). This designation notwithstanding, the project would not change the degree of exposure to wildfires to a level of significance. Equipment operation has the potential to ignite fires; however the area surrounding the pond sites is typically grazed which often results in lower than expected fuel loadings within immediate equipment work areas. Contractors will also be required to have adequate fire suppression tools, including an “ABC” fire extinguisher and hand tools, on site during the project to extinguish any accidental ignitions. During periods of high fire danger, vehicles having catalytic converters shall not be allowed outside of previously cleared staging areas, work areas, or off of established roadways. In addition, District Ordinance 93-1, Section 404, prohibits fires and smoking on District lands. District Rangers trained in fire-fighting techniques and carrying fire suppression equipment regularly patrol the Preserve. District staff are often first responders to fire emergencies, with the primary fire protection provided by the California Department of Fire and Forestry, County Fire Departments, and municipal fire protection agencies. The District’s radio and repeater system together with ranger patrols and staff on call 24 hours per day provides for effective communication for prompt notification to emergency service providers in the event of a wildland fire or emergency response call. The short duration of the project and on site fire suppression capabilities reduce this potential impact to less than significant.</p>				

IX. HYDROLOGY AND WATER QUALITY		Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) The project will be completed using Best Management Practices approved by the California Department of Fish and Game (MROSD 2007) and in accordance the District's routine maintenance agreement with the San Francisco Bay Regional Water Quality Control Board (RWQCB 2010). Implementation of the project will prevent violation of water quality standards or waste discharge requirements by repairing failing earthen berms and improving inadequately sized spillways. Site specific erosion control measures will be implemented during each pond repair in order to prevent downstream soil movement during construction.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) No depletion in groundwater or recharge is expected to occur. To the contrary, as a result of pond repairs, longer ponding duration may result in a slower recharge rate at localized pond sites.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) At each pond location, project design will improve existing spillways in a manner that will not alter the existing drainage pattern at the site. Pond spillways and outlets pipes will be installed in such a manner that overflow from the pond sites during storm events will be directed in the downstream channel. Adequate sizing and repair of the outlets at each of the pond sites will prevent substantial erosion and siltation that could otherwise occur if the berms are left in their current failing state.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Pond repairs involve adequately sizing, designing, and installing outlets for each of the ponds. Improved design will prevent overtopping of the earthen berms and provide a controlled discharge of water into downstream water sources during storm events to prevent any on or off site flooding.				
e) Create or contribute runoff water which would 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"/>
e) Pond repairs involve adequately sizing, designing, and installing outlets for each of the ponds. Hydrologic analyses are completed prior to construction to ensure that stormwater does not exceed capacity of planned improvements. Improved design will prevent overtopping of the earthen berms and provide adequate capacity for discharge of stormwater.				
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Implementation of the project will not substantially degrade water quality. Project implementation will improve water quality by repairing failing earthen berms and providing adequately sized spillways. Site specific erosion control measures will be implemented during each pond repair in order to prevent downstream soil movement during construction.				

<u>IX. HYDROLOGY AND WATER QUALITY (continued)</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
g) The project will not place housing within a 100-year flood hazard area. No housing is involved with this project.				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) According to data derived from the Flood Insurance Rate Maps (FIRMs) published by the Federal Emergency Management Agency, none of the work areas are located within a 100-year flood hazard zone (FEMA 2011), so no structures will be placed in a 100-year flood hazard zone.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
i) The nearest downstream homes are located over 1.5 stream miles away. Due to the small size of the stock watering ponds and their location high in the watershed, if any of the earthen berms were to fail, pond water would dissipate locally within the surrounding Preserve before reaching downstream housing; therefore, there is no significant risk of loss, injury or death from downstream flooding.				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Due to the project's location, there is no risk from inundation by seiche, tsunami, or mudflow.				
<u>X. LAND USE AND PLANNING</u>				
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"/>
a) The project is located in a rural setting and does not physically divide an established community.				
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"/>
b) The project is consistent with the San Mateo County General Plan in that the Preserve is designated General Open Space and Agricultural/Grazing Lands. The agricultural/ grazing designation allows for cattle grazing. Therefore, current and future use of the land for open space and grazing remains consistent with San Mateo County's General Plan. No changes to land use are being proposed in order to implement pond repair projects. Pond repairs are being undertaken for resource management purposes in order to protect special status animal species and their habitat regardless of the status of continued or future grazing operations at the site. The project area is consistent with the San Mateo County Zoning Regulation in that the Preserve is on land zoned Resource Management (RM). Within the RM zone, agriculture, livestock raising and grazing, and public recreation are permitted uses. The proposed project complies with all environmental quality criteria identified within the Zoning Regulations for the RM zone including, water resources, cultural resources, primary scenic resources areas, fish and wildlife habitat and all environmental regulations for emissions of air pollutants, introduction of noxious odors, noise levels, changes in vegetation cover, erosion control, and effects to wildlife resources. The proposed project is considered a compatible use within the RM zone, because it will not result in new development and will not impact the existing cattle grazing operation. Resource protection activities, such as habitat restoration, invasive weed management, erosion control, and watershed protection, when implemented to enhance wildlife habitat and to improve grazing opportunities, do not conflict with the San Mateo County General Plan or Zoning Regulations for the RM zone.				

<u>X. LAND USE AND PLANNING (continued)</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
c) No applicable habitat conservation plan or natural community conservation plan is in place for the project location.				
<u>XI. MINERAL RESOURCES</u> 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"/>
a) No mineral resources of value to the region and the residents of the state are known to occur at the project site.				
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"/>
b) No mineral resources locally important or delineated on a local general plan, specific plan or other land use plan are known to occur at the project site.				
<u>XII. NOISE</u> 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"/>
a) According to the San Mateo County General Plan Noise Element, significant noise impacts occur when the noise levels are equal to or above 60 Community Noise Equivalent Level (CNEL). Exterior noise exposure levels of 70 CNEL or greater are considered significant for residential developments according to the State of California. Within the Preserve, current ambient noise levels are well under 60 CNEL. Noise-generating activities such as driving of vehicles to the project area, and operation of vehicles and equipment during the short construction periods, and ongoing monitoring of the project sites would occur during daytime hours within the remote setting of the Preserve, well removed from nearby residences. The nearest occupied residence is located over one half mile away from the project area. Therefore noise levels will not expose persons to or generate noise levels in excess of any applicable standards. This impact is less than significant.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Groundborne vibration and groundborne noise levels will be confined to the project site. No persons are located immediately adjacent to the project site, so there will be no impact. The nearest occupied structure is a rural ranch residence located over one half mile away that will not experience ground borne vibration or ground borne noise as a result of the project.				
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"/>
c) No permanent increase in ambient noise levels will occur.				

<u>XII. NOISE</u> (continued) Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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"/>
d) During project implementation vehicles and equipment will generate temporary increases in noise levels. The nearest occupied structure is a rural ranch residence located over one half mile away. Project work will occur in a remote portion of the La Honda Creek Open Space Preserve that is currently closed to public use, and will remain closed during project construction. Due to the remote location and lack of receptors, the temporary, short-term increase in noise will result in a less than significant impact.				
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"/>
e) The project is not located within an airport land use plan.				
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"/>
f) The project is not located within two miles of an airport or private airstrip.				
<u>XIII. POPULATION AND HOUSING</u> 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"/>
a) The project will not result in population growth.				
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"/>
b) The project will not displace existing housing.				
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"/>
c) The project will not displace people.				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES				
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) The project will not require the need for new or physically altered government or public facilities.				
b) Fire protection? Police protection? Schools? Parks? Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) The project will not require the need for new or physically altered government or public facilities (including schools and parks), or additional fire or police protection.				
XV. RECREATION				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
a) The project area is currently closed to public use. Implementation of the project will not result in a change in this status. The project objective of pond repair will not increase the anticipated visitor use when the site is open for public use.				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) The project area is currently closed to public use. Implementation of the project will not result in a change in this status or require the need for new or additional recreation facilities. The pond repair project will not increase the anticipated visitor use at the Preserve once the site is open for public use.				
XVI. TRANSPORTATION/TRAFFIC				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) The San Mateo County Congestion Management Program identified a Level of Service (LOS) standard for State Highway 84 running through the town of La Honda as a "C", meaning that the highway has "stable traffic flow, but less freedom to select speed of change lanes". Implementation of the project will result in no more than an additional 4 vehicle trips per day for 2-8 weeks at a time each year, which will not affect the current level of service on the roadway. Implementation of the project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the nearby circulation system (State Highway 84).				

<u>XVI. TRANSPORTATION/TRAFFIC</u> (continued)				
Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) The San Mateo County Congestion Management Program identified a Level of Service (LOS) standard for State Highway 84 running through the town of La Honda as a “C”, meaning that the highway has “stable traffic flow, but less freedom to select speed of change lanes”. Implementation of the project will result in no more than an additional 4 vehicle trips per day for 2-8 weeks at a time each year, which will not affect the current level of service on the roadway. Implementation of the project will not conflict with applicable congestion management programs and will not impact the current level of service on the nearby highway.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) No change in aircraft patterns will occur as a result of the project.				
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"/>
d) The project is confined to existing pond sites and the currently used rural ranch road network. Pond repairs and incidental road upgrades will add no new design features such as sharp curves and will not introduce incompatible uses. The road network will generally be used “as is” to access the site, with only spot maintenance allowed to provide access to a site or to provide erosion control after construction. No substantial increase in transportation or traffic related hazards or incompatible uses will occur as a result of project design features.				
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Staging and parking areas located adjacent to the existing road network will allow for organized assembly of contractor vehicles and equipment to ensure that Preserve roads and trails remain open to routine Ranger patrol to allow for through access in the event of an emergency.				
f) Conflict with adopted polices, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) No adopted policies, plans or programs exist in the area regarding public transit, bicycle, or pedestrian facilities, so implementation of the project will not conflict with or decrease the performance or safety of these facilities.				
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"/>
g) The project does not conflict with any adopted plans or programs supporting alternative transportation.				

<u>XVII. UTILITIES AND SERVICE SYSTEMS</u>				
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"/>
a) The project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. No wastewater facilities are involved in the project.				
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"/>
b) The project will not require construction or expansion of a new wastewater treatment facility as pond repair will not increase visitor usage when the site is open for public use. In addition, the District does not install wastewater treatment facilities other than self-contained vault toilets.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) The project primarily involves repairs to existing storm water facilities. However in some instances new or expanded spillways (often secondary) and/ or earthen berms will be required to safely store and convey pond water back into natural channels. Installation of new or expansion of existing berms and/or spillways will be minimized except when site specific conditions dictate the need for new or expanded facilities (as opposed to simply rebuilding existing facilities). Individual pond design specifications will be informed by site specific studies and designed by a professional engineer. Because new or expanded facilities only result when warranted by site specific conditions or inadequacies in the original pond design, improvements will result in safer, adequately sized, site specific facilities than those that currently exist and therefore will not cause significant environmental effects.				
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"/>
d) Sufficient on site water supplies for construction needs, such as watering to control dust or to adequately mix soils, is sufficient to serve the project. No off site water will need to be trucked in or provided by municipal sources. No new or expanded entitlements are needed.				
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 project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The project area is not served by a wastewater treatment provider. Onsite septic systems provide adequate capacity for onsite ranch tenants. Contractors will be required to provide their own portable restroom facility during construction.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The contractor will be required to dispose of any project debris at an approved solid waste facility. Little to no construction debris is anticipated.				
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Implementation of the project will 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
<p>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?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a) The purpose of the project is to improve habitat for the CRLF and continue to provide water for onsite cattle while reducing the potential for erosion and removing non-native and invasive plant species. Implementation of mitigation measures will prevent substantial impacts to native fish, wildlife, and rare plants species and their habitats. Adhering to mitigation measures will prevent impacts to cultural, historical and paleontological resources that may represent important periods of California history or prehistory.</p>				
<p>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)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Analysis of cumulative impacts identifies existing and possible future projects that may produce related impacts, and then examines how the proposed project and these possible future open space management actions may combine to act cumulatively. Pond improvements are expected to result in successful breeding of California red-legged frog, which may result in an increase in the local frog population. Prey species for the frog may experience a decline until population dynamics stabilize. An increase in predators of the frog may also occur as frog food supply increases. These cumulative impacts are expected to stabilize over time and will have a less than significant impact to the environment. Positive impacts from the project will result in longer ponding duration, an increase in shallow wetland habitat allowing for additional pond vegetation and CRLF breeding sites. Improved earthen berms and spillways will provide for a longer term viability of the ponds resulting in improved water resources for aquatic species and longer water availability for cattle during the dry season. Pond repairs will prevent sediment discharge to an anadromous reaches of Bogess, Harrington and San Gregorio Creeks resulting in better protection for downstream fish species.</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Project implementation will not result in substantial direct and indirect substantial adverse impacts to human beings. Contractors and District staff will wear personal protective equipment during project construction. As designed, pond management actions do not pose a significant risk to human beings.</p>				

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MITIGATION MONITORING PROGRAM

**Implementation of Pond Management Plan
La Honda Creek Open Space Preserve
San Mateo County, CA**

State Clearinghouse Number: 2012012026

San Mateo County, CA

January 13, 2012

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022-1404

**LA HONDA CREEK OPEN SPACE PRESERVE
SAN MATEO COUNTY, CA
IMPLEMENTATION of POND MANAGEMENT PLAN
MITIGATION MONITORING PROGRAM**

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 and 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 Pond DR06 Repair project at La Honda Creek Open Space Preserve (the project). These mitigations are reproduced from the Mitigated 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 Mitigated Negative Declaration.
- Timing: This column identifies at what point in time, review process, or phase the mitigation will be completed. The mitigations are organized by order in which they appear in the Mitigated Negative Declaration.
- Who will verify? This column references the District staff that will ensure implementation of the mitigation.
- Agency /
Department
Consultation: This column references any public agency or District Department with which coordination is required to ensure implementation of the mitigation. California Department of Fish and Game is listed as CDFG. The United States Fish and Wildlife Service is listed as USFWS.
- Verification: This column will be initialed and dated by the individual designated to confirm implementation.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measure associated with the project. The complaint shall be directed to the District's General Manager in written form, providing specific information on the asserted violation. The General Manager shall cause an investigation and determine the validity of the complaint; if noncompliance with the mitigation has occurred, the General Manager shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance.

<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>
Mitigation in Section IV(a).	(BIO-1) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, worker environmental awareness training will be conducted for all construction crews and contractors that will be accessing the site. The education training will be conducted prior to starting work on the project and upon the arrival of any new worker. The training will include a brief review of the California red-legged frog, San Francisco garter snake, and western pond turtle, their life history, field identification, habitat requirements for each species, location of sensitive areas, possible fines for violations, avoidance measures, and necessary actions if sensitive species are encountered.	Prior to construction and as needed (in the event of new project staff). Training will be provided prior to beginning project construction and on an as needed basis to ensure that new staff is trained prior to accessing the project site.	District Natural Resource Staff or their designee	N/A	
Mitigation in Section IV(a).	(BIO-2) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, a biological monitor will be required to be present on site during all construction. The monitor will survey parking areas, staged equipment, access routes, and the project area prior to the beginning of construction each day. The biological monitor will continue to survey the project area throughout construction each day.	Prior to and during project construction each day.	District Natural Resource Staff or their designee	N/A	
Mitigation in Section IV(a).	(BIO-3) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, all earth work must be completed when ponds are dry, or for those ponds that do not completely dry, draining of ponds to perform earth work shall only occur during the part of the year when the tadpole life stage of California red-legged frog has been completed and before the subsequent breeding season. According to the Biological Opinion issued for the Project, this corresponds to a work period between August 15 and November 1 each year. Within two days of the start of pond draining, the pond will be sampled by a qualified biologist to ensure that all frogs from the pond are in the post metamorphic stage and will be minimally affected by pond draining.	Within two days of the start of pond draining.	District Natural Resource Staff or their designee	N/A	

Mitigation in Section IV(a).	(BIO-4) If California red-legged frog, San Francisco garter snake or western pond turtle are encountered, no work shall occur until the frog, snake or turtle has left the area on its own, or until a qualified wildlife biologist is consulted, and appropriate arrangements are made with United States Fish and Wildlife Service and the California Department of Fish and Game.	Prior to and during project construction each day.	District Natural Resource Staff or their designee	Wildlife Biologist, USFWS, and CDFG.	
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Mitigation in Section V(a-d).	<p>(CUL-1) Implementation of the following measures would reduce potential impacts to cultural and historical resources, including buried and unknown archeological and paleontological resources to a less-than significant level:</p> <ul style="list-style-type: none"> • If any commonly recognized sensitive cultural resources such as human formed artifacts, including projectile points, grinding stones, bowls, baskets, historic bottles, cans, or trash deposits, are encountered during project construction, every reasonable effort shall be made to avoid the resources. Work shall stop within 100 feet of the object(s) and the contractor shall contact the District. No work shall resume within 100 feet until a qualified cultural and/or historical resources expert can assess the significance of the find. • A reasonable effort will be made by the District to avoid or minimize harm to the discovery until significance is determined and an appropriate treatment can be identified and implemented. Methods to protect finds include fencing and covering with protective material such as culturally sterile soil or plywood. • If vandalism is a threat, 24-hour security shall be provided. • Construction can continue 100 feet outside of the find location during the significance evaluation period and while mitigation for cultural and/or historical resources is being carried out. A qualified cultural and/or historical resources expert must be present onsite to monitor subsurface excavations within 100 feet of the find to ensure that impacts to resources are avoided. • If a resource cannot be avoided, a qualified cultural and/or historical resources expert will develop an appropriate Archaeological or Paleontological Action Plan for treatment to minimize or mitigate the adverse effects. The District will not proceed with reconstruction activities within 100 feet of the find 	Throughout project implementation.	District Natural Resource Staff or their designee	N/A	
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	<p>until the Action Plan has been reviewed and approved.</p> <ul style="list-style-type: none"> • Findings will be detailed in a professional report in accordance with current professional standards. Any non-grave associated artifacts will be curated with an appropriate repository. • Project documents shall include a requirement that project personnel shall not collect cultural and/or historical resources encountered during construction. This measure is consistent with federal guideline 36 CFR 800.13(a) for invoking unanticipated discoveries. 				
Mitigation in Section V(a-d).	<p>(CUL-2). If human remains are encountered, all work within 100 feet of the remains shall cease immediately and the contractor shall contact the District. The District will contact the San Mateo County Coroner to evaluate the remains, and follow the procedures and protocols set forth in §15064.5(e) of the CEQA Guidelines. No further disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has made a determination of origin and disposition, which shall be made within two working days from the time the Coroner is notified of the discovery, pursuant to State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) within 24 hours, which will determine and notify the Most Likely Descendant (MLD). The MLD may recommend within 48 hours of their notification by the NAHC the means of treating or disposing of, with appropriate dignity, the human remains and grave goods. In the event of difficulty locating a MLD or failure of the MLD to make a timely recommendation, the human remains and grave goods shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p>	Throughout project implementation.	District Natural Resource Staff or their designee	N/A	

ATTACHMENT 6

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Implementation of Pond Management Plan INITIAL STUDY/MITIGATED NEGATIVE DECLARATION February 13, 2012

Pursuant to CEQA Guideline 15073, the Initial Study and Mitigated Negative Declaration were circulated for public review. The public comment period began on January 13, 2012 and concluded on February 13, 2013. The document was distributed in compliance with CEQA and also posted on the District's website.

The purpose of this document is to respond to comments pertaining to the potential for significant effect on the environment as a result of adoption of the Implementation of Pond Management Plan.

During the public comment period, comments were received from two commenters. This document responds to those comments.

The District received both verbal and written comments. The comments are attached to this Response as Exhibit A. Responses are provided in numerical order to correspond with the attached compilation of comments received.

RESPONSE TO COMMENTS

Response to Commenter 1: Bern Smith, Bay Area Ridge Trail Council

- 1.) Comment noted, no response required.

Response to Commenter 2: California Department of Fish and Game (CDFG)

- 1.) The CDFG states that "take of a fully protected species may not occur except for scientific or recovery purposes." Activities identified in the Implementation of Pond Management Plan project are being undertaken to aid in the recovery of target species including the San Francisco garter snake (SFSG), a fully protected species. However, the District concurs with the CDFG that SFSG must be fully avoided during project activities and that any SFSG encountered in the work area may not be handled and must be left alone until it leaves the area on its own.

Although numerous surveys to date have not indicated presence of SFSG at the site, the District recognizes that suitable habitat exists and that SFSG observations have been made within 1 mile of the project area. Due to these factors, project specific mitigation measures have been specifically included to avoid impacts to the fully protected SFSG.

Project specific mitigation measures include the following:

(BIO- 1) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, worker environmental awareness training will be conducted for all construction crews and contractors that will be accessing the site. The education training will be conducted prior to starting work on the project and upon the arrival of any new worker. The training will include a brief review of the California red-legged frog, San Francisco garter snake, and western pond turtle, their life history, field identification, habitat requirements for each species, location of sensitive areas, possible fines for violations, avoidance measures, and necessary actions if sensitive species are encountered.

(BIO- 2) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, a biological monitor will be required to be present on site during all construction. The monitor will survey parking areas, staged equipment, access routes, and the project area prior to the beginning of construction each day. The biological monitor will continue to survey the project throughout construction each day.

(BIO- 3) To avoid potential impacts to California red-legged frog, San Francisco garter snake, and western pond turtle, all earth work must be completed when ponds are dry, or for those ponds that do not completely dry, draining of ponds to perform earth work shall only occur during the part of the year when the tadpole life stage of California red-legged frog has been completed and before the subsequent breeding season. According to the Biological Opinion issued for the Project, this corresponds to a work period between August 15 and November 1. Within two days of the start of pond draining, the pond will be sampled by a qualified biologist to ensure that all frogs from the pond are in the post metamorphic stage and will not be significantly affected by pond draining.

(BIO- 4) If California red-legged frog, San Francisco garter snake or western pond turtle are encountered, no work shall occur until the frog, snake or turtle has left the area on its own, or until a qualified wildlife biologist is consulted and appropriate arrangements are made with United States Fish and Wildlife Service and the California Department of Fish and Game.

- 2.) The CDFG indicated that the District will need to submit a Lake and Streambed Alteration Agreement (LSAA) Notification to the CDFG when project activities are located in jurisdictional waters of the state. The District concurs with this statement, and prior to undertaking any work component identified in the Implementation of Pond Management Plan Project, the District will submit a LSAA Notification to the CDFG when project activities are located in jurisdictional waters of the state.
- 3.) The CDFG also stated that the CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance mitigation, monitoring, and reporting commitments for completion of the agreement. The District believes that the CEQA document as circulated fully identifies the potential impacts to stream and/or riparian resources. However, prior to implementation of each phase of the project, through the LSAA notification process, the CDFG will be given the opportunity to review site specific project design in conjunction with the CEQA document, proposed mitigation, monitoring, and reporting efforts. Currently, the District provides an annual monitoring report for the pond complex to the local CDFG office. The District welcomes further review and ongoing dialogue with the CDFG through

the LSAA process in order to meet the project's stated recovery goal of species protection and habitat restoration.

Exhibit A: Comments and Correspondence Received on Resource Management Policies

Commenters:

1. Bern Smith, Bay Area Ridge Trail Council, telephone conversation with Julie Andersen, Planner II on 01/13/2011.
2. Scott Wilson, Acting Regional Manager Bay Delta Region, California Department of Fish and Game, letter to Julie Andersen, Planner II on February 10, 2012

Record of Telephone Conversation



Date: 1/13/2012 Time: 9:35am

Person calling: Bern Smith, Bay Area Ridge Trail Council

Person called: Julie Andersen, Planner II

Project/Subject: Pond Management Plan CEQA

Phone: 415-561-2595 ext.

Message:

Bern commented that he has previously done pond work with California State Parks. He is very supportive of the District's efforts to complete this type of work. Bern and I discussed that pond restoration is one of the single most important management actions needed to conserve species. We also discussed permitting requirements to complete pond work. Overall Mr. Smith was supportive of the District's efforts to undertake this type of work.



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



February 10, 2012

Ms. Julie Andersen
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Dear Ms. Andersen:

Subject: Implementation of Pond Management Plan, Initial Study/Mitigated Negative Declaration, SCH #2012012026, San Mateo County

The Department of Fish and Game (DFG) has reviewed the draft Initial Study and Mitigated Negative Declaration (IS/MND) for the subject project. DFG is providing comments on the IS/MND as a Trustee Agency and Responsible Agency. As Trustee for the State's fish and wildlife resources, DFG has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California.

The Midpeninsula Regional Open Space District (District) is proposing to repair pond basins, earthen berms and spillways in order to improve ponding duration to improve California red-legged frog (CRLF) habitat and to increase the long-term viability of existing livestock ponds. Project activities also include non-native invasive vegetation removal, installation of cattle exclusion fencing and erosion control.

The IS/MND includes some avoidance and mitigation measures for the listed species including CRLF, San Francisco garter snake (SFGS) and western pond turtle (WPT). Please be advised, SFGS is a fully protected species under Section 5050 of the Fish and Game Code. Under this statute, take of a fully protected species may not occur except for scientific or recovery purposes. Catch, pursue, capture or attempt to catch, pursue and capture is considered take as defined in Section 86 of the Fish and Game Code. Because of this, SFGS must be fully avoided during project activities and any SFGS encountered in the work area may not be handled and must be left alone until it leaves the area on its own.

The IS/MND states that DFG will be consulted but it does not state the District will submit to DFG a Lake and Streambed Alteration Agreement (LSAA) Notification. The activities proposed in the IS/MND are located in jurisdictional waters of the state and are subject to notification pursuant to Section 1600 et seq. of the Fish and Game Code and may require an LSAA. Issuance of an LSAA is subject to the California Environmental Quality Act

Conserving California's Wildlife Since 1870

Ms. Julie Andersen
February 10, 2012
Page 2

(CEQA). DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/> or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Ms. Suzanne DeLeon, Environmental Scientist, at (831) 440-9433 or sdeleon@dfg.ca.gov; or Mr. Craig Weightman, Senior Environmental Scientist, at (707) 944-5577.

Sincerely,



Scott Wilson
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse