



Midpeninsula Regional
Open Space District

R-12-83
Meeting 12-29
August 22, 2012

AGENDA ITEM 7

AGENDA ITEM

Consideration of Adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Proposed La Honda Creek Open Space Preserve Master Plan (Master Plan), in Accordance with the California Environmental Quality Act, and Final Master Plan Approval

GENERAL MANAGER'S RECOMMENDATIONS

A handwritten signature in black ink, appearing to be "S. J. ...", written over the printed text of the section header.

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Proposed La Honda Creek Open Space Preserve Master Plan, in accordance with the California Environmental Quality Act (CEQA), as set out in the Resolution attached to this report.
2. Approve the La Honda Creek Open Space Preserve Master Plan.

SUMMARY

The proposed La Honda Creek Open Space Preserve Master Plan (Master Plan) would implement land stewardship and public access actions, including creating over 25 miles of new trail, restoring habitat for threatened and endangered species, reducing wildfire risk, and reintroducing grazing to historic pastureland, over the next thirty years. An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared and circulated for 30 days pursuant to CEQA. The IS/MND concluded that the proposed Master Plan, with mitigation, would not result in significant impacts on the environment.

DISCUSSION

La Honda Creek Open Space Preserve (Preserve) is located on the western slope of the Santa Cruz Mountains within unincorporated San Mateo County near the communities of Woodside and La Honda (see Attachment A, Preserve Map). The Preserve comprises over 5,700 acres of grassland and redwood/Douglas fir forest, three major creeks, numerous ponds and springs, historic structures, and a 3,682-acre working cattle ranch. Two federally-threatened species, steelhead trout and California red-legged frog, occur on the Preserve, and suitable habitat is present for the federally-endangered coho salmon, San Francisco garter snake, and marbled murrelet. The Preserve also represents a valuable recreational resource for residents of the adjacent community of La Honda, as well as an opportunity to educate visitors about traditional Coastside land uses. Currently the northern portion of the Preserve, which includes

3.7 miles of hiking-and-equestrian-only trail, is open to the public. The southern portion (former Driscoll Ranch) has remained closed since it was added to the Preserve in 2006 as the District's first landholding in the Coastal Protection Area.

In 2004, a comprehensive planning process was initiated to enhance public access to the Preserve, ensure that this unique working landscape is effectively managed, and implement necessary resource management actions; the Master Plan is the result of this process. Key elements of the Master Plan are described below, followed by a summary of the input received from the La Honda Creek Master Plan Ad Hoc Committee and public. Due to its size, the Master Plan document is not provided as an attachment to this report but is available on the District website at www.openspace.org/plans_projects/la_honda_creek.asp. The potential environmental impacts of the Master Plan were analyzed in an Initial Study and proposed Mitigated Negative Declaration (IS/MND). Conclusions of the IS/MND, including proposed mitigation measures, are discussed in the CEQA section of this report.

Key Elements of the Master Plan

Natural Resource Management La Honda Creek Open Space Preserve represents approximately 15 percent of the total acreage of the San Gregorio Creek watershed, a sediment impaired watershed. Proposed Resource Management actions include: improving roads and trails to reduce sedimentation into creeks; removing barriers to improve fish passage; improving ponds for sensitive aquatic species; expanding conservation grazing and implementing management actions to support viable agricultural operations; creating new fuel breaks; and designating Conservation Management Units to protect critical habitat areas.

Cultural Resource Management The Preserve provides valuable opportunities to protect local cultural landmarks that represent and contribute to the rural way of life of the community of La Honda and the San Mateo County coastside. Cultural resource management projects include: developing interpretive and picnic facilities in the Red Barn area; evaluating the Red Barn for nomination on historic registers; evaluating the historic significance of the White Barn and Redwood Cabin; and developing maintenance plans for historic structures.

Public Access, Recreation, and Environmental Education The Master Plan retains the 3.7 miles of hiking and equestrian trails currently open to the public, and opens over 25 miles of new trail, including 9.3 miles of multi-use trail open to bicycles, and 16.7 miles of hiking and equestrian only trail (see Attachment B, Public Access Trails Map). Trails in the northern portion of the Preserve would also be opened to dogs on leash following the reintroduction of grazing to the area to facilitate effective integration of the two uses. This public access plan is the result of an in-depth process of extensive stakeholder input, habitat analysis, and consultation with regulatory experts (see Report R-09-105); however, due to the presence of special-status wildlife species on the Preserve, public access enhancements remain subject to resource agency approval. Additionally, the Master Plan also includes two interim parking areas to expedite public access, three new permanent parking lots over the life of the Master Plan, easy access trails, a new segment of the Bay Area Ridge Trail, interpretive signage, horse troughs, and picnic areas.

Maintenance and Operations

Maintenance and operational activities include: road and trail maintenance, fire and fuels management, land administration, and management of rental structures. Significant projects include: bridge assessment and repair/replacement for improved emergency access; installation of erosion-control structures at priority sedimentation sites; removal of abandoned roads;

vegetation management for wildfire ignition and fuel reduction; and demolition or removal of unoccupied, dilapidated structures. Amendments to existing Williamson Act contracts in the Red Barn area to permit recreational uses compatible with agriculture are also included in the Master Plan.

Public Process

The District has encouraged active public participation throughout the Master Plan process, soliciting input from agencies, environmental organizations, neighbors and potential trail users at public workshops and Board hearings, via phone interviews, and as part of focus group meetings. Major public input milestones are listed below.

Workshop #1 - Existing Conditions	November 3, 2004
Public land tour of upper La Honda Creek	November 20, 2004
Initial stakeholder phone interviews	November – December 2004
Workshop #2 - Issues and Opportunities	December 6, 2004
Driscoll Ranch purchase	October 2005 – December 2006
Public land tours of Driscoll Ranch	October 13 and 14, 2006
Additional stakeholder phone interviews	November 2006
Workshop #3 - Driscoll Ranch Addition	November 16, 2006
Stakeholder focus group meetings	November 2006 – February 2007
Preliminary Draft Plan recommendations	March – December 2007
Existing Conditions Report revision	July – September 2007
Open House	December 4, 2007
Draft Plan document preparation	January – October 2008
Final Draft Plan completed	December 2008 – March 2009
Draft Plan released for Board and Public Review	April 13, 2009
1 st Public Hearing: Receive Initial Public Comment	May 19, 2009
2 nd Public Hearing: Receive Additional Comments	June 16, 2009
3 rd Public Hearing: Tentative Master Plan Approval	November 12, 2009
Mitigated Negative Declaration (CEQA doc) circulated	July 2- August 1, 2012
4th Public Hearing: Master Plan Final Approval	August 22, 2012

Public comments gathered at these workshops, meetings, and hearings are provided as Appendix B of the Master Plan. In general, comments centered on expanding bicycle and dog access on proposed Preserve trails. This input was discussed at length by the Ad Hoc Committee, which called for additional staff review of the preliminary trail use recommendations for the Preserve to determine whether additional trail use options could be considered that would not impact natural resources or conflict with grazing operations. In November 2009, the Board tentatively approved an expanded bicycle use option. Since that time, fiscal and staffing constraints and the need to shift workload to other high-priority public access projects have delayed completion of the environmental review process until recently. An analysis of the potential impacts of the proposed trail uses on sensitive wildlife, as well as other potential environmental impacts of the proposed Master Plan, is now concluded and is described in the CEQA Compliance section below.

Additional public comments regarding proposed trail uses, as well as other aspects of the proposed Master Plan, were received during the environmental review process and are included as Attachment C.

CEQA COMPLIANCE

An IS/MND was prepared for the Project (refer to Attachment D). The public comment period began on July 2, 2012, and ended on August 1, 2012.

Since the public release of the IS/MND, several minor changes were made to the Master Plan. The first change was made in response to input from CALFIRE regarding the location of the proposed fuelbreaks. The following text change was made to page 87 of the Master Plan (~~strikeout~~= removed text; underline=added text):

Fire Containment

Fire containment is facilitated through the modification of vegetation fuels to reduce the intensity of fires, should they occur, and to allow for improved firefighter access. Through implementation of fuel breaks and other fuel modifications, the Preserve can be compartmentalized to create opportunities to strategically manage and contain fire within sections of the Preserve. The District will work cooperatively with leading fire management agencies, including CALFIRE, to facilitate the creation and maintenance of the following new fuelbreaks (note that fuelbreak location is approximate and may change after further coordination under a cooperative agreement with CALFIRE):

- Create a new fuelbreak that extends from the western boundary of the Preserve near the Djerassi property to the former Dyer Ranch area of northern La Honda Creek OSP.
- Create a new shaded fuelbreak that extends from the former Dyer Ranch area (northern La Honda Creek OSP) to the former Weeks Ranch area (central La Honda Creek OSP).

The text change above clarifies that the locations of the fuelbreaks, even though they are generally described, may change if the District establishes a new cooperative agreement with CALFIRE. The IS/MND evaluated impacts related to fuelbreaks at a programmatic level, meaning that if the specific location of a fuelbreak changes, the mitigation measures included in the IS/MND will still apply and will effectively reduce impacts to a less-than-significant level. The conclusions in the IS/MND are not altered due to this text change.

Secondly, staff identified an inconsistency between the proposed Master Plan text and the recommendations from a wildland fire prevention expert received during the planning process. To bring the Master Plan text into consistency with the expert's recommendations, the following minor clarification has been made to page 88 of the proposed Master Plan:

Wildfire Response

Emergency Vehicle Access

Reducing potential fire intensities near roads and driveways will provide firefighting vehicles, staff, and visitors safe passageways through the

Preserve. Fuels will be maintained to reduce flame length to 2 feet along ~~patrol and resident roads~~ fire response roads in the following areas:

- Within 10 feet of the road edge where flames are predicted to be 0-8 feet in length (generally grassy locations and in oak woodlands)
- Within 30 feet of the road edge where flames are predicted to be over 8 feet in length (generally brushy locations and where understory shrubs are developed in woodlands)

Most of the main roads in the Preserve traverse grasslands, which are currently grazed or will be subject to renewed grazing during Phase I of Master Plan Implementation. The patrol and resident roads therefore do not require this level of vegetation clearing. Vegetation clearing related to fire abatement is an activity evaluated by the IS/MND; however, the IS/MND evaluated this impact at a programmatic level and did not evaluate specific widths of vegetation clearing in specific locations. Environmental Protection Guidelines incorporated into the Master Plan ensure that impacts to sensitive resources due to vegetation clearing are avoided. Therefore, the revised Master Plan text remains within the scope of the impacts evaluated and does not change the conclusions in the IS/MND.

Finally, staff also initiated a revision to Master Plan Environmental Protection Guideline HAZ-6 (see Appendix C of the Master Plan).

Close trail access points on all predicted high fire response level days (Burn Index of 41 or higher within the Coastal Protection Area, and during CALFIRE Red Flag Warnings in other areas) and post such closures on the District website.

HAZ-6 directly incorporates Mitigation HAZ-2f of the San Mateo Coastal Annexation Environmental Impact Report. Since the release of the IS/MND for the proposed Master Plan, staff noted that relying on a Burn Index of 41 or higher is not appropriate for determining closure of Preserve areas that are outside of the Coastal Protection Area, and that closure during CALFIRE Red Flag Warnings is more appropriate for these areas. This is primarily due to differences in microclimates between coastal and more interior areas of the Santa Cruz Mountains. Inland areas are inherently hotter and drier, and days with burn indexes of 41 or higher occur frequently during the summer and fall months. This metric is therefore not appropriate for Preserve lands outside of the coastal zone. This minor change does not substantially alter the effectiveness of the Environmental Protection Guideline because it replaces the Burn Index on a portion of the Preserve with the conservative and widely recognized closure threshold known as the CALFIRE Red Flag Warning. Because the effectiveness of this Environmental Protection Guideline would not substantially change, this change does not alter the conclusion of the IS/MND prepared for the proposed Master Plan. This Guideline would be implemented by closing Preserve parking areas.

Determination

Mitigation measures incorporated into the proposed project reduce potential negative effects to air quality and biological resources to less-than-significant levels. These Mitigation Measures include dust control measures to be implemented during trail and facility construction, and preconstruction surveys and avoidance measures for special-status plants and wildlife. The proposed project will therefore not have a significant effect on the environment.

Public Review and Comments

The District received one written comment letter and two comments via electronic mail regarding potential environmental impacts of the proposed Master Plan. As described above, additional comments received pertain to aspects of the Master Plan itself and are therefore not relevant to the CEQA process. Please see the attached comments and the District's Response to IS/MND Comments (refer to Attachment E). No changes to the IS/MND were required as a result of comments received.

Mitigation Monitoring Program

In accordance with CEQA, the District has prepared a Mitigation Monitoring Program, which describes project-specific mitigation measures and monitoring process (refer to Attachment F). The Mitigation Monitoring Program ensures that all adopted measures intended to mitigate potentially significant environmental impacts will be implemented. The Master Plan 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 (refer to Attachment G). Minor changes were made to the Master Plan regarding vegetation management practices for fire clearance and to clarify that potential fuelbreak locations will be determined as part of a cooperative agreement process with CALFIRE. Staff concludes that, with these modifications, the conclusions set out in the Mitigated Negative Declaration regarding potential adverse impacts arising from the project remain valid. No modification exceeds any threshold of significance established in the Mitigated Negative Declaration. Therefore, staff recommends that the Board find that the environmental review for the La Honda Creek Open Space Preserve Master Plan is adequate.

PUBLIC NOTICE

A Notice of Intent to Adopt a Mitigated Negative Declaration was submitted to the State Clearinghouse of the Governor's Office of Planning and Research on July 2, 2012, stating that the public review period would start on July 2, 2012, and end on August 1, 2012. The Notice of Intent was submitted to the San Mateo County Clerk for posting and mailed to coastal agencies, interested parties, and property owners of land located adjacent to or within 300 feet of La Honda Creek Open Space Preserve. On July 5, 2012, the Notice of Intent was posted in the Half Moon Bay Review, a local weekly newspaper. The Notice of Intent, Mitigated Negative Declaration, and Initial Study, as well as the Master Plan, were made available for public review at the District's Administrative Office, on the District's website, and at the Woodside Library and the La Honda Post Office. Notices were also posted at main trailhead entrances to the Preserve.

Property owners of land located adjacent to or within 300 feet of the Preserve, interested parties, and coastal agencies have been mailed written notices of this proposed approval of the Master Plan. All legal notice requirements of CEQA have been met, in addition to public noticing requirements of the Brown Act.

FISCAL IMPACT

The District intends to implement the Master Plan incrementally over the next thirty years. The Master Plan includes a Phasing Plan, which is intended to remain flexible, assigns relative priorities for each project and management action, and provides an implementation schedule in four phases. Capital costs to complete all Master Plan projects are estimated to be between \$9.2 and \$11.7 Million. When Master Plan project costs are considered in the context of total District operations, it is assumed that new funding sources, including grants and potentially a funding measure, will need to be secured before most elements of the Master Plan can be implemented.

Funds for finalizing the Master Plan, including consultant fees, public meeting facility rentals, and public notification costs, were included in the Planning Department's FY2012-13 budget. \$80,000 for Phase I implementation of the Master Plan is also included in the FY2012-13 budget. The FY2013-14 budget is expected to include \$150,000 for Master Plan Projects. Total cost of Phase I Projects (to be initiated during Years 1-5) is estimated to range from \$2.1 to \$2.7 million.

AD HOC COMMITTEE RECOMMENDATION

The La Honda Creek Master Plan Ad Hoc Committee met on ten occasions to guide the planning process and development of final trail use recommendations. The most recent meeting of the Ad Hoc Committee was in October of 2009, at which time two public use options were forwarded to the full Board for consideration. The Board selected the expanded bicycle use option in November 2009, tentatively approving the Master Plan and initiating the environmental review process.

NEXT STEPS

If the Board approves the General Manager's recommendations, staff will file a Notice of Determination with the San Mateo County Clerk. Implementation of high priority actions, including actions to move forward with reintroducing grazing in the northern Preserve area, initiating the design of a new section of the La Honda Creek Loop trail, and installing Preserve and trail signage, will begin within the current Fiscal Year. Moreover, Natural Resource Department staff is currently seeking grant funding to implement priority erosion-control road improvements on existing ranch roads, including the Driscoll Ranch main access road. It is expected that a short segment of trail within the southern portion of the Preserve could be opened to public use by summer 2015. Other actions will be implemented as additional funding is secured.

Attachments:

- A. Preserve Map
- B. Public Access Trails Map
- C. Public Comments on the Master Plan
- D. Initial Study/Mitigated Negative Declaration
- E. Response to IS/MND Comments
- F. Mitigation Monitoring and Reporting Program
- G. Resolution: CEQA Findings

Responsible Department Manager:
Ana M. Ruiz, AICP, Planning Manager

Prepared by:
Lisa Bankosh, Planner III

Contact person:
Same as above




Attachment A: Preserve Map

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
|  MROSD Preserves |  Private Property |  Unpaved Road |
|  Other Protected Open Space or Park Lands |  Developed Land |  Paved Road |
|  Land Trust |  Non MROSD Conservation Easement |  Major Road |
|  Other Public Agency | | |

Midpeninsula Regional
Open Space District
(MROSD)



August, 2012

Miles 

While the District strives to use the best available digital data, this data does not represent a legal survey and is merely a graphic illustration of geographic features.

PUBLIC ACCESS TRAILS

listed in order by implementation phase

- | | | |
|----|------------------------------------|-----|
| 1 | Driscoll Ranch Main Access Road | 5.6 |
| 2 | Easy Access Loop Trail | 0.9 |
| 3 | Vista Point Loop Trail | 2.8 |
| 4 | Trail Connection to Red Barn Area | 0.3 |
| 5 | Trail Connection to Driscoll Ranch | 1.5 |
| 6 | La Honda Creek Loop Trail | 4.8 |
| 7 | Redwood Cabin Loop Trail | 2.3 |
| 8 | Interior Loop Trail | 2.4 |
| 9 | Red Barn Loop Trail | 2.0 |
| 10 | Folger Ranch Loop Trail | 3.9 |
| 11 | Harrington Creek Trail | 1.6 |
| 12 | Sears Ranch Loop Trail | 1.9 |
| 13 | Trail to Ray's Peak | 0.1 |

TRAIL USE



All trails open to hiking. Off-trail hiking allowed throughout except in Conservation Management Units.



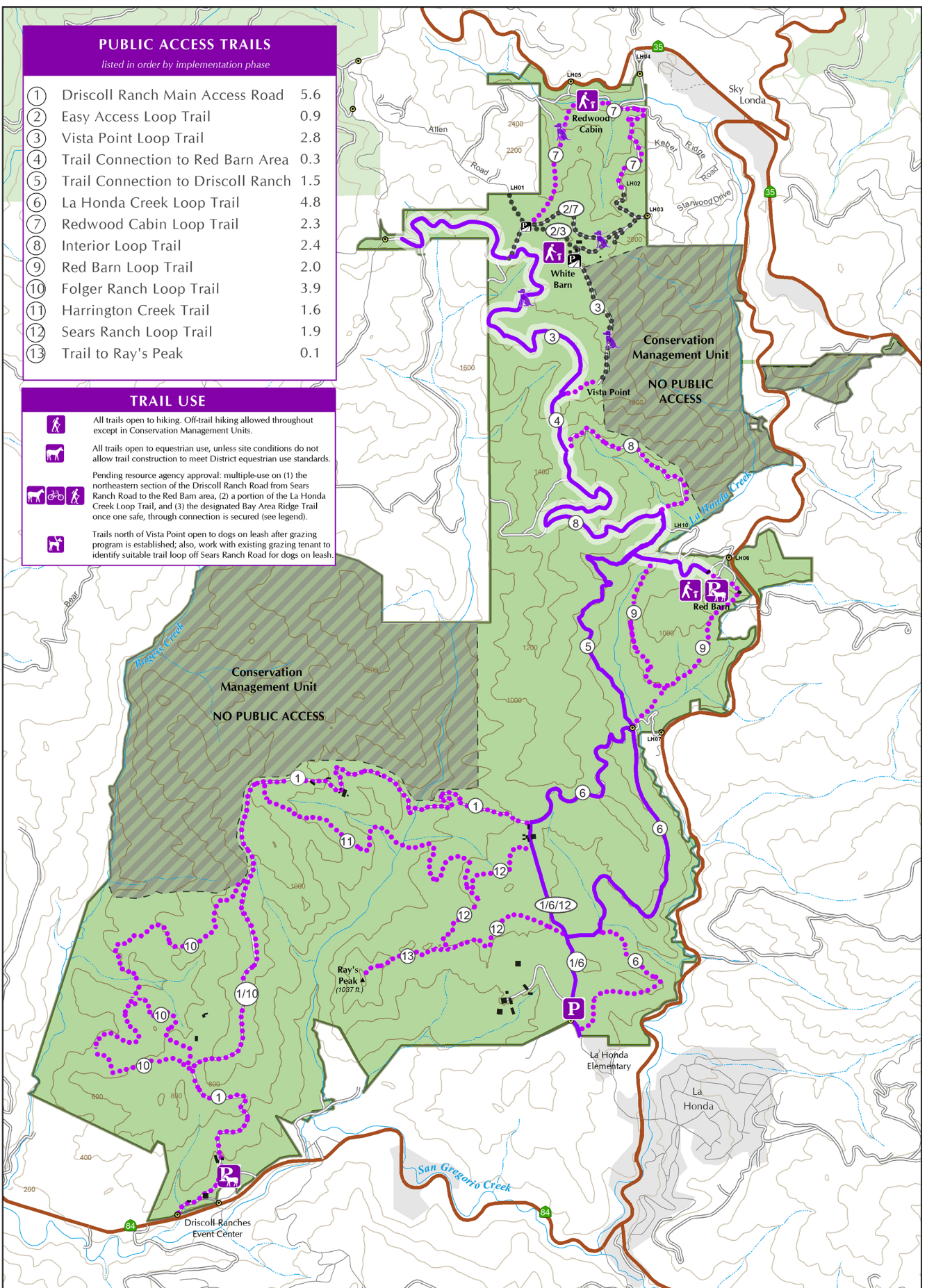
All trails open to equestrian use, unless site conditions do not allow trail construction to meet District equestrian use standards.



Pending resource agency approval: multiple-use on (1) the northeastern section of the Driscoll Ranch Road from Sears Ranch Road to the Red Barn area, (2) a portion of the La Honda Creek Loop Trail, and (3) the designated Bay Area Ridge Trail once one safe, through connection is secured (see legend).

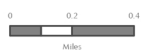


Trails north of Vista Point open to dogs on leash after grazing program is established; also, work with existing grazing tenant to identify suitable trail loop off Sears Ranch Road for dogs on leash.



La Honda Creek Open Space Preserve

Map Projection: UTM Zone 10N, NAD 1927
Data Sources: USGS, CA Dept. of Fish & Game, County of San Mateo, and MROSD.
Map Printed August, 2012



Attachment B: Public Access Trails

Trails

- Existing Public Trails (Hiking, Equestrian)
- New Public Trails (Hiking, Equestrian)
- New Multiple-Use Public Trails (Hiking, Equestrian, Bicycling)
- New Segment of the Bay Area Ridge Trail (Hiking, Equestrian, Bicycling)

Facilities

- Existing Parking Area
- New Parking Area
- New Interpretive Site
- New Equestrian Parking Area

Roads

- Unpaved Ranch / Patrol Road
- Existing Paved Road
- Highway

Conservation Management Unit (No Public Access)

ATTACHMENT C

COMMENTS RECEIVED ON THE MASTER PLAN

None of the public comments (reproduced below), received during the public comment period for the La Honda Creek Master Plan IS/MND, pertain to potential environmental impacts but rather aspects of the Master Plan.

Comment 1.

From: John Radford

Sent: Monday, July 02, 2012

I wanted to reiterate my emailed suggestions of "Tuesday, May 19, 2009 11:10 PM", to wit, I have at least one superior trail route that should be considered for implementation, based on my 35 years of hiking out back of 315 Blakewood Way (only house with trail built down to LH Creek and thus only good direct access by Skylonda area private property of LHCOSP lands). I've trod these subtle deer trail routes since August, 1995, as well as using the forest roads to gain pasture-top access since June, 1977. My primary suggested route branches off just past the Big Tree we all know about and passes within 8 feet of what I call the "Hobbit Tree", which is a twin-stump giant that, at the base, is at least as impressive as the Big Tree. It has a large Wood Rat pile abutting the tree (maybe just a pile of branches, but I fancy it is inhabited - i.e., the Hobbit idea). This route is mysterious, charming, exciting, as it opens out of the full forest amidst a garden of Douglas Irises to an abruptly sweeping view of the coast. None of your other proposed routes offer quite the same experience. It is a short route that makes a wonderful loop option through forest that you otherwise don't offer. On the attached, I show this route ("V" section) as well as two other suggested routes - "C" Creek route up Mossy Chasm and Mud Tree areas (used to be "Log Bridge" crossing as well, but it collapsed, with me on it!) and such and the side "L" route past Lion Rocks, Rock Garden and Deer Freeway (as I fancy areas the route passes might be called). WORK: I also noted I would love to help build these and other trails. I could "walk to work", literally, and get in a wonderful bit of exercise while doing something satisfyingly useful. Volunteer, of course. Even better if paid but I would do for free since I'd value the exercise highly.

John Radford

Comment 2

From: Judith Schwarz

Sent: Thursday, July 19, 2012 5:12 PM

To the Open Space Management,

I have never been involved with a park process before, but I feel I need to get involved now while I can, and put a issue on the table now.

I am concerned with the allowance of dogs at a park preserve that come from my own personal

experiences. Almost every single time I am at a park preserve, a city park, or after hours at school, there will be people with their dogs not following the clearly posted rules about keeping their dogs on leashes, and to pick up after their excrement. Some people have actually said that because they pay taxes they feel they can do what they want to do. Never mind that there dog is pushing over small kids and pooping anywhere it wants too.

I have had the experience of being bitten from a non leashed dog while walking upon a family on a trail. I have also had a large muddy dog happily jump up on me when not leashed, and, too often I will hear the owners calling their dog over to them to quickly leash it up before they are seen with it off leash. So obviously the dog was free to sport around in the shrubbery. It is also annoying that when I am ready for a great day at the park I am greeted with fecal matter at the entrance of it, and of course along the path. Windy Hill was appalling, but I have not been there in awhile.

I have always found it interesting that people who own dogs never see, or experience these things that I do. Of course their dog is different than everyone else, and they would never do that I hear.

My main point is - If you allow dogs into the park, even with rules posted - get ready - they will be ignored. Let's keep it simple and keep the pets at home.

Judith Schwarz

Comment 3

From: Randall R. H. Adams

Sent: Wednesday, August 08, 2012

Please provide these comments to the MROSD Board of Directors with the materials for their August 22, 2012 meeting regarding adoption of the La Honda Creek Master Plan.

I am writing in regards to the La Honda Creek Master Plan. I would like to start by saying that I am disappointed that I have not received notice of the progress of this Master Plan after having submitted earlier comments to MROSD staff on a related project. Although I have received numerous e-mails related to the Mt Umunhum project (which I have not commented on) I have not received any updates regarding the plans to adopt a Master Plan for La Honda Creek OSP.

Regardless of any possible lapse in communication, I am hopeful that the MROSD Board will consider my comments at this time and take appropriate actions to delay the adoption of the La Honda Creek Master Plan until these issues are addressed.

I am requesting additional bicycle and through access for this large (5,759 acres) and currently inaccessible open space preserve. I was aware of the master planning process and I had assumed that MROSD staff would embrace their standard multiple-use approach and be able to include bicycle access along a variety of different trail types throughout the preserve. After having reviewed the most recent Master Plan document, I see very limited access through only a portion of the preserve on full width fire roads. As a cyclist, this is a severe disappointment and is not what I would have expected from the MROSD in the development of such a large and varied open space preserve.

This plan is very limiting in the opportunities for mountain bicycling, as no through routes from Skyline (Highway 35) have been provided and the bicycling options are limited to full width fire roads on the east side of the preserve. I am not asking that all trails be opened to cyclists and I understand that some community comments have requested hiking and equestrian opportunities without conflicts from bicycles. However, this does not equate to removing bicycles entirely from those trail systems.

As MROSD staff are aware, multiple-use trail systems do work when properly designed. Individual trails may be limited to hiking and equestrian use, but there is no reason to completely eliminate bicycle use from single-track trail systems or to ban bicycle use from large sections of the preserve. Such limitations on bicycle use are outdated and are not the direction that the MROSD should be headed as more and more people are enjoying these preserves (esp. the larger parcels) on bicycles each year, and the number of equestrians are declining. This is a clear trend that the Santa Clara County Parks Department has realized and it is something that we need to embrace in preparing master plan documents that span 30+ years. I am hopeful that the MROSD Board can embrace this trend and direct staff to return at a later date with a Master Plan for La Honda Creek Open space.

Please note that I am a donor to POST who helps to fund the acquisition of these parcels for the MROSD. In doing so, I continue to be hopeful that the lands that are acquired will be developed for recreational activities (specifically including bicycles) while also preserving the natural features. On a preserve the size of La Honda Creek OSP (at 5,759 acres) many more opportunities for recreational bicycle access can be found without undue damage to natural resources or other user conflicts.

Please consider this request and delay adoption of the La Honda Creek Master Plan until further opportunities for a multiple-use trail system are developed (including bicycle access on all trail types of trails throughout all areas of the preserve). Thank you for your consideration.

Randall Adams

ATTACHMENT D

La Honda Creek Open Space Preserve Master Plan Draft Initial Study/Mitigated Negative Declaraton

A copy is available online at

http://www.openspace.org/plans_projects/la_honda_creek.asp

or contact the District Clerk at

650-691-1900

e-mail: mradcliffe@openspace.org

ATTACHMENT E

RESPONSE TO COMMENTS

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

La Honda Creek Open Space Preserve Master Plan Initial Study/Mitigated Negative Declaration

August 22, 2012

Pursuant to CEQA Guideline 15073, the Initial Study and Mitigated Negative Declaration (IS/MND) was circulated for public review. The public comment period began on July 2, 2012 and concluded on August 1, 2012. The IS/MND was distributed to responsible agencies and other interested parties 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 effects on the environment as a result of implementation of the proposed La Honda Creek Open Space Preserve Master Plan. During the public comment period, comments were received from Caltrans and Mr. Mike Vandaman. This document responds to those comments, which 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 Comment Letter 1: California Department of Transportation (Caltrans)

Date received: July 16, 2012

As a planning document, the La Honda Creek Open Space Preserve Master Plan does not include detailed specifications or drawings for future access points on State Route (SR) 84 and 35. Thus, the impacts associated with providing access are generally assessed at this point. Detailed plans would be developed as the various phases are implemented, the timing of which depends greatly on available funding. The District would coordinate closely with Caltrans during the development of detailed access plans and would follow Caltrans' outlined process for obtaining encroachment permits. As requested in their comment letter, Caltrans would also be involved in any future environmental review processes necessary for specific access improvements on SR 84 and 35. Caltrans' comment letter does not raise issues with the adequacy of the IS/MND. No further response is necessary.

Response to Commenter 2 (two emails): Mike Vandeman

Date received: July 2 and July 11, 2012

The commenter primarily raises concerns with allowing bicycles on trails. Although the commenter indicates that environmental impacts associated with trail construction and proposed mountain bike activity are not insignificant, the commenter does not raise specific issues associated with the content of the IS/MND. The commenter suggests that mountain biking is more harmful to the environment than hiking. Environmental impacts associated with the use of trails by the various proposed user types are evaluated in the IS/MND. Mitigation measures are included to reduce potential impacts to the environment to a less-than-significant level. No impacts were identified in the IS/MND that cannot be mitigated to a less-than-significant level; therefore, an MND is the appropriate document under CEQA. Because the commenter does not identify specific issues with the IS/MND's analysis, no further response can be provided.

EXHIBIT A COMMENT LETTERS

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

RECEIVED

JUL 18 2012

MIDPENINSULAR REGIONAL OPEN
SPACE DISTRICT

July 12, 2012

SMV ar011
SCH# 2012072004

Ms. Lisa Bankosh
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

Dear Ms. Bankosh:

**LA HONDA CREEK OPEN SPACE PRESERVE MASTER PLAN – MITIGATED
NEGATIVE DECLARATION**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the La Honda Creek Open Space Preserve Master Plan project (Project). The comments presented below are based on the Mitigated Negative Declaration. As lead agency, the Midpeninsula Regional Open Space District (District) is responsible for all project mitigation, including any needed improvements to state highways. While an encroachment permit is only required when a project involves work in the state right of way (ROW), please be advised that Caltrans will not issue a permit until our concerns are adequately addressed. Therefore we strongly recommend that the District ensure resolution of Caltrans concerns prior to submittal of the permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding the encroachment permit process.

Project-specific Environmental Review

Please ensure that environmental documents for specific project improvements are routed to Caltrans for review. Project-specific analysis should evaluate impacts to traffic; particularly those associated with access and public safety. Impacts to biological, hydrology, and cultural resources in the state ROW as well as other resources should be included.

As soon as they are available, please provide:

1. At least one hard copy and one CD of the project specific environmental document and its technical appendices.
2. A regional site map that clearly shows the project in relation to State Routes (SR) 84 and 35.
3. All proposed improvements within the state ROW need to be clearly identified.
4. Ingress and egress for all project components in relation to SRs 84 and 35 should be clearly

identified.

5. Map must be drawn to scale, with a north arrow, and the state ROW must be shown for the whole of the project limits.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating the state ROW must be submitted to: Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information. <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please feel free to call or email Sandra Finegan at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local development – Intergovernmental Review

c: State Clearinghouse

From: Mike Vandeman [mjvande@pacbell.net]
Sent: Monday, July 02, 2012 12:22 PM

A negative declaration is not appropriate, because trail construction and mountain biking destroy wildlife habitat. That is not insignificant!

Bicycles should not be allowed in any natural area. They are inanimate objects and have no rights. There is also no right to mountain bike. That was settled in federal court in 1994:
<http://mjvande.nfshost.com/mtb10.htm> . It's dishonest of mountain bikers to say that they don't have access to trails closed to bikes.
They have EXACTLY the same access as everyone else -- ON FOOT! Why isn't that good enough for mountain bikers? They are all capable of walking....

A favorite myth of mountain bikers is that mountain biking is no more harmful to wildlife, people, and the environment than hiking, and that science supports that view. Of course, it's not true. To settle the matter once and for all, I read all of the research they cited, and wrote a review of the research on mountain biking impacts (see <http://mjvande.nfshost.com/scb7.htm>). I found that of the seven studies they cited, (1) all were written by mountain bikers, and (2) in every case, the authors misinterpreted their own data, in order to come to the conclusion that they favored. They also studiously avoided mentioning another scientific study (Wisdom et al) which did not favor mountain biking, and came to the opposite conclusions.

Those were all experimental studies. Two other studies (by White et al and by Jeff Marion) used a survey design, which is inherently incapable of answering that question (comparing hiking with mountain biking). I only mention them because mountain bikers often cite them, but scientifically, they are worthless.

Mountain biking accelerates erosion, creates V-shaped ruts, kills small animals and plants on and next to the trail, drives wildlife and other trail users out of the area, and (worst of all) teaches kids that the rough treatment of nature is okay (it's NOT!). What's good about THAT?

For more information: <http://mjvande.nfshost.com/mtbfaq.htm> .

From: Mike Vandeman [mjvande@pacbell.net]
Sent: Wednesday, July 11, 2012 1:19 PM

There is no good reason to allow bicycles off of pavement! Anyone who can ride a bicycle can also walk (if they couldn't, they could get stranded with a flat tire far from home & not be able to get home)! Please restrict bikes to pavement.

Bicycles should not be allowed in any natural area. They are inanimate objects and have no rights. There is also no right to mountain bike. That was settled in federal court in 1994:
<http://mjvande.nfshost.com/mtb10.htm> . It's dishonest of mountain bikers to say that they don't have access to trails closed to bikes.
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Mountain biking accelerates erosion, creates V-shaped ruts, kills small animals and plants on and next to the trail, drives wildlife and other trail users out of the area, and (worst of all) teaches kids that the rough treatment of nature is okay (it's NOT!). What's good about THAT?

For more information: <http://mjvande.nfshost.com/mtbfaq.htm> .

ATTACHMENT F

MITIGATION MONITORING PROGRAM

La Honda Creek Open Space Preserve Master Plan
San Mateo County, CA

August 22, 2012

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

MITIGATION MONITORING PROGRAM CONTENTS

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

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

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

MONITORING MATRIX

The following page provides a table identifying the mitigations incorporated into the La Honda Creek Open Space Preserve Master Plan (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 department that will ensure implementation of the mitigation.

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 measures 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 a mitigation measure has occurred, the General Manager shall cause appropriate actions to remedy any violation. The complaint shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

MITIGATION MEASURES MATRIX

The following mitigation measures will be incorporated into the project planning and execution:

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
Mitigation in Section III Air Quality	<p>Mitigation Measure 3.3-1</p> <p><i>The District shall require all its construction contractors to implement the following basic construction mitigation measures. Some, but not all of these measures are similar to the dust control measures required by the Environmental Protection Guidelines which directly incorporate the Mitigation Measures of the San Mateo Coastal Annexation EIR. (The measures below provide updated consistency with BAAQMD regulations.)</i></p> <p><i>Basic Construction Mitigation Measures</i></p> <ul style="list-style-type: none"> › <i>All exposed and un-compacted surfaces (e.g., staging areas, soil piles, and graded areas,) shall either be watered two times per day or covered with mulch, straw, or other dust control cover.</i> › <i>All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</i> › <i>All visible mud or dirt track-out onto adjacent public roads shall be collected and removed at least once per day. The use of dry power sweeping is prohibited.</i> › <i>All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</i> › <i>All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding, dust control covers, or soil binders are used.</i> 	During construction	MROSD Operations (Resource Specialist) with Planning PM	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<ul style="list-style-type: none"> › <i>Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measures (ATCM) Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.</i> › <i>All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</i> › <i>Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</i> 			
<p>Mitigation in Section IV Biological Resources:</p>	<p>BIO-1 Conduct Special-status Plant Surveys, Implement Avoidance and Mitigation Measures, or Provide Compensatory Mitigation.</p> <p><i>The District shall utilize qualified District staff or a contractor to conduct protocol-level preconstruction special-status plant surveys for all potentially occurring species within the project footprint that has not previously been surveyed. Prior to ground-disturbance or vegetation management in potentially suitable habitat, surveys shall be conducted during the appropriate blooming period when they are most readily identifiable in accordance with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (DFG 2009). If no special-status plants are found during focused surveys, the findings shall be documented in a letter report, and no further mitigation shall be required.</i></p> <p><i>If special-status plant populations are present in the project footprint, the District shall determine if the population can be avoided by adjusting the project design. The District will locate new trails, new roads, or other new</i></p>	Preconstruction	MROSD Operations Dept. (Resource Specialist) with Planning PM	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>facilities to avoid impacts to the extent feasible.</i></p> <p><i>If the impact to special-status plants cannot be avoided, the District shall consult with DFG and USFWS, as appropriate depending on species status, to determine the appropriate measures to ensure no net loss of occupied habitat or individuals. These measures may include preserving and enhancing existing populations, creation of off-site populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve the no-net-loss standard.</i></p>			
	<p>BIO-2a Protection and Compensation Measures for California Red-legged Frog,</p> <p><i>The District or its contractor will avoid impacts to California red-legged frog by avoiding aquatic and riparian habitat by at least 200-feet to the extent feasible.</i></p> <p><i>If project activities are to occur in aquatic habitat, qualified District staff or a contractor shall determine if suitable habitat for California red-legged frog (e.g., streams with slow moving water or ponds) is present using USFWS' California Red-legged Frog Habitat Site Assessment Data Sheet (USFWS 2005, Appendix D) and following Equipment Decontamination Procedures (USFWS 2005, Appendix B) to minimize the spread of pathogens that may be transferred as a result of surveys. If the habitat requirements for California red-legged frog are not met, then no further mitigation shall be required.</i></p> <p><i>If suitable aquatic habitat for California red-legged frog could be affected, the District will consult with the U.S. Fish and Wildlife Service (USFWS) and comply with the requirements of the Endangered Species Act (ESA). Because potential impacts to aquatic habitat for California red-legged frog may also require a Section 404 permit from the USACE (see Discussion under "C" below and Mitigation Measure BIO 6), consultation would likely occur under Section 7 of the ESA.</i></p> <p><i>The District shall ensure the no net loss of California red-legged frog habitat</i></p>	<p>Prior to and during construction activities.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>occurs. Aquatic habitat that is disturbed during construction shall be restored to its pre-project condition. If permanent loss of habitat occurs, habitat restoration or enhancement shall occur elsewhere on District land as compensatory mitigation.</i></p> <ul style="list-style-type: none"> › <i>The District will implement the following minimization measures to protect California red-legged frog during construction activities in streams with slow moving water or ponds:</i> › <i>At least 15 days prior to the onset of activities, the applicant or project proponent shall submit the name(s) and credentials of biologists who would conduct activities specified in the following measures. No project activities shall begin until proponents have received written approval from USFWS that the biologist(s) is qualified to conduct the work.</i> › <i>A USFWS-approved biologist shall survey the work site two weeks before the onset of activities. If California red-legged frogs, tadpoles, or eggs are found, the approved biologist shall contact USFWS to determine if moving any of these life-stages is appropriate. In making this determination USFWS shall consider if an appropriate relocation site exists. If USFWS approves moving animals, the approved biologist shall be allowed sufficient time to move California red-legged frogs from the work site before work activities begin. Only USFWS-approved biologists shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs.</i> › <i>Before any construction activities begin on a project, a USFWS-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training session shall include a description of the California red-legged frog and its habitat, the importance of California red-legged frog and its habitat, the general measures that are being implemented to conserve the California red-legged frog as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books, and</i> 			

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.</i></p> <ul style="list-style-type: none"> › <i>A USFWS-approved biologist shall be present at the work site until such time as all removal of California red-legged frogs, instruction of workers, and habitat disturbance have been completed. After this time, the contractor or permittee shall designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual receives training outlined above in measure 3 and in the identification of California red-legged frogs. The monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by USACE and USFWS during review of the proposed action. If work is stopped, USACE and USFWS shall be notified immediately by the USFWS-approved biologist or on-site biological monitor.</i> › <i>During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.</i> › <i>All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters from any riparian habitat or water body. USACE and permittee shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, USACE shall ensure that the permittee has prepared a plan to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measure to take should a spill occur.</i> › <i>A USFWS-approved biologist shall ensure that the spread or introduction of invasive exotic plant species shall be avoided to the maximum extent possible. When practicable, invasive exotic plants in</i> 			

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>the project areas shall be removed.</i></p> <ul style="list-style-type: none"> › <i>Project sites shall be revegetated with an appropriate assemblage of native riparian wetland and upland vegetation suitable for the area. A species list and restoration and monitoring plan shall be included with the project proposal for review and approval by USFWS and USACE. Such a plan must include, but not be limited to, location of the restoration, species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved.</i> › <i>Stream contours shall be returned to their original condition at the end of the project activities, unless consultation with USFWS has determined that it is not beneficial to the species or feasible.</i> › <i>The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated, and these areas shall be outside of riparian and wetland areas. Where impacts in these staging and access routes, restoration shall occur as identified in measures 8 and 9 above.</i> › <i>Work activities shall be completed between May 1 and November 1. Should the proponent or applicant demonstrate a need to conduct activities outside this period, USACE may authorize such activities after obtaining the USFWS' approval.</i> › <i>To control erosion during and after project implementation, the applicant shall implement best management practices, as identified by the appropriate Regional Water Quality Control Board.</i> › <i>If a work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs from entering the pump system. Water shall be released or pumped downstream at an appropriate rate</i> 			

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.</i></p> <p>› <i>USFWS-approved biologist shall permanently remove, from the project area, any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes, to the maximum extent possible. The permittee shall have the responsibility to ensure that their activities are in compliance with the California Fish and Game Code.</i></p>			
	<p>BIO-2b Preconstruction Surveys and Protection Measures for Western Pond Turtles</p> <p><i>The District or its contractor will avoid impacts to western pond turtle by avoiding aquatic and riparian habitat by at least 200-feet to the extent feasible.</i></p> <p><i>Qualified District staff or contractor shall conduct a pre-construction survey for western pond turtles no more than 30 days prior to construction in suitable aquatic habitats and upland habitat within the project corridor/footprint, including stream crossings, drainage ditches, and culverts.</i></p> <p><i>If the species is found near any proposed construction area, impacts on individuals and their habitat shall be avoided to the greatest extent feasible.</i></p> <p><i>If occupied habitat can be avoided, an exclusion zone shall be established around the habitat, and temporary exclusion fencing shall be installed around a buffer area determined by the qualified District staff or contractor with “Sensitive Habitat Area” signs posted and clearly visible on the outside of the fence.</i></p> <p><i>If avoidance is not possible and the species is determined to be present in work areas, the qualified District staff or contractor, with approval from CDFG, may capture turtles prior to construction activities and relocate them to</i></p>	<p>Prior to and during construction activities.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>nearby, suitable habitat a minimum of 300 feet downstream from the work area. Exclusion fencing should then be installed, if feasible, to prevent turtles from reentering the work area. For the duration of work in these areas, the qualified District staff or contractor should conduct monthly follow-up visits to monitor effectiveness.</i></p>			
	<p>BIO-2c Preconstruction Surveys and Protection Measures for San Francisco Garter Snake</p> <p><u>General Impact Avoidance Measures</u></p> <p><i>If an incidental sighting of San Francisco garter snake is reported in the Preserve, either from District staff or recreational visitor to the Preserve, the District shall evaluate the validity of the sighting and take precautionary actions to ensure that the individual is protected. Measures shall include:</i></p> <ul style="list-style-type: none"> › <i>Conducting focused surveys in the area of the reported sighting to delineate boundaries of occupied and potentially occupied areas</i> › <i>Avoiding disturbance within 660 feet of <u>occupied</u> aquatic and riparian habitat to the extent feasible</i> › <i>Based on survey results and potential habitat, the District may restrict certain types of activities, or close the area to specific uses as appropriate</i> <p><u>Impact Avoidance Measures for Construction Projects</u></p> <p><i>Qualified District staff or a contractor shall conduct a pre-construction survey for San Francisco garter snake no more than 30 days prior to construction in suitable aquatic habitats and adjacent upland habitat within the project footprint.</i></p> <p><i>If the species is found near any proposed construction area, work shall cease immediately and the District shall contact USFWS and California Department</i></p>	<p>During operation and prior to construction activities.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>of Fish and Game within 24 hours to develop appropriate conservation measures to avoid and minimize impacts.</i></p>			
	<p>BIO-3 Preconstruction Surveys and Protection Measures for Bat Roosts in Buildings</p> <p><i>Surveys for roosting bats on the project site will be conducted by a qualified District staff or contractor. Surveys will consist of a daytime pedestrian survey looking for evidence of bat use (e.g., guano) and/or an evening emergence survey to note the presence or absence of bats. The type of survey will depend on the condition of the buildings. If no bat roosts are found, then no further study is required. If evidence of bat use is observed, the number and species of bats using the roost will be determined. Bat detectors may be used to supplement survey efforts, but are not required.</i></p> <p><i>If roosts of pallid or Townsend's big-eared bats are determined to be present and must be removed, the bats will be excluded from the roosting site before the facility is removed. A program addressing compensation, exclusion methods, and roost removal procedures will be developed in consultation with DFG before implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with DFG and may include construction and installation of bat boxes suitable to the bat species and colony size that was excluded from the original roosting site. Roost replacement will be implemented before bats are excluded from the original roost sites. The District has successfully constructed bat boxes elsewhere that have subsequently been occupied by bats. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the structures may be removed or sealed.</i></p> <p><i>In the case of renovation work, renovations will be done in as concentrated a time period as possible and will be timed to minimize disturbance to bat roosts</i></p>	<p>Prior to demolition and/or renovation activities, and during renovation.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>as recommended by a bat expert. Renovations will be done in a manner that will promote the continued use of the structure by bats whenever feasible.</i></p>			
	<p>BIO-4a Preconstruction Surveys and Protection Measures for Raptors and Other Nesting Birds</p> <p><i>To minimize potential disturbance to nesting birds, project activities, including vegetation removal and building demolition, watershed habitat management, and vegetation and forest management, shall occur during the non-breeding season (September 16-February 14), unless it is not feasible to do so, in which case the following measures shall also be applied.</i></p> <p><i>During trail construction, road improvements, and other activities, removal of trees greater than 6 inches dbh shall be limited to the greatest degree possible.</i></p> <p><i>If construction activity is scheduled to occur during the nesting season (February 1 to August 15), The District shall utilize qualified District staff or contractor to conduct preconstruction surveys and to identify active nests on and within 500 feet of the project site that could be affected by project construction. The surveys shall be conducted no less than 14 days and no more than 30 days before the beginning of construction in a particular area. If no nests are found, no further mitigation is required.</i></p> <p><i>If active nests are found, impacts on nesting raptors and songbirds shall be avoided by establishment of appropriate buffers around the nests. No project activity shall commence within the buffer area until a qualified District staff or contractor confirms that any young have fledged or the nest is no longer active. A 500-foot buffer around raptor nests and 50-foot buffer around songbird nests are generally adequate to protect them from disturbance, but the size of the buffer may be adjusted by a qualified District staff or contractor in consultation with DFG depending on site specific conditions. For trail</i></p>	<p>Prior to and during construction activities.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>construction, use of non-power hand-tools may be permitted within the buffer area if the behavior of the nesting birds would not be altered as a result of the construction. Monitoring of the nest by a qualified District staff or contractor during and after construction activities will be required if the activity has potential to adversely affect the nest.</i></p>			
	<p>BIO-4b Avoidance of Nesting Habitat and Protection Measures for Marbled Murrelets</p> <p><i>To minimize potential disturbance to marbled murrelets at potential nesting sites and traveling to coastal foraging areas, the following measures shall be implemented:</i></p> <ul style="list-style-type: none"> › <i>The District shall maintain a GIS-based map of potentially suitable habitat for marbled murrelets in the Preserve. A ¼ mile buffer around suitable habitat shall be identified and mapped.</i> › <i>No construction activities shall occur within potentially suitable habitat, associated buffer zones, or areas identified as old growth during the marbled murrelet breeding season (March 24 to September 15).</i> › <i>If volunteer or contract work is scheduled to occur during the marbled murrelet breeding season (March 24 to September 15) in forested areas of the Preserve, a qualified District staff or contractor shall review the project area and verify that the project activities would not occur within the area identified as potential habitat and buffer zone.</i> › <i>Within conifer forests on the Preserve, during the marbled murrelet breeding season (March 24 to September 15), noise generating construction activity shall be restricted to 2 hours after sunrise to 2 hours before sunset to minimize disturbance of potential nesting murrelets using forest habitat as a travel corridor between inland nesting and coastal habitat.</i> 	<p>Prior to and during construction activities.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p>BIO-5 Protection and Compensation Measures for Anadromous Fish</p> <p><i>The District or its contractor will avoid impacts to coho salmon and steelhead by avoiding stream habitat by at least 200-feet to the extent feasible.</i></p> <p><i>If project activities are to occur in stream habitat, a qualified District staff or contractor shall determine if suitable habitat for anadromous fish would be affected by the activity, including downstream effects. Examples could include activities associated with bank stabilization or installation of stream crossing footings (etc.) within the ordinary high water mark (OHWM). If the habitat for anadromous fish would not be affected, then no further mitigation shall be required.</i></p> <p><i>If suitable habitat for anadromous fish would be affected by the project activity, the District will consult with the National Marine Fisheries Service (NMFS) to comply with the requirements of the Endangered Species Act (ESA) and California Department of Fish and Game (DFG) to comply with the requirements of the California Endangered Species Act (CESA). Because potential impacts to stream habitat for these anadromous fish may also require a Section 404 permit from the USACE (see Discussion under “C” below and Mitigation Measure BIO 6), consultation would likely occur under Section 7 of the ESA. The proposed projects may qualify for ESA compliance by using the programmatic Biological Opinion for Anadromous Fish issued to USACE for specific fisheries restoration projects (NMFS 2006).</i></p> <p><i>The District shall ensure the no net loss of coho salmon and steelhead habitat occurs. Aquatic habitat that is disturbed during construction shall be restored to its pre-project condition. If permanent loss of habitat occurs, habitat restoration or enhancement shall occur elsewhere on District land as compensatory mitigation.</i></p> <p>› <i>The District will implement the following minimization measures to protect aquatic habitat during construction activities in streams:</i></p> <p>› <i>Project sites shall be monitored by a qualified District staff or</i></p>	<p>Prior to, during, and following completion of construction activities.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>contractor during construction to prevent adverse and unforeseen effects to listed salmonids. The qualified staff or contractor shall monitor work activities and instream habitat a minimum of three times per week during construction for the purpose of identifying and reconciling any condition that could adversely affect salmonids or their habitat. The District staff or contractor shall have the authority to cease construction activities in order to resolve any unanticipated adverse impact resulting from construction.</i></p> <ul style="list-style-type: none"> › <i>A monitoring report shall be provided to NMFS and DFG following the completion of construction within 120 calendar days following the completion of the construction phase of each restoration project. The report shall include the number and approximate size (mm) of listed salmonids captured and removed; any effect of the proposed action on listed salmonids; and photographs taken before, during, and after the activity from photo reference points.</i> › <i>A spill prevention plan shall be in place prior to construction and shall be reviewed and approved by NMFS and DFG prior to construction.</i> › <i>The District shall review and incorporate the minimization and avoidance measures, as proposed by USACE, NMFS, and/or DFG, prior to final project design submittal and construction. Construction crews and the qualified staff or contractor shall have a copy of these measures on site during project activities.</i> › <i>Restoration projects shall not result in the introduction of anadromous salmonids into nonnative habitats. Fish passage enhancement actions, that facilitate anadromous salmonid migration into stream reaches without any prior historical access, are not permitted.</i> › <i>Sediment minimization measures shall apply to large woody debris (LWD) placement actions. Root wads placed instream to enhance salmonid habitat shall be largely free of fine sediment prior to</i> 			

Number	Mitigation	Timing	Who Will Verify?	Verification (Date & Initials)
	<p><i>placement.</i></p> <p>› <i>NMFS and/or DFG may place additional site specific conditions on any restoration project in order to protect listed salmonids or their critical habitat from otherwise unforeseen adverse circumstances. USACE are expected to incorporate these additional site specific conditions into their permits.</i></p>			
	<p>BIO-6 Wetland Minimization and Compensation Measures</p> <p><i>The District will implement the following measures to minimize impacts to wetlands and other waters of the U.S.:</i></p> <p>› <i>Where wetlands or other Waters could be affected by trail improvements, bank stabilization, or other activities, a preliminary wetland delineation shall be submitted to USACE for verification. The wetlands may also be subject to DFG regulation under Section 1602 of the Fish and Game Code. No grading, fill, or other ground disturbing activities shall occur until all required permits, regulatory approvals, and permit conditions for effects on wetland habitats are secured.</i></p> <p>› <i>If the wetlands are determined to be subject to USACE jurisdiction, projects such as small bank stabilization projects, restoration activities, or trail or road crossings may qualify for a Nationwide Permit if certain criteria are met. For those wetlands that cannot be avoided, The District shall commit to replace, restore, or enhance on a “no net loss” basis (in accordance with USACE, RWQCB, and DFG) the acreage of all wetlands and other waters of the U.S. that would be removed, lost, and/or degraded with project implementation. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, RWQCB, and DFG, as appropriate, depending on agency jurisdiction, and as determined during the permitting processes.</i></p>	<p>Prior to construction activities near or within a wetland or other waters of the U.S.</p>	<p>MROSD Operations Dept. (Resource Specialist) with Planning PM</p>	

ATTACHMENT G

RESOLUTION NO. 12-XX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT ADOPTING THE
MITIGATED NEGATIVE DECLARATION, THE MITIGATION MONITORING
PROGRAM, AND RELATED FINDINGS, IN CONNECTION WITH
THE PROPOSED LA HONDA MASTER PLAN**

WHEREAS The Board of Directors of the Midpeninsula Regional Open Space District (“District”) has reviewed the proposed La Honda Master Plan and all associated actions (“the Project”) and has reviewed the Mitigated Negative Declaration (“MND”) analyzing the environmental effects of the Project;

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 find that:

1. Notice of the availability of the Initial Study and Mitigated Negative Declaration and all hearings on the MND were given as required by law and the actions were conducted pursuant to 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. Three comments were received.
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. No changes were made to the MND.
4. The Board finds that, on the basis of the whole record before it, including the Initial Study and MND, that there is no substantial evidence that the Project will have a significant effect on the environment in that, although the proposed Project could have significant effects 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.
5. The Board adopts the MND and determines that the MND reflects the District’s independent judgment and analysis.
6. The Board adopts the attached Mitigation Monitoring and Reporting Program and will require it to be implemented as part of the Project.
7. 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 General Manager of the Midpeninsula Regional Open Space District, 330 Distel Circle, Los Altos, California 94022.