



Midpeninsula Regional
Open Space District

R-16-117
Meeting 16-24
September 28, 2016

AGENDA ITEM 4

AGENDA ITEM

Public Hearing to Receive Public Comments on the *Bear Creek Redwoods Preserve Plan Draft Environmental Impact Report*

GENERAL MANAGER'S RECOMMENDATION

Receive public comments on the *Bear Creek Redwoods Preserve Plan Draft Environmental Impact Report*.

SUMMARY

The purpose of the September 28, 2016 public hearing is to receive public comments on the Draft Environmental Impact Report (DEIR), which analyzes the potential environmental impacts related to the Bear Creek Redwoods Preserve Plan (Preserve Plan). No Board action is contemplated, aside from receiving comments. The DEIR was released on September 16, 2016 for a 45-day public review and comment period that ends on October 31, 2016. Responses to comments will be prepared and assembled into a Final Environmental Impact Report (FEIR). The Board will consider certification of the FEIR and approval of the Preserve Plan approval this winter.

The DEIR identifies mitigation measures to reduce all potentially significant environmental impacts to less than significant levels, with the exception of impacts to cultural resources. Demolition of four structures at the former Alma College site cannot be fully mitigated and is considered a significant, unavoidable impact.

MEASURE AA

This project supports Measure AA (MAA) Portfolio #21, Bear Creek Redwoods Public Recreation and Interpretation Projects, which specifies: *Open for hiking, equestrian activities. Provide parking areas, trails; upgrade stables. Restore & protect habitats for various species. Repair roads and trails to reduce sediment. Rehabilitate Alma College site.* Measure AA allocated \$17.478M for all eligible Bear Creek Redwoods Open Space Preserve projects.

DISCUSSION

The Bear Creek Redwoods Preserve Plan (Preserve Plan) is a long-term use and management plan for the 1,432-acre Bear Creek Redwoods Open Space Preserve (Preserve). Developed over the course of more than 10 years, the Preserve Plan synthesizes extensive technical data, comments received at nearly 20 public meetings, and thorough analysis by expert consultants and an interdisciplinary District project team, into specific actions to implement the Preserve

vision. Stewardship actions, including noxious weed abatement, erosion reduction, aquatic habitat enhancement, and cultural resources protection, are given the highest priority. The Preserve Plan also calls for improved visitor access facilities, including three new parking areas, new and reconstructed hiking and equestrian trails, and a multi-use trail connecting Lexington Basin to the Skyline-Summit Area (Attachment 1) to be implemented in three phases. Phase I Actions during the first 1-3 years focus on stewardship and visitor access improvements to open the western Preserve zone (west of Bear Creek Road) to hiking and equestrian access. Major site repairs and improvements at Bear Creek Stables and initial rehabilitation of the former Alma College site are scheduled in Phase II, during years 4-10. Opening of the northeastern trails to general hiking and equestrian use, and the addition of a multi-use through trail are also targeted for completion in Phase II. Phase III focuses on completing trail connections and natural resource enhancements in the southeastern Preserve zone during years 11-20. Implementation Actions are provided in Attachment 2 and summarized below.

Phase I Key Actions (Years 1-3)

- Implement high priority resource management projects, including invasive species removal, drainage improvements to reduce erosion, and pond enhancements;
- Construct the Alma College Parking Area; formalize an at-grade pedestrian crossing of Bear Creek Road; and construct a new, 0.5-mile connector trail to the existing road network in the western Preserve;
- Open the western Preserve to hiking and equestrian use; treat invasive species, improve roads, and install gates and signage; construct one vehicle bridge and possibly one large retaining wall; and repair or replace the Webb Creek culvert under Bear Creek Road;
- Implement Phase I improvements to Bear Creek Stables, including: construction of a livery stables and public arena; improvements to paddocks and shelters in the boarding area; hillside restoration; improvements to driveway, parking, and other critical facilities; new restroom; demolition of dilapidated structures; stabilization of old stables building; and construct water infrastructure and distribution system. Construction likely to continue into Phase II.
- At the former Alma College site: manage vegetation; demolish hazardous structures; stabilize chapel and library (dependent on County's permitting approval, may be completed in Phase II); or upgrade perimeter fencing as needed to restrict access to a closed area.

Phase II Key Actions (Year 4-10)

- In the eastern Preserve zone: install drainage improvements; reroute existing trail; construct stream crossings, including one vehicle bridge and up to two pedestrian bridges; and install gates, fencing, and signage as necessary to open eastern zone to general hiking and equestrian access;
- To create the northern segment of the new multi-use through trail: construct approximately 1.75 miles of new trail; formalize connections to Lexington County Park

and the Skyline-Summit area; and open the multi-use through trail to hiking, equestrian, and bicycle use;

- Complete Phase II improvements to Bear Creek Stables, including: additional road and parking improvements (Stables public parking area); and replace hay barn and caretakers house;
- At the former Alma College site: complete structural stabilization of the northern retaining wall; install permanent safety barriers as needed; rehabilitate pathways, terracing, shrines, roman plunge, lily pond, Tevis mansion footprint, and other cultural landscape elements through minor construction and vegetation management; install interpretive signage.

Phase III Key Actions (Years 11-20)

- Construct approximately three (3) miles of new trail to complete a connection to Summit Road in the eastern Preserve Area;
- Construct North Parking Lot, if necessary.

FISCAL IMPACT

The District's Fiscal Year (FY) 2016-17 Budget and Action Plan includes a total of \$1,863,270 for ongoing Preserve projects:

FY 2016-17 Bear Creek Redwoods Projects	Budget
BCR Preserve Plan and EIR (GF)	\$90,000
Bear Creek Stables Site Plan (GF)	\$14,000
General Fund (GF) Subtotal:	\$104,000
BCR Water Infrastructure Improvements (AA 21-3)	\$487,500
BC Stables Site Plan Implementation (AA 21-4)	\$139,000
BCR Phase I Public Access Projects (AA 21-5)	\$516,200
BCR Alma College Site Rehabilitation Plan (AA 21-6)	\$419,250
BRC Invasive Weed Treatment (AA 21-7)	\$91,880
BCR Pond Restoration (AA 21-8)	\$105,900
MAA 21 Portfolio Subtotal :	\$1,759,730
Total FY 2016-17 BCR Projects Budget	\$1,863,730

The following table is provided to outline the status of the Measure AA Portfolio Expenditure Plan allocation, and the fiscal impact related to the Preserve:

MAA 021 Portfolio Allocation	\$17,478,000
Spent to Date:	\$370,069
Encumbrances:	\$0
FY 2016-17 Bear Creek Redwoods Projects (Budgeted):	\$1,759,730
Balance Remaining (Proposed):	\$15,348,799

BOARD COMMITTEE REVIEW

Preserve Plan Actions incorporate extensive direction from the District's Board of Directors and Planning and Natural Resources Committee, as well as robust input from stakeholders, staff, and the general public. A chronology of the public planning process is provided as Attachment 3.

PUBLIC NOTICE

Public notice of this Agenda Item was provided as required by the Brown Act. Additional notice was provided to neighbors, residents along Bear Creek Road, and other interested parties. A copy of the Draft Preserve Plan and DEIR was provided to all responsible and trustee agencies, selected interested parties, as well as posted on the District website and at the Los Gatos public library, on September 16, 2016.

CEQA COMPLIANCE

In accordance with the State CEQA Guidelines (Title 14 California Code of Regulations [CCR] Section 15082), the District prepared a Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Preserve Plan (which includes the Bear Creek Stables Site Plan and Alma College Rehabilitation Plan) to inform agencies and interested parties that an EIR will be prepared. The District issued the NOP on June 11, 2015 and held a CEQA Scoping session for the Proposed Preserve Plan at the June 24, 2015 Board of Directors meeting.

On September 16, 2016, the District released the DEIR for a 45-day public review and comment period. The public comment period will conclude on October 31, 2016. Although written comments on the DEIR are strongly encouraged, this public meeting will allow the public to provide oral comments on potential environmental impacts of the proposed Preserve Plan. Responses to all oral and written comments pertaining to environmental impacts will be included in the FEIR. Public comments received on the Preserve Plan that do not relate to environmental impacts do not require written responses in the FEIR.

The Draft EIR indicates that the proposed project has the potential to result in significant project impacts associated with the following environmental resources or topics: biological resources (impacts to heritage trees, special-status bats, reptiles, amphibians, nesting birds, San Francisco dusky-footed woodrat, ringtail, as well as sensitive natural communities), cultural resources (historical structures and undiscovered human remains), hazardous materials (potential exposure of workers to soil contamination), and geology and soils (potential risk of seismically induced dam failure). The Draft EIR identifies mitigation measures to reduce all of these impacts to a less-than-significant level with the exception of impacts to historic resources related to demolition of select structures at the former Alma College site. Implementation of all feasible mitigation measures would not reduce the project's impacts to historic resources below the threshold of significance and the impact remains significant and unavoidable.

Significant, Unavoidable Impacts

A project impact is considered significant and unavoidable if it would result in a substantial adverse change in the environment that cannot be feasibly avoided or mitigated to a less-than-significant level if the project is implemented. If a lead agency proposes to approve a project with significant unavoidable impacts, it must adopt a statement of overriding considerations to explain its actions (CEQA Guidelines, Section 15093(b)).

The Preserve Plan, if approved by the Board, would result in significant impacts related to historic buildings. As discussed in Impact 4.4-2 of the DEIR, although the buildings at the former Alma College site have recently been evaluated and found ineligible for listing on the California Register of Historic Resources, the “Alma College Complex” remains listed on the Santa Clara County Heritage Resource Inventory; it was originally listed in 1995. The proposed project would result in the demolition of four buildings that are listed as part of the “Alma College Complex” on the Santa Clara County Heritage Resource Inventory. Removal of these structures is necessary open the site to the public and allow visitors to understand the cultural landscape, which is the goal of the Alma College Cultural Landscape Rehabilitation Plan. Mitigation measures are identified to reduce the impact by requiring documentation of the resources; however, implementation of the mitigation does not reduce the impact to a less-than-significant level. Therefore, demolition of these historic resources would result in a significant and unavoidable impact.

NEXT STEPS

The 45-day public comment period for the DEIR will close on October 31, 2016. Comments will be addressed in the preparation of the FEIR, which will be brought to the Board at a separate hearing together with the consideration of the Preserve Plan approval this winter.

Task	Date
Public Draft Preserve Plan and Public DEIR released for review	September 16, 2016
EIR Public Comment Period	September 16- October 31, 2016
Preserve Plan EIR Hearing	September 28, 2016
Board of Directors considers EIR certification and approval of the Preserve Plan (including Stables & Alma College Site Plans)	December 2016/January 2017

Attachments

1. Preserve Plan Public Access Map
2. Preserve Plan Implementation Actions
3. Preserve Plan Public Process

An electronic copy of the Preserve Plan and Draft Environmental Impact Report is available at: <http://www.openspace.org/our-work/projects/bcr-plan>. Hard copies can be found at: District Administration Office at 330 Distel Circle, Los Altos, and Los Gatos Public Library at 100 Villa Avenue, Los Gatos.

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