



Midpeninsula Regional
Open Space District

R-21-122
Meeting 21-28
September 22, 2021

AGENDA ITEM 6

AGENDA ITEM

Pacific Gas and Electric Monta Vista-Jefferson Electric Transmission Line Access Road Improvements and Apple Orchard Mitigation

GENERAL MANAGER'S RECOMMENDATION

Authorize the General Manager to enter into an access, monitoring, and mitigation agreement with Pacific Gas and Electric (PG&E) to permit stream restoration mitigation work at the Apple Orchard property in La Honda Creek Open Space Preserve to offset potential impacts related to PG&E road repairs along their Monte Vista-Jefferson Electric Transmission Line within Russian Ridge Open Space Preserve. The restoration work would be completed by the San Mateo Resource Conservation District on District lands on behalf of PG&E.

SUMMARY

Pacific Gas and Electric (PG&E) needs to repair and improve an access road, including five stream crossings, to facilitate ongoing maintenance of the Monta Vista-Jefferson transmission line, which is located within the western portions of Russian Ridge Open Space Preserve. With input from Midpeninsula Regional Open Space District (District) staff, PG&E modified its original project to reduce potential environmental impacts. Even with a reduced scope, permit agencies require PG&E to implement approximately 2,100 square feet of stream restoration to offset project impacts. Limited onsite restoration possibilities caused PG&E to approach the San Mateo Resource Conservation District (RCD) for local restoration opportunities. The RCD and District staff identified restoration opportunities at the Apple Orchard property in La Honda Creek Open Space Preserve, which is the site of a joint project completed in 2016 that installed large woody debris to improve steelhead and coho fisheries habitat. The proposed Mitigation Agreement would be paid for by PG&E to fund additional restoration work undertaken by the RCD at the Apple Orchard site on District lands.

BACKGROUND

In October 2020, PG&E approached the District about accessing a portion of Russian Ridge Open Space Preserve west of Rapley Ranch Road (the former Conner property) to maintain their Monta Vista-Jefferson transmission line and reduce tree encroachment on the power lines. The project involves the repair of existing access roads, which PG&E has a right to maintain. District staff made a number of requests to include integrated pest management, expand the scope of their California Environmental Quality Act analysis, and eliminate a secondary access road that PG&E was proposing to improve. PG&E agreed to these changes. Improving the stream crossings along the access road at Russian Ridge requires extending the length of the culverts (as is best practice) and reconstructing a culvert crossing that failed sometime between 2005 and

2010. The Regional Water Quality Control Board (Water Board) determined that 2,100 square feet of stream restoration is needed to offset the environmental impacts of the road and stream crossing improvements. PG&E inquired if the District had any mitigation-restoration opportunities onsite. District staff did not have any identified, 'shovel ready' stream restoration projects in the immediate area. Furthermore, at the time, the District had no mitigation policy under development to help guide the evaluation of such requests.

At the April 28, 2021 Board of Directors (Board) meeting, District Natural Resources staff presented a draft Mitigation Policy to the Board for discussion and feedback as an additional chapter to the Resource Management Policies (R-21-50). No major edits were suggested by the Board and the next steps include additional stakeholder outreach, which is currently underway. Staff anticipate returning to the full Board for approval of a new mitigation policy this fall.

After approximately six months of trying to locate suitable mitigation, PG&E approached the RCD about finding a mitigation-restoration site in the same watershed. The RCD has an informal policy of working to keep mitigation-restoration projects within the same bioregion. RCD staff then met with District staff at several locations in La Honda Creek Open Space Preserve where potential restoration sites have previously been identified. The RCD and District staff determined that adding more large woody material to improve in-stream fish habitat in San Gregorio Creek at the Apple Orchard site was the most ecologically desirable and reasonably actionable project. This conclusion borrows from prior assessments and the 2016 project that installed large tree trunks at the project site.

Large wood within waterways creates pools that provide rearing habitat for young fish, sorts sediments and gravels for spawning, and creates high flow refugia during storm events for fish. Historically, large woody debris played an important role in the creation of complex habitat within streams systems. Since the 1970s, as rural residences have encroached onto the creek corridor, woody debris have been removed. Throughout California, and especially in the last decade, restoration practitioners have been installing large trunks of wood back into salmonid streams to recreate historic stream conditions. If the in-stream habitat restoration work is supported by the Board, staff would prepare terms for a draft Mitigation Agreement to facilitate the proposed mitigation-restoration work at the Apple Orchard Site. The terms would reflect the roles of each party: the RCD would hold and disburse all funds, provide project management, permitting, procure and oversee construction, and monitor the project afterwards. PG&E would fund the project at a current estimated cost of approximately \$245,000, including a 20% contingency. PG&E is also responsible for any additional costs. The District would grant permission to the RCD and its consultants and contractors to undertake the restoration-mitigation and future monitoring.

DISCUSSION

While a Mitigation Policy has not yet been approved by the Board, a formal mitigation agreement for this work would facilitate restoration on District lands without adding substantial workload or increasing the budget to the District's workplan. Staff evaluated the proposed mitigation agreement using the guidelines in the proposed draft Mitigation Policy. Based on this analysis, the General Manager recommends proceeding with a mitigation agreement to permit the in-stream restoration work. Should the District decline this opportunity, PG&E will seek to spend mitigation funds elsewhere and the mitigation will likely happen in another watershed or

outside of the bioregion. While the District would not directly receive any funds for this project, its estimated value at \$245,000 requires Board approval under the draft Mitigation Policy.

The draft Mitigation Policy directs staff to evaluate proposals against five criteria. Below is a summary of the findings from this evaluation.

1. Alignment with District Mission, Policies, and Goals

The road repair project is largely consistent with prior recommendations from a 2004 Road and Trail Assessment Report prepared by Tim Best, Engineering Geologist, for improving the road surface and reducing sediment. Reducing sedimentation from old culverts is a District priority and is supported by the Regional Water Quality Control Board. PG&E is proposing to complete work that might otherwise be done by the District for operational reasons or to further the priorities of the Water Quality Improvement Plan for the San Gregorio Watershed. Reducing the risks of wildfire from PG&E transmission lines is also aligned with District goals and public interest. Early on, District staff had the opportunity to vet and improve PG&E's proposed scope for the road improvement project. The accompanying mitigation project leverages existing knowledge acquired for the Apple Orchard property and facilitates restoration along an anadromous creek to improve fisheries habitat in a sediment-impacted watershed.

2. Proximity to District Lands and Regional Context

The road repair project will be occurring on District lands. Thus, facilitating restoration and mitigation on District lands makes sense from a public-value perspective. Both the road repair and proposed mitigation project are in the San Gregorio watershed; the stream crossing that will be improved as part of the road repair project is on a tributary of Woodruff Creek that flows into La Honda Creek, which then flows into San Gregorio Creek. The proposed mitigation site lies downstream of the creek crossing improvement. Keeping the mitigation-restoration work in the San Gregorio watershed and focusing on a site that offers the potential to establish superior fish habitat is much desirable given ongoing and long-term efforts to improve water quality and habitat health to return historic salmonid runs to San Gregorio Creek.

3. Public, Partner, and Social Implications

PG&E is a complex, multi-faceted entity and in the past has occasionally done a poor job in adequately prescribing and completing vegetation management and road work on District lands within their easements. However, in the case of this project, PG&E reached out to the District in the early project phases, gave the District time to provide input, and incorporated the input to reduce potential environmental impacts into the project design. The District continues to stress the need for environmentally sensitive maintenance techniques to mitigate fire risk from these power lines. The road repairs will improve access for future maintenance work of the power lines. These repairs will also improve emergency and District patrol access to the property.

4. Low-impact Project Design and Appropriate Mitigation

By engaging the District early on in the design process for the road repair project, PG&E incorporated District input to reduce potential project impacts and the scope of the work. The resulting project is largely consistent with road repair recommendations prepared for District in 2004 to address sedimentation issues. Additional measures to adhere to District vegetation management practices were incorporated at the District's request. The project's remaining impacts relate to additional fill in the creek to accommodate culvert extensions. Stream restoration is a logical 'like for like' mitigation action to offset the creek impacts.

5. Ecological Impact versus Value

The proposed mitigation would improve an area of interest that can offer high-quality breeding habitat for steelhead and coho salmon in the middle-lower watershed compared to the lower quality habitat found at the road repair site in the upper watershed (which is beyond the limit of steelhead and coho salmon). Building off the success of the District's 2016 Apple Orchard Project, which improved in-stream fisheries habitat through the installation of large woody debris, allows this proposed mitigation project to utilize existing relevant data to design and monitor the proposed mitigation-restoration work.

In summary, the proposed mitigation meets the criteria established by the draft Mitigation Policy and furthers District natural resource goals and assists efforts in improving the health and quality of a sediment-impaired watershed. Therefore, the General Manager recommends entering into the Mitigation Agreement.

FISCAL IMPACT

The recommended action has no direct fiscal impact on the District's budget. If the agreement is approved, the RCD will hold and disburse all funds associated with the mitigation.

BOARD AND COMMITTEE REVIEW

The Board reviewed the draft Mitigation Policy at the April 28, 2021 meeting, [R-21-50](#). A final proposed Mitigation Policy is scheduled to be presented to the full Board for review and adoption in October/November.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The Mitigation Agreement is not a project subject to the California Environmental Quality Act. The implementation of the proposed mitigation work at the Apple Orchard site is a project subject to CEQA. The District and RCD would cooperate to determine who is the most appropriate agency to serve as the lead agency for CEQA and complete the CEQA analysis. If the RCD takes the lead, the District will work closely with the RCD to review and finalize the CEQA document prior to public distribution and review.

NEXT STEPS

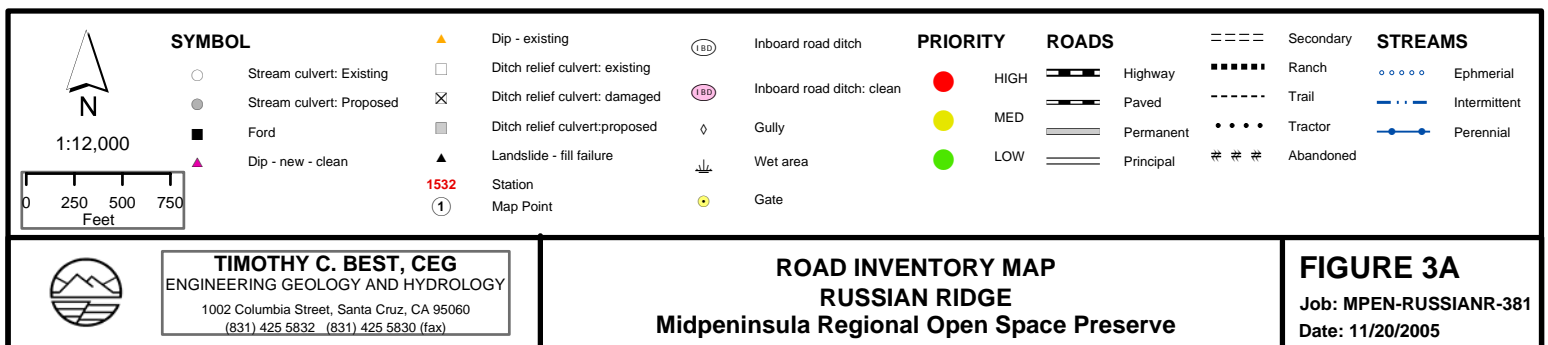
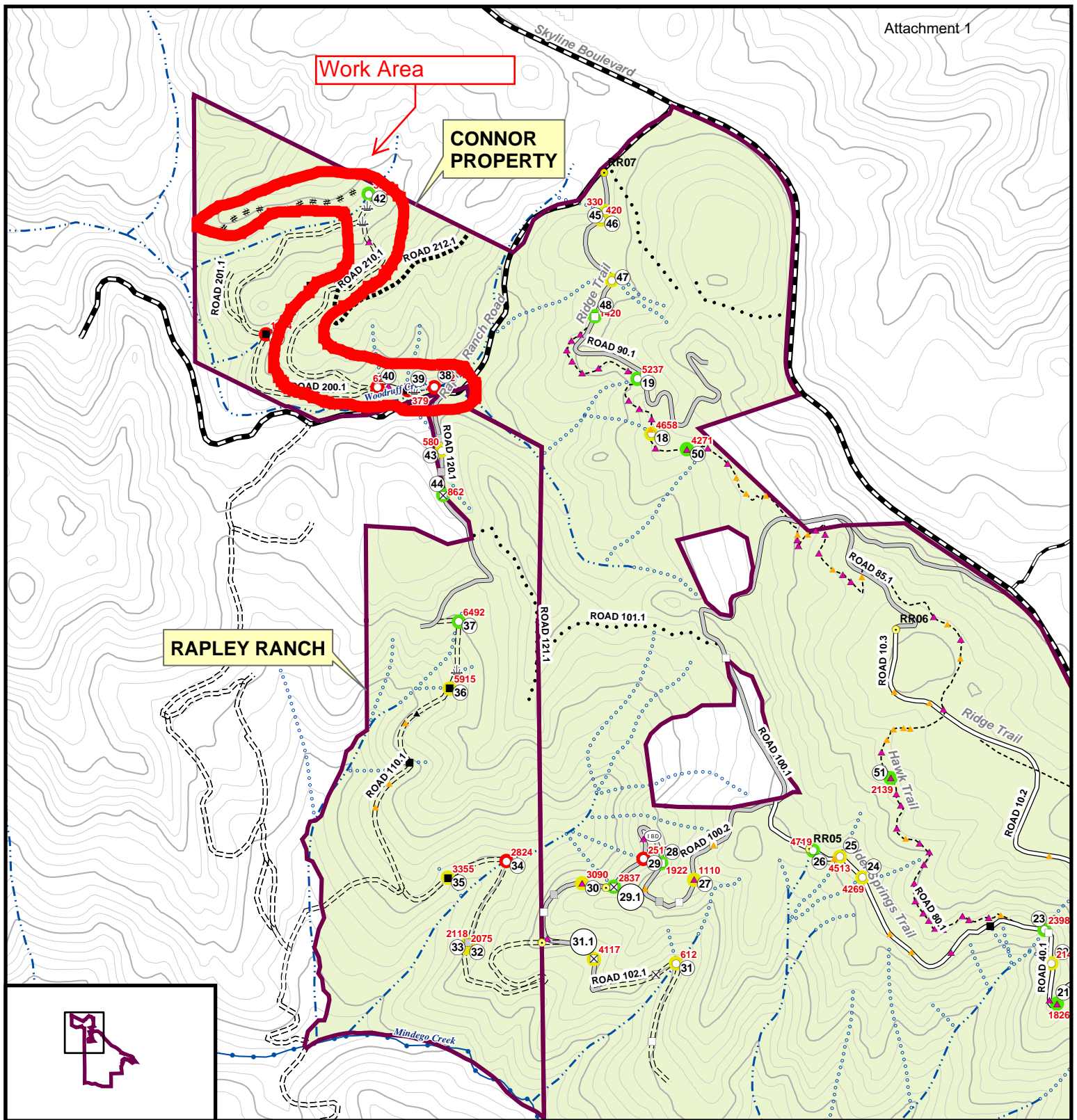
Should the Board approve the General Manager's recommendation, staff will draft and enter into the Mitigation Agreement with the RCD. The mitigation-restoration implementation could occur as soon as Fall 2022 but is more likely Fall of 2023 and will be monitored for at least three years after installation.

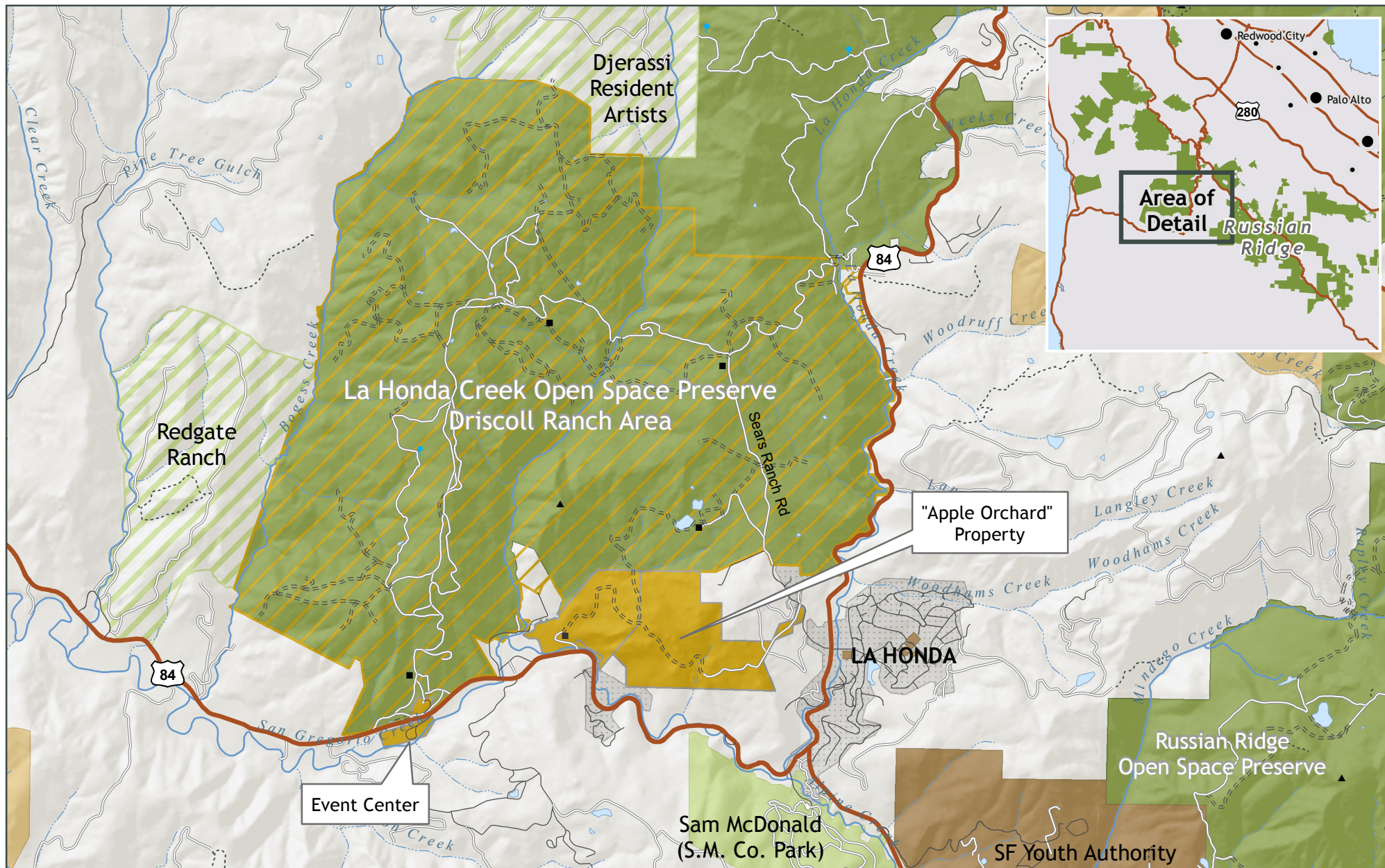
Attachments

1. Transmission Line Road Improvement Map
2. Apple Orchard Map

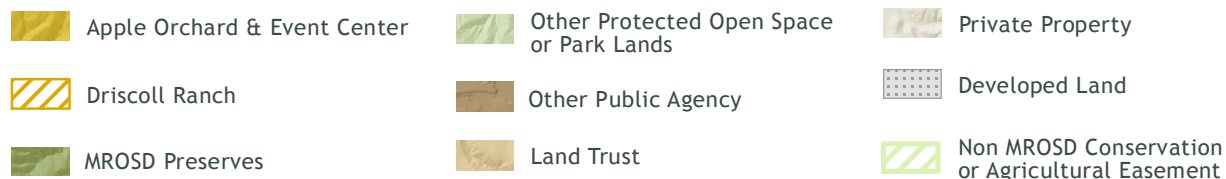
Responsible Department Head:
Kirk Lenington, Natural Resources Department

Contact Person and Prepared by:
Aaron Hébert, Sr. Resource Management Specialist, Natural Resources Department





Attachment 2: POST (Driscoll) Apple Orchard & Event Center



Midpeninsula Regional
Open Space District
(MROSD)

February, 2014



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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.

Apple Orchard Large Woody Debris Installation Sites

