



Midpeninsula Regional
Open Space District

R-25-78
Meeting 25-16
June 11, 2025

AGENDA ITEM 6

AGENDA ITEM

Mitigation Cooperative Agreement at Miramontes Ridge Open Space Preserve with the California Department of Transportation

GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to execute the cooperative agreement associated with the compensatory mitigation project at Miramontes Ridge Open Space Preserve to restore 1.67 acres (953 linear feet) of riparian habitat along Madonna Creek with the California Department of Transportation, for a contract reimbursement amount of \$697,000 over twelve years.
2. Delegate authority to the General Manager to accept additional reimbursement funds from the California Department of Transportation and execute minor amendments to the contract scope, budget and term, as necessary, during project implementation to meet project success criteria as determined by applicable regulatory agencies.

SUMMARY

The California Department of Transportation (Caltrans) is proposing to fund an off-site mitigation project at Miramontes Ridge Open Space Preserve (Preserve) for invasive plant removal and restoration along Madonna Creek (Attachment 1) to mitigate impacts of their work along State Routes 1 and 84. The Board of Directors (Board) authorized staff to negotiate a cooperative agreement for this work on March 13, 2024 ([R-24-32](#), [Minutes](#)). The Mitigation Cooperative Agreement includes: (1) a cost reimbursement estimate of \$697,000 for design, peer review, and implementation, and (2) reimbursement of Midpeninsula Regional Open Space District (District) staff time and/or third-party administration, project oversight, and minimum ten years of monitoring as required by regulatory agencies. Since the mitigation project will be funded through reimbursements, the District would need to budget for and cover the initial cost, with these costs reimbursed quarterly.

DISCUSSION

External agencies regularly approach the District seeking to provide funding and/or requesting the ability to implement mitigation work on District lands to compensate for impacts caused by their offsite projects. Under the proposed Agreement, the District would be responsible for performing the mitigation and monitoring work at the Preserve, which can be contracted to third parties including consultants, contractors, or partner agencies such as the San Mateo Resource Conservation District (RCD), the California Conservation Corps, or performed by District staff. The RCD is specifically mentioned in the Agreement as a priority potential partner for this work

due to their proximity and knowledge of the Madonna Creek area, although no agreement between the RCD and the District has yet been finalized.

The scope of work for the mitigation project is defined by Caltrans' State Route 1 and State Route 84 Structures and Scour Mitigation Project Initial Study/Mitigated Negative Declaration, and would create long-term benefits for 1.67 acres (953 linear feet) of sensitive riparian habitat within the Madonna Creek corridor by:

- removing approximately 88 invasive, non-native, and highly combustible trees identified in the Wildland Fire Resiliency Program (e.g. eucalyptus, cypress, acacia)
- removing other invasive species rated as "High" by the California Invasive Species Council (e.g., jubata grass, cape ivy)
- possible removal of remnant concrete pads associated with a former dairy on Madonna Creek (if required to meet minimum riparian mitigation requirements)
- installing appropriate plant species native to the region
- installing District-approved erosion control (Best Management Practices)
- monitoring and reporting for a period of ten years following the end of the project (required by regulatory agencies)
- quarterly reporting and invoicing to Caltrans

Specific evaluation criteria for this off-site mitigation project was provided to the Board at their regular meeting on March 13, 2024 ([R-24-32](#), [Minutes](#)). This project supports *Measure AA Portfolio #01: Gateway to the Coast Public Access, Stream Restoration and Agriculture Enhancement*, specifically the MAA01-006 Madonna Creek Fish, Water Supply and Bridge Replacement Project to improve riparian habitat for fish and California red-legged frog.

Caltrans' regulatory permits require a period of monitoring to ensure that mitigation success criteria are being achieved. Achievement of success criteria is determined by the applicable regulatory agency. The Agreement requires the District to perform remedial measures to achieve success criteria, therefore the General Manager recommends delegating the authority to execute amendments to the Agreement for accepting additional reimbursement from Caltrans and for any other minor changes to the project budget, scope and term to meet project objectives. Staff will subsequently bring forward contracts above the General Manager's authority to the Board to carry out the work, including implementation/construction contracts and any agreement with the RCD for project management services.

Madonna Creek flows through the 564-acre Madonna Creek Ranch Property in the Preserve. Access to the District's Preserve from Highway 92 crosses neighboring lands and a bridge that is not wholly owned by the District, requiring a Right of Entry (ROE) with the neighbor. This ROE agreement has been negotiated and executed to allow for this and several ongoing and future projects planned on the property in and around Madonna Creek. Additionally, the District leases a 27-acre portion of the property to a member of this same family for dry farm row crops and for a small equestrian boarding facility and will obtain separate authorization from the tenant to utilize portions of the leased land to access the project site, stage materials and equipment, and complete the restoration work.

FISCAL IMPACT

Caltrans would provide off-site mitigation funds on an in-lieu fee basis to fully fund the compensatory implementation and monitoring work. Costs for the mitigation work will be

reimbursed by Caltrans on a quarterly basis, including District staff time, upon receipt of quarterly reporting by the District. If approved, funds for the mitigation work will be included in future fiscal year budgets as a part of the annual Budget and Action Plan process.

The Agreement requires Caltrans to reimburse the District for all mitigation costs except for hazardous material remediation exceeding 5% of project costs required as part of the project. Although not expected, if unknown hazardous materials are disturbed by the project, remediation costs above 5% of the total reimbursement amount (\$34,850) would need to be covered by the District. The District would also be responsible for hazardous materials discovered that need to be removed regardless of project implementation.

PRIOR BOARD AND COMMITTEE REVIEW

In March 2022, the Board adopted a Mitigation Chapter as part of the District's Resource Management Policies that directs staff to evaluate and recommend third-party compensatory mitigation when it fulfills District goals and meets District criteria ([R-22-41](#), [Minutes](#)).

On March 13, 2024, the Board authorized staff to negotiate a cooperative agreement with Caltrans for this compensatory mitigation project work ([R-24-32](#), [Minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Caltrans is the State lead agency for the CEQA. A Notice of Completion for the project's Initial Study with Negative Declaration was filed on October 21, 2022 (State Clearing House Number 2022070140). The project's final Initial Study with Negative Declaration is available online ([dot.ca.gov](#)).

The project's CEQA documentation is available online ([ceqanet.gov](#)).

Caltrans is the federal lead agency under the National Environmental Policy Act and has prepared a Categorical Exclusion for the project.

NEXT STEPS

If the Board approves the Mitigated Cooperative Agreement with Caltrans, a restoration plan will be developed. Staff would also proceed with soliciting contractor bids or partnership agreements to complete the work, with recommended awards of contract that are over the General Manager's authorization coming to the Board for consideration of approval. Work on the ground may begin as early as this fall.

Attachments

1. Map of project area

Responsible Department Head:
Kirk Lenington, Natural Resources Department

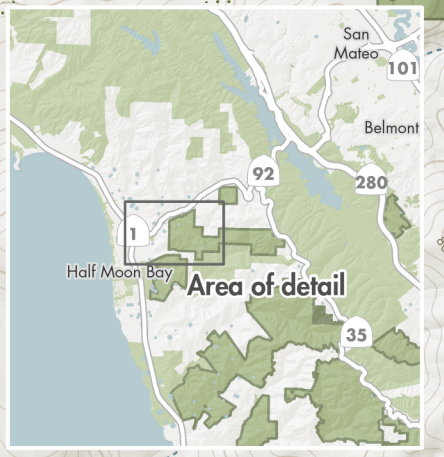
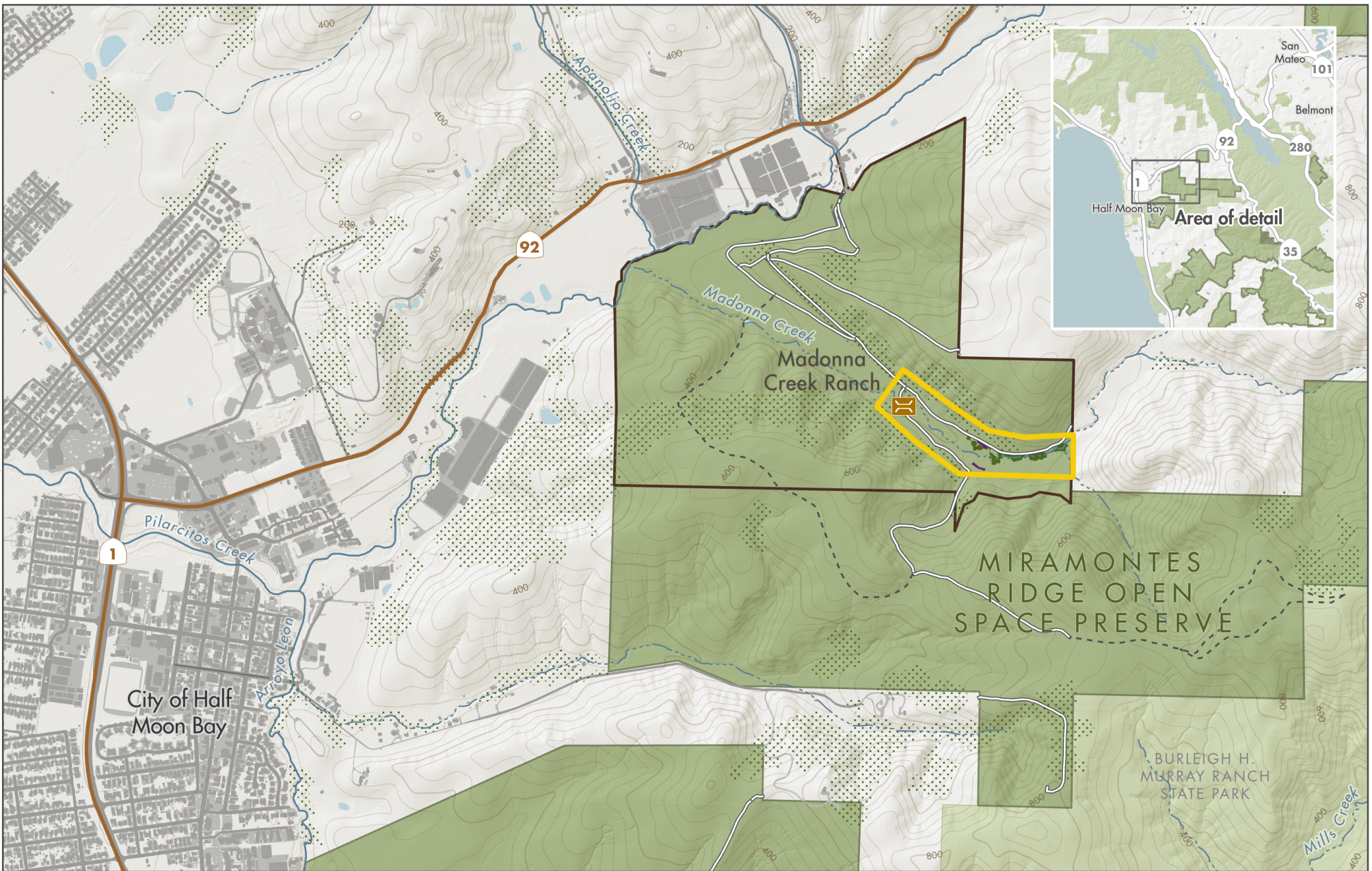
Prepared by/Contact person:

Meredith Manning, Watershed Specialist, Natural Resources Department

Graphics prepared by:

Elizabeth Plumart, GIS Intern

Path: G:\Projects\Miramontes Ridge\MadonnaCreekRanch\MadonnaCreekRanch.aprx
Created By: eplumart



Madonna Creek Mitigation Project with Caltrans at Miramontes Ridge OSP

- Midpen preserve
- Other protected land
- Urban area
- Madonna Creek Ranch
- Project area
- Eucalyptus
- Approximate concrete removal extent
- Approximate tree removal extent
- Bridge MRBR1

Midpeninsula Regional
Open Space District
(Midpen)
5/7/2025



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