



Midpeninsula Regional
Open Space District

R-26-160
Meeting 26-26
October 28, 2026

AGENDA ITEM 5

AGENDA ITEM

Bear Creek Stables Capital Maintenance and Repair Project - Phase 1 Improvements

GENERAL MANAGER'S RECOMMENDATIONS

Receive an update on the status of the Bear Creek Stables Capital Maintenance and Repair Project Phase 1 Improvements and select one of the following options for the onsite wastewater treatment system to address Santa Clara County permitting requirements:

- **Option 1 (Recommended) – Reduce the Size and Capacity of the Onsite Wastewater Treatment System (Value Engineering – High Certainty of County Approval):** Reduce the size and capacity of the onsite wastewater treatment system by omitting the caretaker residence from the project scope and replacing the plumbed public restrooms with vault toilets. This option results in a cost savings of approximately \$600,000.
- **Option 2 – Conduct Further Exploration to Find a Viable Alternate Location for the Onsite Wastewater Treatment System (Requires Budget Amendment – No Certainty of Success or County Approval):** Conduct further exploration to attempt to locate a viable site for the onsite wastewater treatment system to retain the caretaker residence in the project scope and to keep the public restrooms plumbed. This option requires a budget amendment and increasing the overall project budget by approximately \$550,000.

SUMMARY

On November 20, 2024, the Midpeninsula Regional Open Space District (District) Board of Directors (Board) selected a long-term use and management option for Bear Creek Stables and selected a modified site plan for the Bear Creek Stables Capital Maintenance and Repair Project (Project). Since then, staff have moved design plans to 65% and worked through the Santa Clara County (County) permitting process to obtain the required permit approvals for construction.

Recently, the County reached the conclusion that the proposed onsite wastewater treatment system (OWTS) is infeasible due to the depth of artificial fill in the proposed location of the system and its proximity to a mapped landslide. All other project elements meet County requirements.

To address the outstanding permitting issue, the Board is being presented with two design options. Option 1 reduces the necessary size of the wastewater treatment system by removing the caretaker residence and converting the plumbed public restrooms to vault toilets. Option 1 is recommended given the high degree of certainty in meeting County approvals and reducing any

further construction delays. Option 1 also results in a cost reduction of approximately \$600,000 that will assist with keeping final costs to the original Board-approved project budget.

DISCUSSION

On November 20, 2024, the Board selected a long-term use and management option and a revised site improvement repair plan for the Bear Creek Stables site, located off Bear Creek Road in Bear Creek Redwoods Open Space Preserve. The revised Bear Creek Stables repair plan option included: access road widening to meet fire code requirements, a new public parking area at the intersection of the upper and lower roads, a new caretaker residence, ADA-compliant plumbed public restroom facility with two all-gender units, several prefabricated barns for hay storage, and a new onsite wastewater treatment system (OWTS) to treat all onsite effluent (see Attachment 2).

Staff subsequently worked with the consultant team to revise the site plan documents and to submit an updated Use Permit application to the County in June 2025. Since then, staff have responded to numerous incomplete letters from the County requesting additional information and design refinements to meet permitting requirements. All of the comments received from the County have been addressed, except for the most recent incomplete letter which states that the proposed OWTS is infeasible due to the depth of artificial fill in the proposed location. Discussions with County staff further revealed that the proximity of the OWTS to a subterranean, slow-moving landslide is also of concern to the County. Staff met with the County to provide justification for the current design, but the County has held to their position that a redesign or resizing of the wastewater system is required. Staff have therefore developed the following options for Board selection to address County permitting requirements:

Option 1: (*Recommended*) – Reduce the Size and Capacity of the OWTS (Value Engineering – High Certainty of County Approval):

Under this option, the size and capacity of the OWTS needs to be significantly reduced so that its footprint will fit within the area that meets County requirements. The reduced OWTS would not be located in artificial fill and would be located further away from the creek and mapped landslides in the area. Removing the caretaker residence and plumbed public restrooms achieves the necessary size and capacity reduction. The wastewater flow from a caretaker residence and two restroom units would be the largest effluent contributors to the OWTS. Under this option, the caretaker residence is removed from the project scope, and the plumbed public restrooms are replaced with vault toilets. The horse wash-down and hand-washing stations would remain plumbed to the OWTS – these two uses do not contribute significant sewage effluent into the system (see Attachment 3). It is important to note that a caretaker residence is not a requirement for a stables operation to function; it is desirable, but not absolutely necessary.

Option 2: Conduct Further Exploration to Find a Viable Alternate Location for the OWTS (Requires Budget Amendment – No Certainty of Success or County Approval):

To try retaining the caretaker residence and/or plumbed public restrooms, the OWTS would need to be moved to a different location where there is no artificial fill, no subterranean landslide and no other geotechnical constraints (see Attachment 4). This option requires a budget adjustment to conduct additional soil borings and percolation testing in new locations. Given the geology in the area, and that the principal fault trace of the San Andres Fault is located approximately 1,000 feet southwest of the Stables property, it is highly questionable whether a feasible location meeting County requirements can be found. If a feasible location is found and approved, construction costs will also increase to connect the new OWTS (located farther out) to each structure.

Option Comparison Table

Option	Pros	Cons	Schedule*	Budget**
Option 1 (Reduce OWTS)	- Reduced schedule impacts - Reduced septic system maintenance - Reduced costs - Does not preclude permitting separate OWTS and residence in the future	Omits caretaker residence	Adds up to 6 months for redesign and permitting	- Net Reduction up to \$600k - <i>Soft Costs</i>: +\$50k - <i>Construction Costs</i>: -\$950k - <i>Escalation</i>: +\$300k
				Board Approved Budget: \$7,877,200
				Revised Total Budget: \$7,277,200
Option 2 (Relocate OWTS)	Caretaker residence remains as part of Phase 1	- Increases infrastructure costs beyond current approved budget - Unknown certainty of feasibility and County approvals	Adds 12 - 18 months for exploration only	- Net Increase up to \$550k - <i>Soft Costs</i>: +\$100k - <i>Construction Costs</i>: +\$85k - <i>Escalation</i>: +\$365k
				Board Approved Budget: \$7,877,200
				Revised Total Budget: \$8,427,200
* Earliest possible construction start time is 2028 to finish obtaining planning and building permits, therefore escalation costs of 5% are applied to both options. Note: Option 2 may have further delays if exploration requires extensive investigations at multiple sites. Further delays would result in added costs due to an additional year of escalation. ** Changes to costs are estimated based on 65% design information for the Phase 1 improvements, excluding prior expenses; costs could be subject to change based on final design and permit requirements.				

Staff met with the Friends of Bear Creek Stables (Friends) to advise them of the two potential permitting pathways. The Friends view the caretaker residence as an important part of the future of their operation but also acknowledged the fiscal constraints and the benefits of avoiding delays to the project both in the terms of providing programming and cost escalation. Their primary request was that the current permitting process allow for the future permitting of a residence and a separate OWTS to serve the residence.

FISCAL IMPACT

The following table outlines the Measure AA Portfolio 21: Bear Creek Redwoods — Public Recreation and Interpretive Projects allocation, costs-to-date, projected future project expenditures and projected portfolio balance remaining based on the latest expenditure projections.

This Measure AA portfolio contains an unfunded amount anticipated to be supported through a combination of future portfolio reallocation requests, grants, partnership funding, interest income allocations, value engineering and Fund 40 General Fund Capital monies.

Portfolio 21: Bear Creek Redwoods — Public Recreation and Interpretive Projects	
Portfolio Reallocation:	27,103,212
Grant Income (through FY29):	5,061,090
Interest Income Allocation:	2,709,065
Total Portfolio Allocation:	34,873,367
Life-to-Date Spend (as of 10/14/2026):	(22,180,012)
Encumbrances:	(2,246,370)
Remaining FY27 Budget:	(3,173,904)
Future Fiscal Year Projections (through FY29):	(9,131,863)
Total Projected Expenditures (life of project):	(36,732,150)
Portfolio Balance Remaining (proposed):	(1,858,783)

The table below presents the low and high estimates for the total project cost across all phases, inclusive of expenditures incurred prior to the Phase 1 ad hoc approved budget, based on the options outlined in the option comparison table above.

Portfolio 21: Bear Creek Redwoods — Public Recreation and Interpretive Projects	
Portfolio Allocation:	27,103,212
Grant Income (through FY29):	5,061,090
Interest Income Allocation:	2,709,065
Total Portfolio Allocation:	34,873,367
21-001 Moody Gulch Fence & Gate Improvements	(847)
21-004 Bear Creek Stables (Range) *	(9,132,181) - (10,282,181)
21-005 Bear Creek Redwoods Public Access	(5,548,003)

21-006 Bear Creek Redwoods - Alma College Cultural Landscape Rehabilitation	(5,556,378)
21-007 Bear Creek Redwoods Preserve Plan Invasive Weed Treatment	(1,681,371)
21-008 Bear Creek Redwoods Ponds Restoration and Water Rights	(681,517)
21-009 Bear Creek Redwoods Webb Creek Bridge	(487,492)
21-010 Bear Creek Redwoods Landfill Characterization and Remediation	(511,730)
21-011 Phase 2 Trail Improvements, Bear Creek Redwoods OSP	(6,542,470)
21-012 Bear Creek Redwood Tree Restoration	(90,915)
21-013 Bear Creek Redwoods North Parking Area	(4,045,121)
21-014 Phase 2 Multiuse Trail, Bear Creek Redwoods	(1,854,125)
Total Projected Expenditures (life of project as range) *:	(36,132,150) - (37,282,150)
Portfolio Balance Remaining (proposed as range) *:	(1,258,783) - (2,408,783)

* Low range is option 1 and high range is option 2

PRIOR BOARD AND COMMITTEE REVIEW

Since the approval of the Preserve Plan, this Project previously came before the full Board at the following public meetings:

- December 15, 1999:** The Board adopted an amendment to the preliminary use and management plan for Bear Creek Redwoods Open Space Preserve to continue horse boarding facility use and authorized the General Manager to execute a stables rental agreement. ([R-99-159](#), [Meeting Minutes](#))
- October 14, 2015:** The Board approved the assignment and amendment of the Bear Creek Stables Rental Agreement from Glenda Smith to Pamela Ashford. ([R-15-146](#), [Meeting Minutes](#))
- January 25, 2017:** The Board adopted a resolution certifying the Final Environmental Impact Report, adopting the Findings of Fact and Statement of Overriding Considerations, approving a Mitigation Monitoring and Reporting Plan, and approving the Bear Creek Redwoods Preserve Plan. ([R-17-15](#), [Meeting Minutes](#))
- April 25, 2019:** The Board considered various project options for the Stables and directed staff to move forward with Deferred Maintenance Repairs at the Stables in the near-term and the Preserve Plan Site Design as a long-term solution. ([R-19-53](#), [Meeting Minutes](#))
- September 25, 2019:** The Board received an FYI memorandum on the revised scope and fee for the design consultant, John Northmore Roberts & Associates. ([FYI Memo](#))
- October 9, 2019:** The Board directed the General Manager to refrain from pursuing a public-private fundraising endeavor and focus on implementing Deferred Maintenance Repairs. ([R-19-131](#), [Meeting Minutes](#))

- **April 8, 2020:** The Board directed the General Manager to allocate \$1.223M of the available Interest on Measure AA Proceeds to close the known funding gap to implement the Stables Project. ([R-20-34](#), [Meeting Minutes](#))
- **June 09, 2021:** The Board received an update on the Bear Creek Stables Project, including its legal non-conforming permitting status and challenges therein, and affirmed the Use Permit permitting approach. ([R-21-74](#), [Meeting Minutes](#))
- **July 14, 2021:** The Board approved operational requirements, concessionaire selection criteria, and agreement terms for a new concessionaire at Bear Creek Stables. ([R-21-98](#), [Meeting Minutes](#))
- **August 24, 2022:** The Board authorized the General Manager to enter into a Concessionaire Agreement for Bear Creek Stables with Chaparral Country Corporation. ([R-22-99](#), [Meeting Minutes](#))
- **May 14, 2024:** The Board received an update on the Repair Project and reviewed several long-term stables options. The Board voted to form an Ad Hoc Committee to work with community members to explore and develop potential additional options and return to the full Board in approximately four months. ([R-24-58](#), [Meeting Minutes](#))
- **November 20, 2024:** The Board received an update on the Ad Hoc Committee's work and selected a long-term use and management option for the site, including continued stables boarding and programming, a revised site plan option as modified by staff, and a non-profit entity to manage, operate, and fundraise for the stables. ([R-24-142](#), [Meeting Minutes](#))
- **March 26, 2025:** The Board authorized a contract amendment with John Northmore Roberts & Associates Inc. to provide additional technical services for the project, including design development and permitting support. ([R-25-36](#), [Meeting Minutes](#))

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. Bear Creek Redwoods interested parties plus the Stables boarders were notified of the public meeting. Additionally, a notice was also posted at the Stables location.

CEQA COMPLIANCE

The Bear Creek Redwoods Preserve Plan Environmental Impact Report (EIR) analyzed the Stables Site Plan. The Board certified the Final EIR on January 25, 2017. The EIR evaluated project elements associated with the repair plan and all elements associated with the revised site plan for the Phase 1 Improvements. Implementation of the revised Repair Plan (including the redesign of the OWTs) would not result in new significant effects or a substantial increase in the severity of previously identified significant effects; therefore, no additional environmental review is necessary.

NEXT STEPS

Staff will implement the Board-selected option. If Option 1 is selected, staff should be able to complete the permitting process by fall/winter 2027 to initiate construction as early as 2028. If Option 2 is selected, there is no certainty as to the timeframe of when construction may begin.

Attachments

1. Project Location Map
2. Board Approved Phase 1 Improvements Site Plan
3. Revised Phase 1 Improvements Site Plan – Option 1
4. Revised Phase 1 Improvements Site Plan – Option 2

Responsible Department Head:

Scott Reeves, Engineering & Construction Department Manager

Prepared by:

Mark Brandi, Senior Capital Project Manager, Engineering & Construction Department

Contact person:

Mark Brandi, Senior Capital Project Manager, Engineering & Construction Department

Path: G:\Projects\Bear_Creek_Redwoods\Bear_Creek_Stables\BCR_Stables_LocationMap\Map\BCR_Stables\BCR_Stables.aprx
Created By: flopez



Bear Creek Stables Location Map

-  Midpen preserves
-  Other protected lands
-  Private property

Midpeninsula Regional
Open Space District
(Midpen)
10/19/2026



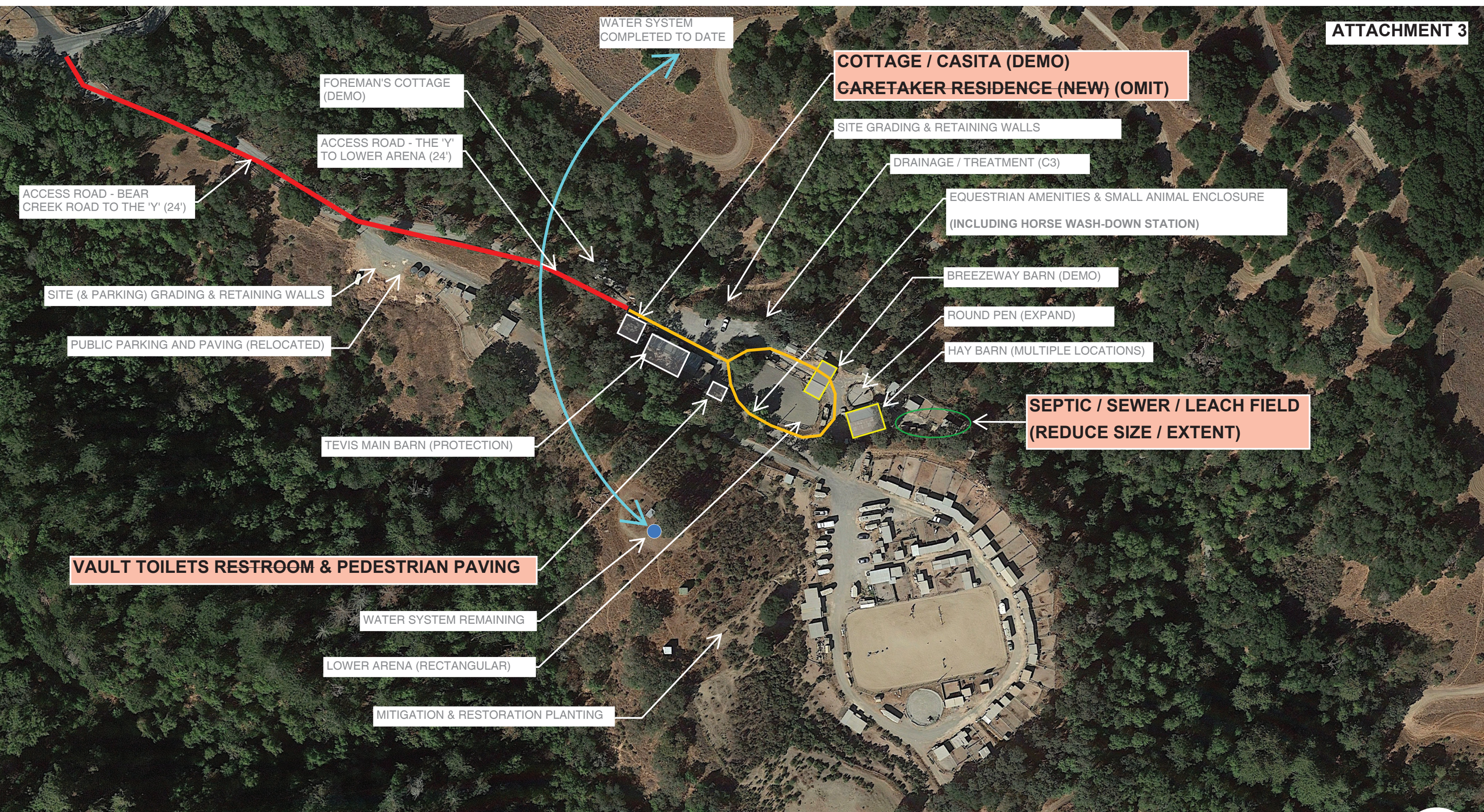
While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.



NOTE: THIS PLAN INTENDS TO PRESENT A SCHEMATIC PROJECT OVERVIEW ONLY. SITEWIDE ELEMENTS SUCH AS GC/MOBILIZATION/SITE PREPARATION, DEMOLITION/CLEARING & GRUBBING, ELECTRICAL, AND OTHER PERMIT CONDITIONS NOT SHOWN ON PLAN.

BEAR CREEK STABLES CAPITAL MAINTENANCE AND REPAIR PROJECT
BOARD APPROVED PHASE 1 IMPROVEMENTS SITE PLAN

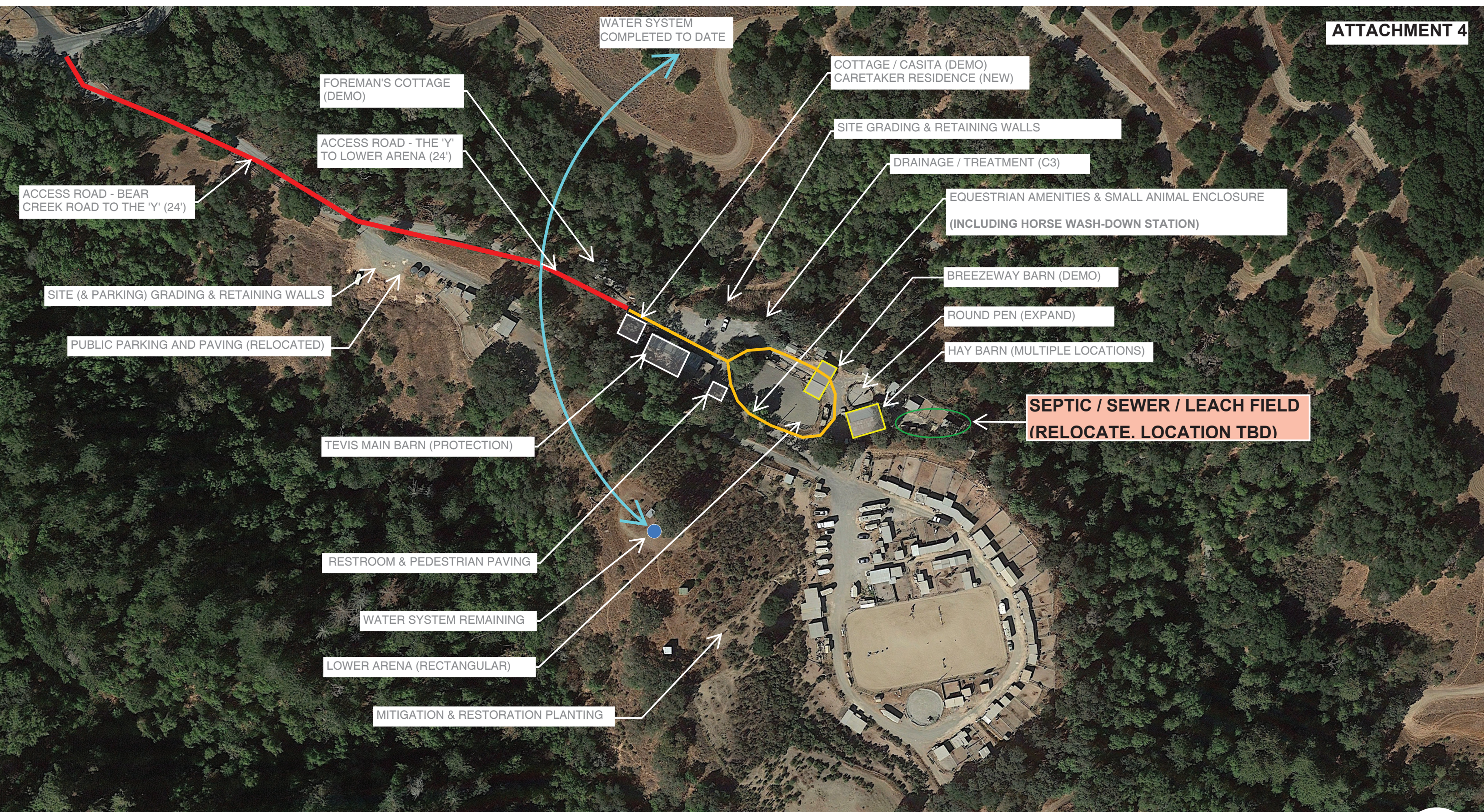




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BEAR CREEK STABLES CAPITAL MAINTENANCE AND REPAIR PROJECT
REVISED PHASE 1 IMPROVEMENTS SITE PLAN - OPTION 1





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BEAR CREEK STABLES CAPITAL MAINTENANCE AND REPAIR PROJECT
REVISED PHASE 1 IMPROVEMENTS SITE PLAN - OPTION 2

