



Midpeninsula Regional  
Open Space District

## PLANNING AND NATURAL RESOURCES COMMITTEE

R-20-83  
August 4, 2020

### AGENDA ITEM 1

#### AGENDA ITEM

Beatty Parking Area and Trail Connections Project at Sierra Azul Open Space Preserve

#### GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Accept a revised project scope for the Beatty Parking Area and Trail Connections Project to only pursue at this time a permit-only parking area that would close during the rainy season when newt migration occurs and select one of the following concept plan options for this revised project scope:
  - Option 1: Vehicular-Only Permit Parking
  - Option 2: Vehicular and Equestrian Permit Parking
2. Forward to the Board of Directors the Committee-supported concept plan and project scope that would serve as the proposed project description to initiate environmental review under the California Environmental Quality Act (CEQA).

#### SUMMARY

On January 14, 2020, Midpeninsula Regional Open Space District (District) held a Planning and Natural Resources Committee (PNR) meeting for the Beatty Parking Area and Trail Connections Project (Project). PNR toured the site, heard public comment, and provided early feedback on proposed program elements and project scope. Based on concerns received from the Audubon Society regarding newt mortality on Alma Bridge Road, PNR requested an evaluation of impacts from the proposed Project on newts and options to protect them.

Staff has since coordinated with numerous county, state, and regional partners to discuss issues and possible next steps. Staff also engaged with newt advocacy groups (Sierra Club and Audubon) and researchers (US Geologic Survey and US Davis Road Ecology Center) to further understand the citizens data collected to date and possible newt protective measures. Separate from this project, the District is working with Peninsula Open Space Trust (POST) to develop a follow-up scientifically-valid study that characterizes the road mortality relative to long-term local population viability to inform the appropriate scale of any roadway modifications.

Given the duration to complete this study, and subsequently identify, design, permit, and construct roadway newt safety enhancements, the General Manager directed staff to modify the scope of the Beatty Parking Area and Trail Connections Project to pursue a permit-only parking area at this time. A permit lot allows the District to carefully control visitor use and restrict access during the rainy season when newts migrate across Alma Bridge Road while still

honoring the timing commitment with the County to implement a new trailhead connection at this location. PNR will consider this approach as well as two conceptual designs for a permit lot to determine whether to forward the revised scope and a preferred design plan to the full Board of Directors (Board) to begin CEQA review. Sufficient funds to complete CEQA review are included in the FY21 adopted budget.

At the January meeting, the Committee also requested staff to investigate the possibility of using or expanding the existing Santa Clara County Miller Point parking lot across Alma Bridge Road. Based on discussions with Valley Water (underlying property owner) and County Parks (operator), site reconnaissance, and a desk-top analysis, the General Manager does not recommend further exploration of this alternative given major site constraints that would result in high cost and significant environmental impacts.

## **BACKGROUND**

### Project History

In April 2008, the District approved the purchase of the Beatty Trust property as an addition to Sierra Azul Open Space Preserve (Preserve). Santa Clara County (County) contributed \$950,000 toward the purchase (R-08-14) and in exchange, the County granted the District a conservation easement over the property with the following allowances and one time-specific requirement:

- Plan, design and construct facilities to facilitate public use of the property, which may include and is not limited to: multi-use trails, public parking areas, public restrooms, wildlife observation and environmental educational facilities, visitor centers, picnic areas, backpack camps, employee residences, maintenance facilities, and related infrastructure such as water systems;
- Conduct natural resource restoration and resource management, and restoration of cultural, historical, and agricultural or natural resources;
- Construct a trail connection from the former Beatty property to the Priest Rock Trail within fifteen years from the date of the recording of the easement (March 11, 2008).

The construction deadline for the trail is set to expire on March 11, 2023. Based on recent discussions, the County would consider a request to extend the deadline, particularly considering the COVID-19 shelter in place orders that have delayed project schedules. If the Board chooses not to pursue a permit lot at this time, staff would approach the County to request a significant time extension to allow sufficient time to complete the newt study and subsequent next steps to protect migrating newts across Alma Bridge Road – a timing that is uncertain given that implementation requires consent and action by other agencies with management and maintenance authority over the roadway.

In June 2018, the Board approved the Project as part of the Fiscal Year 2018-19 (FY19) Capital Improvement and Action Plan. The District soon after initiated planning for the proposed public access improvements. As stipulated in the County's conservation easement, the District has been consulting with the County on an ongoing basis. On March 2019, the County expressed a desire to explore potential patrol and maintenance agreements given the use of a shared driveway through the Project area that accesses their adjacent property. District staff also discussed whether there is an opportunity to utilize the County's existing Miller Point parking lot on the

west side of Alma Bridge Road to service the needs of the proposed new trail connection to Priest Rock Trail.

In August 2019, the District awarded a contract to LSA Associates, Inc., (LSA), for environmental and permitting consulting services to support the Project (R-19-111). LSA's scope of work includes evaluating opportunities and constraints, including biological and archaeological considerations, cost and schedule impacts, and permitting requirements to inform the development of site design alternatives. The District is implementing a multi-disciplinary approach to project planning and delivery with multiple departments leading specific Project components. Planning is leading the environmental review (CEQA). Engineering and Construction is leading the conceptual design and feasibility analysis of the parking area and disposition of the Beatty house. Natural Resources is leading the natural resources surveys and reviewing LSA's work during environmental review. Land and Facilities is leading the trail design and construction.

On January 14, 2020, PNR held a meeting onsite to discuss the Project goals and potential design concepts. Staff presented the existing site conditions, including site characteristics and regional trail connection opportunities. Members of the public provided comments regarding new mortalities on Alma Bridge Road and how this Project may impact newt populations. PNR feedback is summarized under the Discussion section below.

#### Regional Trail and Site Context

The 56.88-acre former Beatty Trust property is located on the easterly side of Alma Bridge Road and Lexington Reservoir approximately two miles east of the Alma Bridge Road exit from Highway 17. The property is surrounded by Lexington Reservoir County Park to the north, west, south and partially to the east. The Lexington Reservoir County Park property is owned by Valley Water and operated by County Parks. County Parks also operates the Miller Point parking lot and picnic grounds located across Alma Bridge Road. San Jose Water Company land borders the former Beatty Trust property along a portion of its eastern boundary (Attachment 1).

Within this region, the District has been working collaboratively with partners to form a continuous greenbelt of permanently preserved open space by linking District lands with other public parklands. As part of this work, the District also contributes to regional trail connectivity, which includes the Bay Area Ridge Trail (Ridge Trail). The goal of the Ridge Trail is to provide a continuous multiple-use trail for mountain bicyclists, equestrians, and hikers/trail runners. To date, almost 300 miles of the total length of 500 Ridge Trail miles have been dedicated. The Priest Rock Trail in Sierra Azul Preserve is a popular recreational route, an important patrol access route, and is also designated as part of the Ridge Trail. In 1999, the District accepted a gift of a trail easement through San Jose Water Company lands southeast of the property, allowing for a future trail connection from the Beatty property to the Priest Rock Trail and the Ridge Trail corridor (R-99-88). As such, this Project also provides a key staging area for visitors accessing the Ridge Trail via the Priest Rock Trail to connect to other trails within Sierra Azul and/or head northwest toward the future Highway 17 trail crossing to access trails west of Highway 17 (Attachment 2a and 2b).

#### Prior Planning Work in Cathedral Oaks area at Sierra Azul Preserve

The Cathedral Oaks area of the Preserve has been part of several planning efforts over the last ten years. During a 2008 planning and public engagement process for Bear Creek Redwoods and Sierra Azul Preserves, members of the public shared feedback about the limited facilities for

boarding and riding horses within the area. They also requested more public access opportunities, multi-use trails, and equestrian amenities such as equestrian staging areas, water troughs, and hitching posts. The District identified potential parking and trails in the Cathedral Oaks area at Sierra Azul, including the newly acquired Beatty property along Alma Bridge Road whose flat terrain could support parking to access the trail system east of Highway 17. This public access opportunity was called out as the “Alma Bridge Road to Priest Rock Trail Connection – New trail connection from new parking area to Priest Rock Trail”.

In 2011, staff evaluated the property as a potential field office site, which the Preliminary Use and Management Plan recommended evaluating, but after preliminary site investigations, staff concluded that a field office was infeasible due to the lack of water to support such a facility.

During the 2012 vision planning process, the public identified the Cathedral Oaks area as a priority for public access, now identified as Vision Plan Priority Action #22. The parking area and trail project is also part of Measure AA Portfolio #22 (Sierra Azul: Cathedral Oaks Public Access and Conservation Projects), which includes: “Develop multi-use trail... Develop parking... Install trailside amenities.” The potential parking area was envisioned to include approximately 20 to 30 vehicle spaces, 4 to 6 horse trailer spaces, and a vault toilet.

## DISCUSSION

### Prior Planning and Natural Resources Committee Feedback

PNR met on-site on January 14, 2020 to familiarize themselves with the property and environmental resources (Attachment 3), and gain an understanding of the Project scope and programming elements. PNR provided the following feedback to guide the development of the conceptual design alternatives:

- Newt protection and environmental enhancements
  - Utilize Best Management Practices (BMPs) to protect newts
  - Consider additional environmental enhancements and restoration activities that provide net environmental benefits
- Parking Area
  - Maximize parking capacity in the open flat area
  - Provide a few parking area design options with different vehicle capacities
  - Avoid parking east of the drainage channel
  - Consider porous pavement
  - Explore partnering with County Parks to use and/or expand the existing Miller Point parking lot across Alma Bridge Road
- Equestrian parking
  - Provide up to two (2) horse trailer parking spaces
- Circulation
  - Evaluate re-opening an old road cut onto Alma Bridge Road as ingress/egress for the new parking area
- Restroom/toilet
  - Consider vault toilets over plumbed, flush toilets
  - Discuss with County Parks the use of the toilet at the Miller Point parking lot
- Bicycle parking
  - Provide bicycle racks
- Interpretation



- Protect and preserve the history of the area

#### Alma Bridge Road Newt Study

The District first became aware of newt roadkill concerns along Alma Bridge Road in November 2017. District staff have since participated in ongoing conversations with newt advocacy groups and researchers and developed a Frequently Asked Questions document to convey our knowledge of and ongoing involvement in raising awareness about the newt mortality issue.

At the January 14, 2020 PNR meeting, Audubon Society raised concerns about ongoing newt mortality on Alma Bridge Road and the potential impacts of the proposed Project on newts. District staff subsequently participated in a meeting with Peninsula Open Space Trust (POST), the newt advocacy groups (Audubon, Sierra Club), and researchers (UC Davis Roadkill Ecology Center, USGS) to discuss data collection, potential mitigation options, and process. Staff also met with primary land holders, including County Roads, County Parks, and Valley Water to discuss the issue. Both indicated the need for a more systematic study demonstrating with greater clarity the impacts to newts and beneficial outcomes of major roadway modifications in order for their agencies to consider contributing significant funds towards and/or being willing to install and maintain roadway modifications in the future. Staff is currently pursuing a collaborative study with stakeholders to further quantify impacts of roadkill to the newt population. A research proposal separate from the Beatty Project is being developed for review by the District, POST, Valley Water, County Roads, and County Parks prior to an upcoming PNR meeting where it will be discussed. If recommended by PNR, award of funds for a District contribution to the study will then be brought to the full Board.

Additionally, the District continues to work with the newt advocacy groups and researchers to discuss solutions to the newt roadkill issue. The Board recently approved a support letter for a Proposition 68 grant to fund a University of California Davis project that will plan, design, and implement a pilot road crossing for newts on Alma Bridge Road.

#### Current Project Program Components

It is anticipated that the newt study and enhancement project will take more than four years to complete. In light of this extended duration, the General Manager directed staff to modify the scope of work for the Beatty Parking Area and Trails Connection Project to pursue a permit-only parking area at this time. A permit lot allows the District to carefully control visitor use and restrict access during the rainy season when newts migrate across Alma Bridge Road and still honor the timing commitment with the County to implement a new trailhead connection. As such, staff developed two permit parking area options for PNR consideration: (1) vehicular-only seasonal permit parking area and (2) vehicular and equestrian seasonal permit parking area. Both options include a trail connection to Priest Rock Trail from the permit parking area.

#### ***Trailhead and Trail Connection***

The proposed trail connection will add approximately 1.3 miles of a new multi-use trail to Sierra Azul Open Space Preserve and traverse through an easement across Lexington County Park on Valley Water land to reach Priest Rock Trail (Attachment 4). The existing Priest Rock Trail is designated as a segment of the Ridge Trail and will be a future Highway 17 regional trail connection. To implement this trail connection, the District will need to formalize a trail management agreement with Valley Water, who owns the fee title land, and/or the County, who operates the recreational uses at Lexington Reservoir County Park. The Project would also require a Valley Water encroachment permit.

*Seasonal Permit Parking Area (Options 1 and 2)*

Option 1 offers vehicular-only parking and no equestrian parking stalls (Attachment 5). Ingress and egress would be provided through existing Gate SA41. Option 2 includes the parking area in Option 1 plus two equestrian parking stalls on the south side of the property, in a flat open area along the existing driveway (Attachment 6). Equestrian trailers would utilize Gate SA41 as ingress and Gate SA42 as egress for one-way circulation and ease of trailer access from Alma Bridge Road and through the site.

The proposed location was selected because it is an existing driveway system that has already been disturbed. The resources needed to upgrade it into a formal parking area are much less than those needed to establish a full-service parking area in an open meadow to the north, which was discussed at the previous PNR Committee meeting. And because the footprint for this permit parking area is much smaller, fewer impacts to natural resources are also anticipated.

In either option, the parking area would have a natural surface and accommodate 7 to 8 vehicle spaces. As is common for permit parking areas, this location would not include a restroom due to its proximity to the creek. The seasonal permit parking area would be open during the dry season and closed after the first significant rain event or by October 15 (whichever comes first) each year to late spring when significant storms are no longer forecasted or May 15 (whichever comes first) based on annual rainfall. The District would manage access to this site via an online parking permit system. Compliance with the permit system will involve additional patrol to monitor usage and regular changing of combination lock codes. Hikers would cross a stream over an existing ford to access the trail connection to Priest Rock Trail. Site improvements would include minor grading, placement of rocks in designated parking stalls, new split rail fencing, removable bollards, and trailhead signs near the parking area.

County Miller Point Parking Lot Expansion Feasibility

Per PNR request, District staff met with the Valley Water and the County on March 19, 2020 to discuss the possibility of utilizing and/or expanding the Miller Point parking lot as a separate parking option. Both the County and Valley Water were open to the concept of a potential expansion of the Miller Point parking lot if feasible. However, they acknowledged that the Project plans would be subject to their Community Projects Review and require a Valley Water encroachment permit for modifications to the existing County parking lot.

After closer site investigations and a desk-top analysis of topographic data, staff determined that it is infeasible to expand the Miller Point parking lot without major environmental impacts and significant cost and delay given the following:

1. **Topography constraints** – Current as-built plans show steep slopes up to 25% on all sides of the existing lot. These slopes were confirmed as part of an onsite site inspection. Any expansion would require extensive grading and/or retaining walls.
2. **Removal of large native trees** – The parking area is flanked by numerous large native trees.
3. **PG&E site constraints** – Existing utility poles surround and constrain the Miller Point parking lot.

### Net Benefit

PNR also asked staff to consider a “net benefit” approach for the Project. Having a net benefit means including provisions or components that provide gains in environmental services (such as species and/or habitat enhancements) or ecological functions (such as improved hydrological connection). Having a net benefit results in an overall improvement in an environmental condition or process as a result of the proposed Project and is a goal that aligns well with District’s mission to both “*protect and restore the natural environment*” and to “*provide for ecologically sensitive public enjoyment.*”

The newt study and enhancement project that is taking place concurrently and emerged from this Project provides a significant added environmental net benefit to this area. This study will bring greater clarity regarding the impacts from the roadway to the local newt population and inform the design and implementation of long-term roadway modifications and/or enhancements to further protect this native species.

### **FISCAL IMPACT**

The FY21 adopted budget includes \$535,371 for the Beatty Parking Area and Trails Connection Project MAA22-004. The FY21 budget includes sufficient funds to cover project costs through the end of the fiscal year. Valley Water will fund a portion of trail construction and related costs through a \$149,906 Community Benefits Program grant. Valley Water has worked collaboratively with the District to finalize a grant funding agreement with execution anticipated in Summer 2020. Funding for future years budgets will be proposed as part of the annual budget and action plan process.

Order of magnitude costs for construction could range between \$85,000 to \$135,000 for Option 1-seasonal vehicle parking lot and between \$210,000 to \$330,000 for Option 2-seasonal vehicle and equestrian parking lot. Additional costs would be needed to complete final design and engineering.

The following table outlines the Measure AA Portfolio #22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects allocation, costs-to-date, projected future project expenditures and projected ending balance at the portfolio level.

<b>MAA22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects:</b>	<b>\$6,714,000</b>
Grant Income (through FY23):	\$256,016
<b>Total Portfolio Allocation:</b>	<b>\$6,970,016</b>
Life-to-Date Spent (as of 07/22/2020):	(\$1,225,916)
FY21 Encumbrances:	\$0
Remaining FY21 project budgets:	(\$535,371)
Future MAA22 project costs (projected through FY23+):	(\$3,691,013)
<b>Total Portfolio Expenditures:</b>	<b>(\$5,452,300)</b>
<b>Portfolio Balance Remaining (Proposed):</b>	<b>\$1,517,716</b>

The following table outlines the Measure AA Portfolio #22 allocation, costs-to-date, projected life-to-date project expenditures and projected portfolio balance remaining.

<b>MAA22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects:</b>	<b>\$6,714,000</b>
Grant Income (through FY23):	\$256,016
<b>Total Portfolio Allocation:</b>	<b>\$6,970,016</b>
Projected Project Expenditures (life of project):	
22-001 Hendrys Creek Property Land Restoration	(\$513,773)
22-002 Sierra Azul Cathedral Oaks Land Conservation	--
22-003 Freudenberg Land Purchase	(\$540,587)
22-004 Beatty Parking Area and Trail Connections*	(\$3,897,940)
22-XXX Reserved for Land Acquisition	(\$500,000)
<b>Total Portfolio Expenditures:</b>	<b>(\$5,452,300)</b>
<b>Portfolio Balance Remaining (Proposed):</b>	<b>\$1,517,716</b>

\*MAA22-004 will be split into two projects –Parking Area and Trail Connections, and Beatty House Disposition

## BOARD COMMITTEE REVIEW

PNR considered this item on January 14, 2020 and is reviewing this item for the second time.

## PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

## CEQA COMPLIANCE

Pending Board acceptance of a conceptual site design and project description in Fall 2020, staff will begin environmental review for the Project.

## NEXT STEPS

Pending PNR feedback, staff will refine a conceptual site plan design and project description in the first quarter of FY21 to forward to the Board in Fall 2020. Pending Board acceptance of the conceptual site plan design and project description, the project will advance into environmental review.

The table below provides a tentative project schedule and key milestones:

<b>Milestones</b>	<b>Tentative Schedule</b>
Site feasibility and constraints analysis Programming for conceptual design alternatives for proposed parking and trail connections Environmental and technical studies	Fall 2019 – Spring 2020
PNR meeting #1: site tour and project program considerations	January 14, 2020
PNR meeting #2: review of conceptual design alternatives	August 4, 2020

Board review and acceptance of conceptual site plan design and CEQA project description to advance to environmental review	Fall 2020
Environmental review and public comment period	Fall 2020
Board review and approval of Project and CEQA document	Fall 2021
Final design and permitting initiation	Fall 2021

## Attachments

1. Project Area Map, Former Beatty Property Site Map
- 2a. Regional Trail Connection Option to Highway 17
- 2b. Regional Trail Connection Option to Highway 17
3. Project Environmental Resources
4. Conceptual Alignment for Trail Connection to Priest Rock Trail
5. Conceptual Parking Area Option 1, Vehicular Seasonal Permit Parking
6. Conceptual Parking Area Option 2, Vehicular and Equestrian Seasonal Permit Parking

Responsible Department Head:

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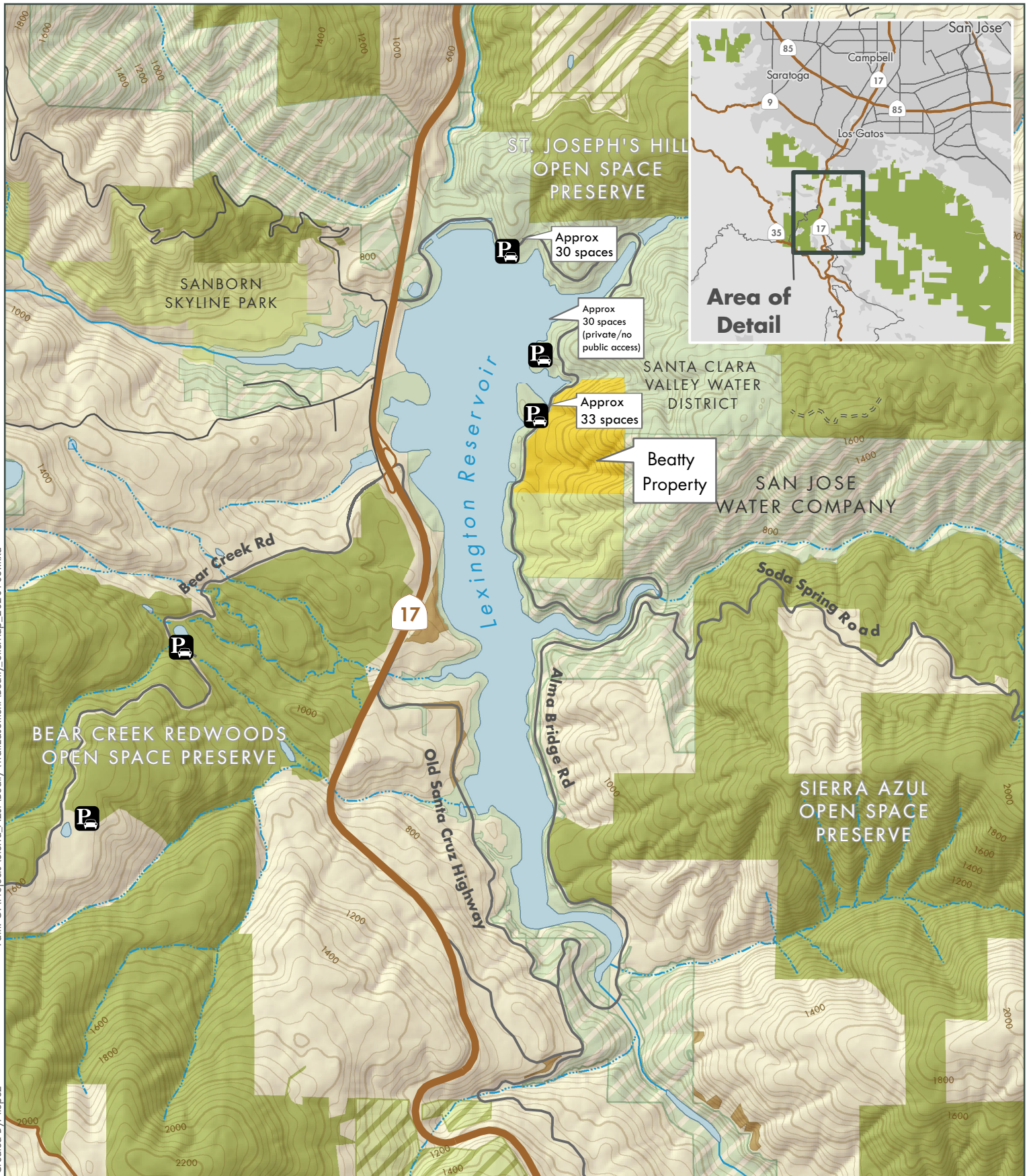
Karine Tokatlian, Resource Management Specialist II, Natural Resources

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## Beatty Property Site Map

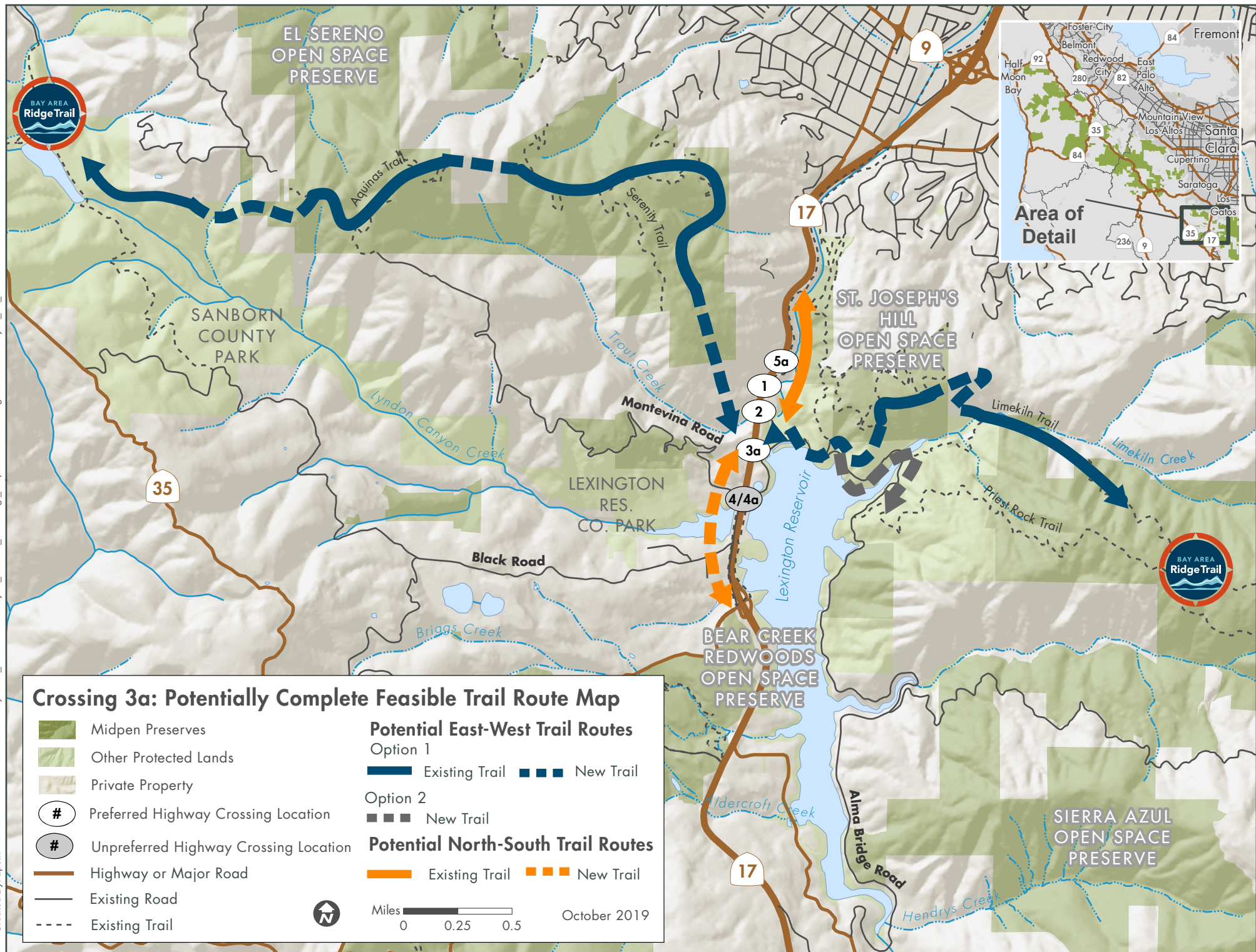
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|  MROSD Preserves       |  Watershed Land         |
|  Other Protected Lands |  Former Beatty Property |
|  Private Property      |  |

## ATTACHMENT 1

Midpeninsula Regional  
Open Space District  
(Midpen)  
1/8/2020







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.

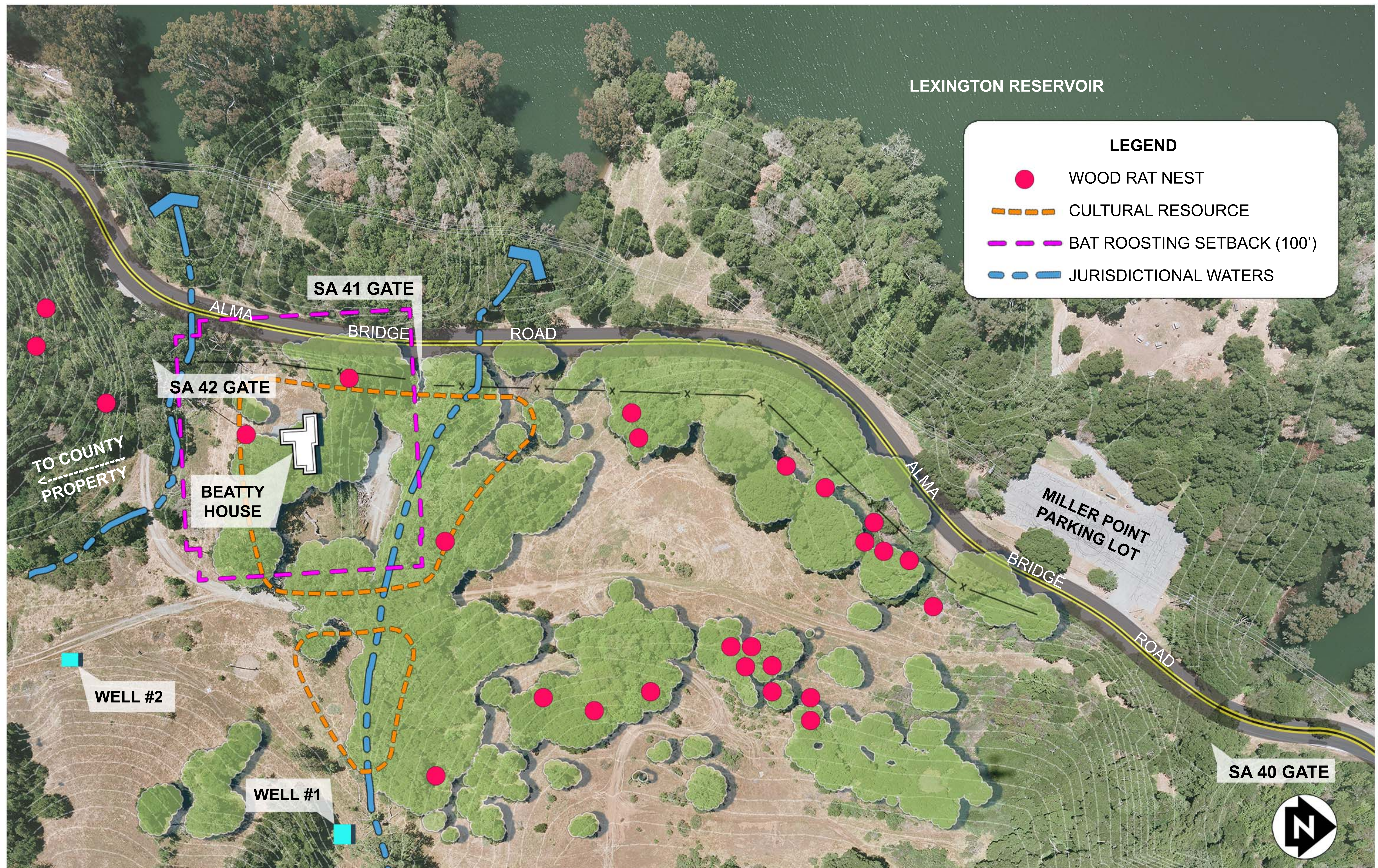


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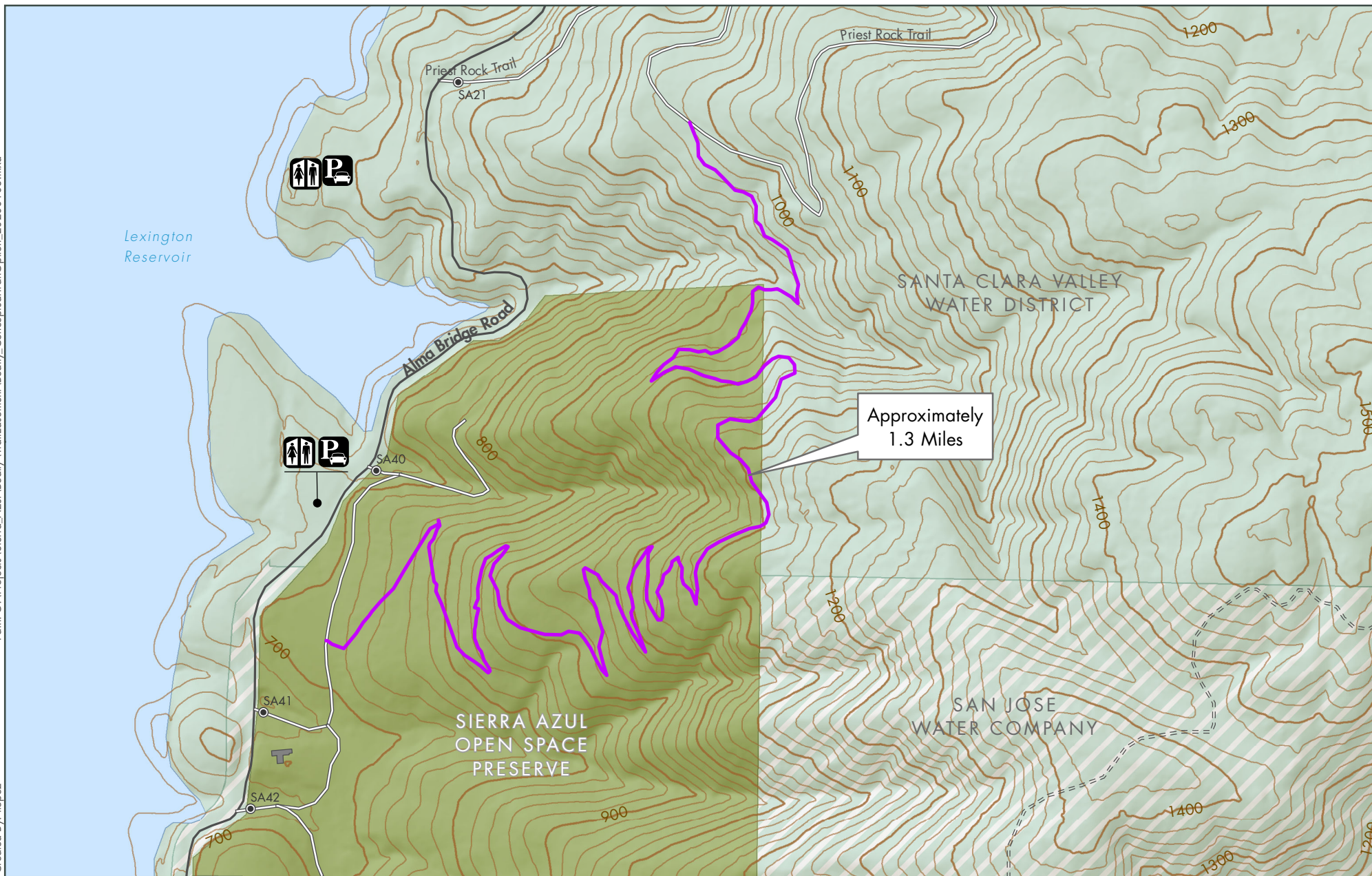











BEATTY PARKING AREA

ENVIRONMENTAL RESOURCES





## Beatty Conceptual Trail Option

-  MROSD Preserves
-  Watershed Land
-  100- ft Contour
-  20- ft Contour
-  Property Scouting Line (Flagged)
-  Paved Road
-  Unpaved Seasonal Road

## ATTACHMENT 4

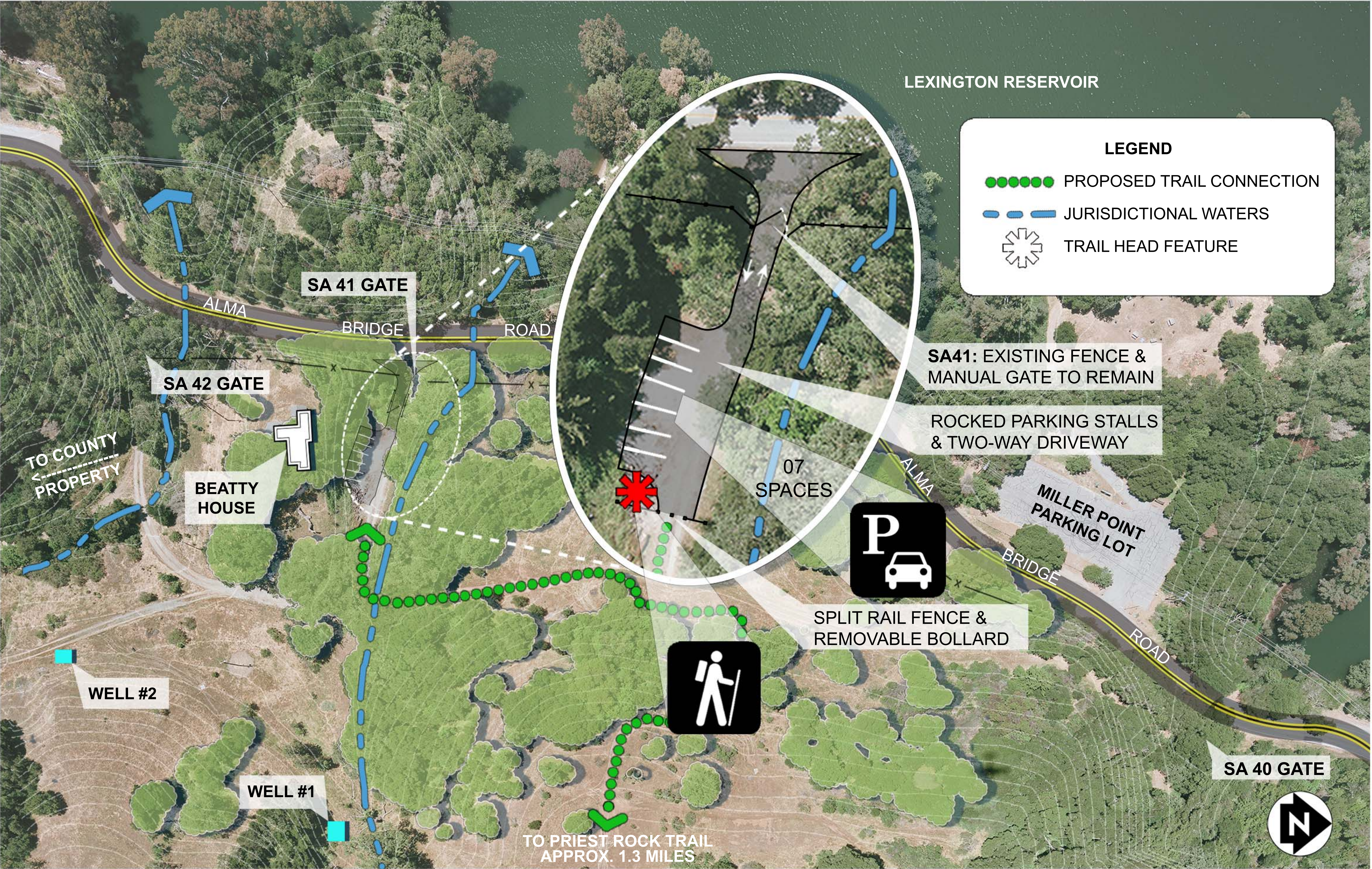
Midpeninsula Regional  
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(Midpen)  
1/3/2020



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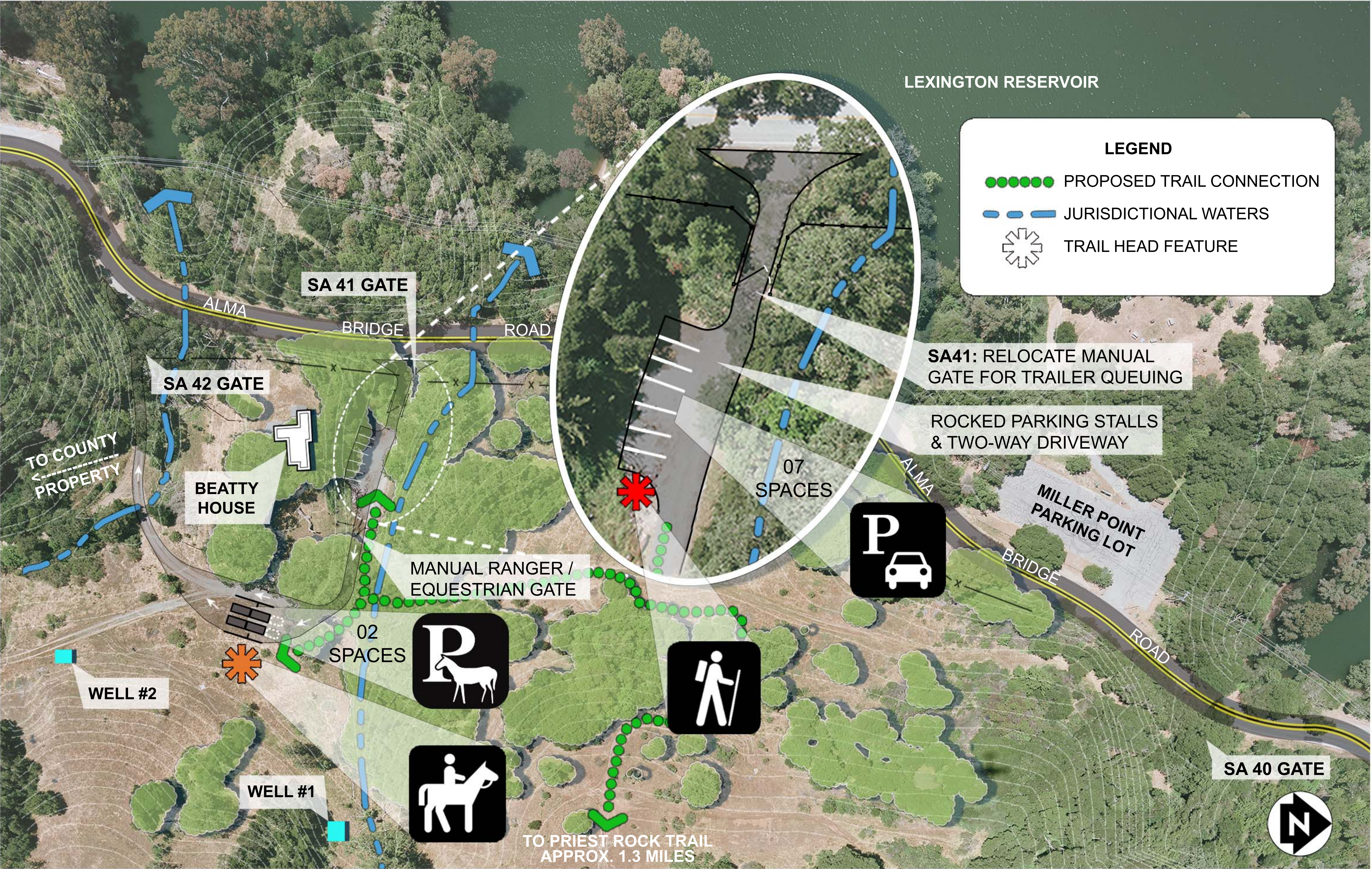




BEATTY PARKING AREA

OPTION 1: VEHICULAR SEASONAL PERMIT PARKING





BEATTY PARKING AREA

OPTION 2: VEHICULAR + EQUESTRIAN SEASONAL PERMIT PARKING