COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: December 13, 2023

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit and Grading Permit for the Midpeninsula Regional Open Space District's Open Space Maintenance and Restoration Program, which authorizes maintenance and restoration activities over a five-year period in unincorporated San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2023-00068 (Midpeninsula Regional Open Space District)

PROPOSAL

The Midpeninsula Regional Open Space District (District) is seeking a Coastal Development Permit (CDP) and Grading Permit (GRD) for the Midpeninsula Regional Open Space District's Open Space Maintenance and Restoration Program, which authorizes maintenance and restoration activities over a five-year period in the unincorporated area of San Mateo County. The Program was developed to streamline the permitting process and provide an integrated approach to maintenance of the District's open space preserves, low-impact facility improvements, habitat enhancement, and environmental restoration. Administering these activities as a program allows the District to apply a consistent set of methods, best management practices, and impact avoidance approaches.

As needed, the District obtains environmental permits for ongoing maintenance, operations, and construction activities that may affect protected waters and species. The District utilizes a mix of "programmatic" permits that cover many routine activities within District boundaries and " individual" permits that cover specific, non-routine projects. District staff have been working with regulatory staff from the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) to refine a programmatic permitting approach for all routine land management activities described as the District's Open Space Maintenance and Restoration Program.

The vast majority of the District's Program activities would benefit listed species and their habitats, consistent with the District's mission statement of acquiring and

preserving a regional greenbelt of open space land in perpetuity, protecting and restoring the natural environment, and providing opportunities for ecologically sensitive public enjoyment and education. The covered Program activities generally include the following: (1) routine maintenance activities; (2) small-scale facility improvements and new low-intensity/small footprint facilities; and (3) restoration and enhancement projects.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit, County File Number PLN 2023-00068, by adopting the required findings and conditions of approval contained in Attachment A.

SUMMARY

The Program area predominantly consists of natural open space and recreation areas. The Program area contains over 900 culverts (including ditch relief and stream crossings), 150 trail bridges (including fords, puncheons, and boardwalks), 25 vehicle bridges, approximately 230 miles of streams (excluding many unmapped seasonal drainages and tributaries), 100 waterbodies (mostly ponds), 115 miles of single-track maintained unpaved trails, and 230 miles of maintained roads (including paved, unpaved seasonal, and unpaved all-season), and existing buildings, structures and utilities. Existing structures include District rental residences, field offices, nature center, and other structures associated with agriculture uses.

The District's purpose in developing the Program is to streamline the permitting process at the local, state and federal level and provide a more strategic and integrative approach to the planning and scheduling of preserve maintenance, low-impact facility improvements, and habitat enhancement and restoration. Administering the Program as proposed, versus a series of individual activities, allows the District to establish and follow a consistent set of maintenance methods, best management practices, and impact avoidance approaches.

The Program describes routine maintenance, small-scale facility improvements, and restoration and enhancement activities occurring within the District's preserves, and identifies the natural resources in the area. The Program provides guidance and practices that avoid and minimize potential environmental impacts during implementation of Program activities and describes impact mitigation approaches and monitoring and reporting activities. In addition, the Program facilitates the District's compliance with CEQA and other resource agency permitting requirements.

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PLANNING AND BUILDING DEPARTMENT

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The Midpeninsula Regional Open Space District (District) is seeking a Coastal Development Permit (CDP) and Grading Permit (GRD) for the Midpeninsula Regional Open Space District's Open Space Maintenance and Restoration Program, which authorizes maintenance and restoration activities over a five-year period in the unincorporated area of San Mateo County. The Program was developed to streamline the permitting process and provide an integrated approach to maintenance of the District's open space preserves, low-impact facility improvements, habitat enhancement, and environmental restoration. Administering these activities as a program allows the District to apply a consistent set of methods, Best Management Practices, (BMPs), and impact avoidance approaches.

As needed, the District obtains environmental permits for ongoing maintenance, operations, and construction activities that may affect protected waters and species. The District utilizes a mix of "programmatic" permits that cover many routine activities within District boundaries and " individual" permits that cover specific, non-routine projects. District staff have been working with regulatory staff from the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) to refine a programmatic permitting approach for all routine land management activities, described as the District's Open Space Maintenance and Restoration Program.

The vast majority of the District's Program activities would benefit listed species and their habitats, consistent with the District's mission statement of acquiring and

preserving a regional greenbelt of open space land in perpetuity, protecting and restoring the natural environment, and providing opportunities for ecologically sensitive public enjoyment and education. The covered Program activities generally include:

- Routine Maintenance Activities: ponds/lakes; water supply structures; roads; bridges; roadside/trailside ditches; trails; creeks; other District parks and open space features (picnic or rest areas, natural areas, rangeland, staging areas, parking lots, tenant structures, field offices, etc.)

- Small-scale Facility Improvements and New Low-intensity/Small Footprint Facilities: bridges; interpretive facilities and signage; ranching infrastructure; utilities; trails; wildlife crossings; existing buildings and structures; water infrastructure

- Restoration and Enhancement Activities: removal of in-stream infrastructure (i.e., impoundments) and collapsed structures (i.e., bridges or culverts) or upsizing of culverts; native vegetation plantings and seeding; traditional ecological knowledge practices (indigenous stewardship); wildlife friendly spring box/troughs; pond and stream restoration; treatment of invasive species; exclusion fencing; prescribed burns; conservation grazing; road decommissioning; water well decommissioning; structural demolitions in riparian or other sensitive areas.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit and Grading Permit, County File Number PLN 2023-00068, by adopting the required findings and conditions of approval contained in Attachment A.

BACKGROUND

Report Prepared By: Luis Topete, Project Planner III

Applicant: Midpeninsula Regional Open Space District (Susanna Chan, Assistant General Manager)

Owner: Midpeninsula Regional Open Space District

Public Notification: Ten (10) day advanced notification for the hearing was mailed to residents within 100 feet and property owners within 300 feet of the project parcels and a notice for the hearing posted in a newspaper (San Mateo Times and Half Moon Bay Review) of general public circulation.

Location: Countywide - The entire Program area (which is coterminous with the District boundaries) is approximately 355,000 acres. This includes areas in northern Santa Clara County and a small portion of Santa Cruz County. The District's total landholdings in the unincorporated County is 31,523 acres, with 14,372 acres of that area within the County's Coastal Zone. The Skyline Region encompasses the western portion of the Program area from Pedro Point just south of Pacifica to the San Mateo and Santa Cruz counties boundary, and from the Pacific Ocean east to between Skyline Boulevard and Interstate 280. The Foothill Region encompasses the eastern portion of the Program area extending east from the Santa Cruz Mountains to San Francisco Bay. This CDP and GRD application covers only the portion of the Program area within the unincorporated area of San Mateo County.

APN(s): Various - 476 parcels in the unincorporated area of San Mateo County.

Size: The District currently owns 31,523 acres within the unincorporated County, with 14,372 acres of their landholdings in the County's Coastal Zone.

Existing Zoning: Planned Agricultural District/Coastal Development (PAD/CD); Resource Management (RM); Resource Management-Coastal Zone/Coastal Development (RM-CZ/CD); Timberland Preserve Zone (TPZ); Timberland Preserve Zone-Coastal Zone/Coastal Development (TPZ-CZ/CD); Residential Estates/S-11 Combining District (R-E/S-11); One-Family Residential/S-10 Combining District (R-1/S-10); One-Family Residential/S-11 Combining District (R-1/S-11)

General Plan Designation: Agriculture; Open Space; Public Recreation; Timber Production; Low Density Residential

Local Coastal Plan Designations: Agriculture; Open Space; Public Recreation; Timber Production

Existing Land Use: The Program area predominantly consists of natural open space and recreation areas. The Program area contains over 900 culverts (including ditch relief and stream crossings), 150 trail bridges (including fords, puncheons, and boardwalks), 25 vehicle bridges, approximately 230 miles of streams (excluding many unmapped seasonal drainages and tributaries), 100 waterbodies (mostly ponds), 115 miles of single-track maintained unpaved trails, and 230 miles of maintained roads (including paved, unpaved seasonal, and unpaved all-season), and existing buildings, structures and utilities. Existing structures include District rental residences, field offices, nature center, and other structures associated with agriculture uses.

Flood Zone: Various

Environmental Evaluation: For purposes of compliance with the California Environmental Quality Act (CEQA), the District is the Lead Agency. As such, the District adopted an Initial Study/Mitigated Negative Declaration on September 22, 2021, and subsequently filed a Notice of Determination with the State Clearinghouse and the

County Recorder on September 23, 2021. For purposes of this CDP and GRD, the County is acting in the role of a Responsible Agency. San Mateo County was noticed during the District's CEQA review process and had no comments or objections to the adequacy of the Negative Declaration prepared. The potential environmental effects of the project identified in the Negative Declaration prepared by the District have been reviewed and considered.

Setting: The District was founded in 1972 and protects over 70,000 acres of open space in the South Bay and San Francisco Peninsula. Most of these lands are located within 27 open space preserves that form a connected greenbelt in the greater Santa Cruz Mountains region for plants and animals to thrive while also providing ecologically sensitive low-impact recreational opportunities for local residents to enjoy the forests, baylands, ridgelines, and mountains of the South Bay Area. The District's total landholdings in the County is 31,523 acres, with 14,372 acres of that area within the County's Coastal Zone. These diverse and scenic landscapes, from bay wetlands to redwood forests and coastal grasslands, host an incredible diversity of life, making biodiversity hotspots. The District's open space preserves have long and complex histories of human use prior to becoming public open spaces. The District actively manages the land and waterways to restore their health and function, helping the local ecosystem become more resilient in a time of climate change.

Chronology:

Date		Action
September 22, 2021	-	Midpeninsula Regional Open Space District adopted the Initial Study/Mitigated Negative Declaration, including a Mitigation Monitoring Program, for the Open Space Maintenance and Restoration Program.
March 2, 2023	-	Coastal Development Permit and Grading Permit application received by the San Mateo County Planning and Building Department.
March 30, 2023	-	Application deemed complete.
December 13, 2023	-	Planning Commission hearing.

DISCUSSION

The District annually conducts dozens of small maintenance projects on its open space preserves to ensure proper care of the land and provide for ecologically sensitive public access opportunities. To date, many of these activities have been developed and permitted individually with state and federal environmental regulators. The District also permits small scale work through "programmatic" permits that cover many projects annually. Without a broadly applicable and consistent permitting strategy, the District

reports that maintenance and construction projects take significantly longer to plan, permit, and construct, which creates scheduling uncertainty and is costly to the public taxpayer.

The District's purpose in developing the Program is to streamline the permitting process at the local, state and federal level and provide a more strategic and integrative approach to the planning and scheduling of preserve maintenance, low-impact facility improvements, and habitat enhancement and restoration. Administering the Program as proposed, versus a series of individual activities, allows the District to establish and follow a consistent set of maintenance methods, BMPs, and impact avoidance approaches.

The Program describes routine maintenance, small-scale facility improvements, and restoration and enhancement activities occurring within the District's preserves, and identifies the natural resources in the area. The Program provides guidance and practices that avoid and minimize potential environmental impacts during implementation of Program activities and describes impact mitigation approaches and monitoring and reporting activities. In addition, the Program facilitates the District's compliance with CEQA and other resource agency permitting requirements.

The objectives of the Program include:

a. Streamlining the regulatory permitting process by obtaining comprehensive long-term permits that improve work planning and implementation and reduce delays.

b. Utilizing existing and planned District restoration and enhancement efforts in a strategic manner to ensure that the overall Program has a net benefit to regulated habitats and special-status species.

c. Protecting and enhancing the natural environment and improving low-intensity public access throughout the District's open space preserves.

d. Avoiding and minimizing potential impacts to the natural environment when conducting activities by assessing habitat, species, and resource conditions.

e. Identifying and prioritizing maintenance and facilities needs by weighing potential impacts vs. permitting requirements and timelines.

Intended conservation outcomes of the Program, which were derived and modified from the District's Resource Management Policies, Integrated Pest Management Guidance Manual, and Wildland Fire Resiliency Program, include:

a. Reduce soil disturbances, erosion, and water quality impacts associated with maintenance activities through careful planning combined with

implementation of BMPs that provide erosion control and protect water quality.

b. Promote growth of native vegetation and protect and restore special-status species and sensitive habitats, and rehabilitate areas disturbed prior to the District's ownership.

c. Acquire and provide public access to lands while also protecting and restoring natural resources.

d. Remove and manage invasive species while protecting natural resources and public health.

e. Reduce fire fuels that contribute to the risk of catastrophic wildfire and restore ecosystems by removing invasive plant species and/or dead and excessive accumulated vegetation due to past fire suppression.

The purpose of this CDP and GRD application is to comply with the requirements of the San Mateo County LCP and its implementing regulations in order for the District to implement its 5-year Program activities occurring within San Mateo County. This CDP and GRD would help streamline the permitting process at the local level, creating a more consistent and integrative approach and reduce project delays, and would be limited to Program activities regulated by San Mateo County.

A summary of Program activities by facility/feature and describing the typical examples of work to be performed can be found in Attachment D (Table 1-2). A summary of the proposed Program activities is as follows:

- Routine Maintenance Activities: Ponds/lakes; water supply structures; roads; bridges; roadside/trailside ditches; trails; creeks; other Midpen Parks and Open Space features (picnic or rest areas, natural areas, rangeland, staging areas, parking lots, tenant structures, field offices, etc.). Examples include berm repair/maintenance, vegetation removal, sediment and debris removal, culvert repair and replacement, fords and swales repair and replacement, cleaning ditches, and bank stabilization. See Attachment D for a more comprehensive list of typical examples of routine maintenance activities.

- Small-scale Facility Improvements and New Low-intensity/Small Footprint Facilities: Bridges; interpretive facilities and signage; ranching infrastructure; utilities; trails; wildlife crossings; existing buildings and structures; water infrastructure. Examples include bridge relocation or new installation to reduce resource/water quality impacts, maintenance of septic, telephone, telecommunications, and other utilities, providing new trail connections and public access, and single-track trail resurfacing for Americans with Disabilities Act (ADA) compliance. See Attachment D for a

more comprehensive list of typical examples of new facilities and improvements.

- Restoration and Enhancement Activities: Removal of in-stream infrastructure (i.e., impoundments) and collapsed structures (i.e., bridges or culverts) or upsizing of culverts; native vegetation plantings and seeding; traditional ecological knowledge practices (indigenous stewardship); wildlife friendly spring box/troughs; pond and stream restoration; treatment of invasive species; exclusion fencing; prescribed burns; conservation grazing; road decommissioning; water well decommissioning; structural demolitions in riparian or other sensitive areas.

The District has provided a projected number of small new-scale facility improvements (Attachment E; Table 8-1) and list of restoration and enhancement activities detailing the estimated disturbance per year, projected average number of projects per year, and maximum number of projects to be carried out per year (Attachment F; Table 9-1). Further, the District has included the following work limits to minimize the extent of impacts associated with Program activities: site, annual, and 5-year Program work limits per activity type are included in Attachment G (Table 10-2), which also provides an estimate of the typical jurisdictional disturbance (e.g., wetlands, waters of the U.S./state, and riparian resources) per project and quantifies the number of jurisdictional projects per year per activity type.

A. KEY ISSUES

1. Conformance with the County General Plan

The primary goal of the County's General Plan is to provide overall policy guidance to assure orderly, balanced utilization and conservation of all County resources, which includes promoting a balance between the conservation and productive use of natural resources, promoting the acquisition and development of park and recreation systems to enhance quality of life for County residents consistent with determined needs, and encouraging all Federal, State, regional, county, and city agencies with jurisdiction in San Mateo County to cooperate and coordinate the management, enhancement, and protection of the County's resources.

The County's Local Coastal Program (LCP), being a subset of the County General Plan, is internally consistent with the County General Plan. Many of the Coastal Act's requirements for the LCP Land Use Plan overlap with the Government Code's requirements for the General Plan. The County's General Plan and its LCP are generally aligned regarding policies and regulations specific to this project, such as the protection and management of natural resources, visual quality, and park and recreation resources. This alignment helps maintain consistency between the broader county-wide goals and the specific requirements for coastal areas.

No unique or specific General Plan policies have been identified that would apply outside the coastal zone which require separate analysis and discussion from the LCP policy discussion below. Therefore, the following analysis of the project's consistency with the LCP, which is more specific than the General Plan with regard to issues raised by this project, also addresses, by extension, the project's consistency with the County's General Plan in the coastal zone and non-coastal zone areas of the Program.

2. Conformance with the Local Coastal Program

A Coastal Development Permit is required pursuant to San Mateo County LCP Policy 2.1, which mandates compliance with the California Coastal Act for any government agency or special district wishing to undertake development in the Coastal Zone. Summarized below are the following sections of the LCP that are relevant to this project:

a. Sensitive Habitats Component

Policy 7.1 (*Definition of Sensitive Habitats)*. This policy defines sensitive habitats as any area in which plant or animal life or their habitats are either rare or especially valuable. This includes all perennial and intermittent streams and their tributaries, as well as numerous creek and ponds within the project area. Sensitive habitat areas include riparian corridors, wetlands, and habitats supporting rare, endangered, and unique species. Various portions of the Program area have sensitive habitat for special-status species, including but not limited to, critical habitat for California red-legged frog, San Francisco garter snake, marbled murrelet, and Bay checkerspot butterfly (refer to Figure 4-5 in Chapter 4, Biological Resources).

Policy 7.3 (*Protection of Sensitive Habitats*). This policy requires that development in areas adjacent to sensitive habitats be sited and designed to prevent impacts that could significantly degrade these resources. All uses shall be compatible with the maintenance of biologic productivity of the habitats. One of the conservation outcomes of the Program is to promote growth of native vegetation and protect and restore special-status species and sensitive habitats, and rehabilitate areas disturbed prior to the District's ownership. The District values natural resources and aims to minimize impacts to sensitive habitat for special-status species and other sensitive resources by implementing impact avoidance and minimization measures. In addition, the Program is designed to be self-mitigating, and habitat enhancement and restoration activities offset Program

impacts. Chapter 4 of the Program Manual, Biological Resources, describes the sensitive natural resources in the Program area. Chapter 10, Impact Avoidance and Minimization, BMPs, and Mitigation, further describes the Program's approach to reduce potential environmental impacts and includes a comprehensive table that identifies BMPs for the Program. Detailed BMPs including those implemented for specific biological resources are presented in Chapter 10.

Policy 7.5 (*Permit Conditions*). This policy requires, as part of the development review process, that the applicant demonstrate that there will be no significant impact on sensitive habitats. This is achieved by having the applicant submit a biological report outlining what resources exist at the project location and how the project may impact those resources. The applicant has submitted a biological report which identifies potential impacts and recommended BMPs and mitigation strategies that guided the development of multiple BMPs and mitigation measures that would be implemented and have been incorporated as part of the Program.

Incorporated BMPs can be found in Table 10-3 of the Program Manual, which include, but are not limited to: aquatic resource protection measures; environmental awareness training of maintenance personnel; biological monitoring; special-status plant species avoidance measures; general wildlife protection measures; special-status species reporting; and specific measures for the protection of special-status fauna and flora. Staff has included compliance with all BMPs listed in the Program Manual and all mitigation measures identified in the environmental document as conditions of approval.

Policy 7.8 (*Designation of Riparian Corridors*). This policy requires the establishment of riparian corridors for all perennial and intermittent streams and lakes and other bodies of freshwater in the Coastal Zone. Several riparian corridors exist within the Program area, with some work programmed in or around these corridors. However, Program objectives include providing net benefit to regulated habitats and special-status species, protecting and enhancing the natural environment, and avoiding and minimizing potential impacts to the natural environment when conducting activities by assessing habitat, species, and resource conditions. The conservation outcomes intended with the Program activities include reducing soil disturbance and water quality impacts associated with maintenance activities through careful planning combined with implementation of BMPs, promoting growth of native vegetation, protection and restoration of special-status species and sensitive habitats, removal and

management of invasive species while protecting natural resources, and to rehabilitate areas disturbed prior to the District's ownership.

Policy 7.9 (*Uses in Riparian Corridors*). This policy lists the permitted uses within riparian corridors, including fish and wildlife management activities. The project is a maintenance and restoration program for various facilities/features within the District's open space preserves. Table 1-2 of the Program Manual summarizes activities covered by the Program, some of which would occur within a riparian corridor, including routine maintenance activities, new facilities and improvements, and restoration and enhancement activities. Work includes, but is not limited to: culvert repair and replacement; bank stabilization; sediment and debris removal; vegetation management/removal; cleaning ditches; bridge relocation or new installation to reduce resource/water quality impacts; replacing or removing degraded water infrastructure facilities; creation of aquatic habitat and/or improvement of fisheries habitat; pond and stream restoration; and structural demolitions in riparian or other sensitive areas for habitat enhancement.

Policy 7.10 (*Performance Standards in Riparian Corridors*). This policy requires development permitted in corridors to: (1) minimize removal of vegetation; (2) minimize land exposure during construction and use temporary vegetation or mulching to protect critical areas; (3) minimize erosion, sedimentation, and runoff by appropriately grading and replanting modified areas; (4) use only adapted native or non-invasive exotic plant species when replanting; (5) provide sufficient passage for native and anadromous fish as specified by the State Department of Fish and Game; (6) minimize adverse effects of wastewater discharges and entrainment; and (7) minimize alteration of natural streams.

Ground disturbing work in or adjacent to wetlands, waters of the U.S. and state, riparian resources, or sensitive habitats for federally and state listed species would take place after May 15. All Program activities will be conducted in accordance with the project description, program-wide and resource/activity-specific BMPs, and terms of the Program permits. This includes conducting any necessary pre-activity surveys for federally or state listed fish, wildlife, plants, and other resources, as applicable. An on-site biologist or biological monitor trained in using the Program Manual will oversee and guide all Program activities and ensure that the proper Program principals and avoidance and minimization measures and/or BMPs and mitigation, as described in Chapter 10, are employed. No equipment shall be operated within an active creek (i.e., wetted channel) except in perennial streams or during wet weather years in which the channel

does not dry. In these instances, work will be scheduled during periods of low flow and must adhere to the dewatering Best Management Practices.
Typically, all work in riparian corridors would be conducted by hand. Equipment use will be limited to reduce disruption and only be used if it is necessary to achieve habitat and fire management objectives. Prescribed burns and pile burns will be performed outside of perennial and intermittent streams and of riparian forest/woodland. A 50-foot buffer around perennial and intermittent streams will be maintained when the burn is proposed upslope of the stream on slopes greater than 35 percent. Generally, the District will maintain a minimum 30-foot buffer around special-status species habitats and a 15-foot buffer around all other aquatic and riparian habitats when applying pesticides. No more than 24 hours prior to conducting pond enhancement activities, visual surveys will be conducted by walking at least a 50-foot buffer area around the pond in an attempt to locate the presence of any San Francisco Garter Snakes. Although infrequent, some maintenance of conservation grazing infrastructure and utility-related work may occur adjacent to riparian areas or near sensitive habitats, which may require a biological monitor to be present and implementation of avoidance and minimization measures to minimize impacts to sensitive habitats.

Policy 7.11 (*Establishment of Buffer Zones*). This policy requires the establishment of buffer zones around all riparian corridors and along lakes, ponds, and other wet areas. Within these buffer zones, Policy 7.12 states that the uses allowed in riparian corridors are also allowed. See discussion under Policy 7.10 above.

Policy 7.13 (*Performance Standards in Buffer Zones*). This policy requires uses permitted in buffer zones subject to eight listed performance standards. Program activities would result in temporary increases in ambient noise levels during the day from the operation of heavy equipment and use of vehicles and trucks associated with Program activities. The San Mateo County Noise Ordinance exempts activities conducted on public parks, in addition to noise associated with construction, repair, or grading during the hours of 7:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 5:00 p.m. on Saturdays. Noise impacts associated with programmed activities at individual sites would be temporary, of short duration, infrequent, and similar in scale and frequency to those currently conducted by the District. Program activities would generally be conducted during daytime hours (between 7:00 a.m. and 5:00 p.m., depending on the time of year) on weekdays, which is largely in compliance with the County's construction hours. Weekend operations would occur infrequently and may include volunteer-based events for invasive plant removal by

hand. Implementation of Mitigation Measure NOI-1 includes the implementation of best noise control practices which would reduce noise generated from heavy equipment. The Program would not install any stationary equipment or other permanent sources of noise that would permanently increase ambient noise levels in the Program area. For further explanation of performance standards, see discussion under Policy 7.10 above.

Policy 7.14 (*Definition of Wetland*). This policy defines a wetland as an area where the water table is at, near, or above the land surface long enough to bring about the formation of hydric soils or to support the growth of plants which normally are found to grow in water or wet ground. A number of wetlands are present within the Program area in many open space preserves.

Policy 7.16 (*Permitted Uses in Wetlands*). This policy lists which uses are permitted within wetlands. Overall, Program activities that would occur in areas supporting wetlands are for the protection, management, restoration, and enhancement of such features. The District would enhance pond and wetland habitat through reinforcing or repairing failing earthen berms; improving inlet or outlet features; removing sediment from aquatic features whose hydroperiod no longer supports suitable conditions for sensitive species; recontouring ponds to increase aquatic habitat; removing excessive aquatic vegetation and invasive species; installing wildlife habitat structures and escape features; placing large woody materials to restore and enhance aquatic habitat; and enlarging aquatic features to optimize geometry to support vegetative benches and open water areas for use by sensitive species. The District would implement a number of BMPs to address the impacts of Program activities on wetlands and other waters which would reduce and minimize impacts to state and federal wetlands.

Ponds or wetland features that are detrimental to sensitive species may be modified or decommissioned and restored to a native condition (i.e., riparian channel, swale, or upland habitat), which returns water to the surrounding ecosystem and often benefits downstream species and/or habitat. However, the District's preferred approach is to modify an existing pond/wetland feature prior to decommissioning. In addition to modifying existing habitat, the District may create new features by restoring previously filled in wetlands or constructing off-channel pools to expand aquatic habitat for sensitive species.

Policy 7.17 (*Performance Standards in Wetlands*). This policy requires that development permitted in wetlands minimize adverse

impacts during and after construction and lists seven specific requirements to achieve this outcome. Under existing conditions, lighting within the District's lands is extremely limited, with a minimal amount of exterior lighting at residences and offices for safety. Because Program activities would be conducted during daylight hours only, no nighttime lighting would be needed. Although the Program includes installation of new facilities and small facility improvements (e.g., bridge relocation, installation of interpretive facilities/signage, construction of wildlife crossings, etc.) none of these facility improvements would result in new reflective surfaces or installation of lighting.

Further, the proposed Program and environmental document have been reviewed by the State Department of Fish and Wildlife and State Water Quality Board. Because a majority of the District's lands are located within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), the District will apply for Section 401 water quality certifications from the San Francisco Bay RWQCB for activities affecting waters of the U.S. For further explanation of performance standards, see discussion under Policy 7.10 and 7.13 above.

Policy 7.34 (*Permit Conditions*). This policy requires, in addition to the conditions set forth in Policy 7.5, that prior to permit issuance, a qualified biologist prepare a report which defines the requirements of rare and endangered organisms and lists the minimum elements the report should discuss. A biological assessment was completed for this Program in April of 2021 and was used as a reference in completing the environmental review for the Program. The purpose of the biological assessment was to review proposed activities for the Program in sufficient detail to determine the extent to which Program activities may affect: (a) any threatened, endangered, or candidate animal or plant species regulated by the USFWS and/or its habitat; and (b) designated critical habitat of those species.

The biological assessment was prepared in accordance with legal requirements set forth under Section 7 of the Federal Endangered Species Act (16 United States Code 1536[c]). Federally listed species consist of all organisms determined by the USFWS or National Marine Fisheries Service to be endangered, threatened, or a candidate for endangered or threatened status. Recommended approaches for mitigation and BMPs were provided and incorporated into the Program.

Policy 7.35 (*Preservation of Critical Habitats*). This policy requires preservation of all habitats of rare and endangered species using

criteria including, but not limited to, Section 6325.2 (Primary Fish and Wildlife Habitat Area Criteria) and Section 6325.7 (Primary Natural Vegetative Areas Criteria) of the Resource Management Zoning District. Figure 3.4-2 of the environmental document maps the critical habitat areas in and around District lands. The Program will have overwhelmingly beneficial effects on the species covered by the biological assessment provided. The areal footprint of constructed features will be small relative to areas of habitat enhancement, restoration, and preservation. Numerous avoidance measures and BMPs will be implemented to minimize impacts. Further, the District acquires dozens of acres of wetland habitats each year through its preservation efforts. As part of the proposed Program, the District would offset all permanent removal of vegetation from jurisdictional areas through continued land acquisitions and permanent protection of riparian habitats. As a result, the adverse effects of the Program will be minor, and they will be far outweighed by the beneficial effects of restoration, enhancement, and preservation, thus resulting in a substantial net benefit to federally listed species. Critical habitat for special-status plants does not occur within any of the District's open space preserves.

Policy 7.36 (*San Francisco Garter Snake*). This policy requires prevention of any development where there is known to be a riparian or wetland location for the San Francisco garter snake, with some exceptions, and for developers to make sufficiently detailed analyses of any construction which could impair the potential or existing migration routes of the San Francisco garter snake to determine appropriate mitigation measures. Various portions of the Program area have sensitive habitat for special-status species, including but not limited to, critical habitat for the San Francisco garter snake. The District aims to minimize impacts to these species and their habitats and other sensitive resources by implementing impact avoidance and minimization measures. In addition, the Program is designed to be self-mitigating, and habitat enhancement and restoration activities would offset Program impacts. Chapter 10 of the Program Manual (Impact Avoidance and Minimization, BMPs, and Mitigation) describes impact minimization measures and work limits and BMPs that would be implemented prior to and/or during Program activities to further avoid or reduce potential impacts and concludes by describing how residual impacts of the Program would be mitigated. The Program will have a net beneficial effect on the San Francisco garter snake. The Program as a whole will be self-mitigating with respect to the San Francisco garter snake.

Policy 7.52 (*Public Agency Requirements*). This policy requires public agencies, to the extent feasible, to remove undesirable pampas grass

and French, Scotch, and other invasive brooms from their lands. One of the intended conservation outcomes of the Program is to remove and manage invasive species while protecting natural resources. Invasive plant material will be removed from the maintenance sites and appropriately handled to avoid the spread of invasive species. The District's Integrated Pest Management (IPM) Program was established in 2014 and is directed by the IPM Guidance Manual with the stated goal to control pests by consistent implementation of IPM principles to protect and restore the natural environment and provide for human safety and enjoyment while visiting and working on District lands.

A number of invasive and pest plant species found on District lands are treated on an on-going basis. Table 4-3 of the Program Manual provides the list of these species along with their California Invasive Species Council (CAL-IPC) and California Department of Food and Agriculture (CDFA) ratings. The District considers species with a CAL-IPC rating or CDFA rating to be invasive species, and those species in Table 4-3 of the Program Manual without a rating to be pest species. The District actively treats 105 plant species on their lands using various methods including manual, mechanical, chemical (e.g., herbicide and fungicide), and biological control (e.g., bio-control agent). Invasive plant removal and the controls methods are described in more detail in Chapter 6 (Vegetation Management) of the Program Manual. Depending on the target species, surveys, treatments, and monitoring may occur year-round. The District anticipates working on up to 100 invasive plant removal projects per year.

b. Visual Resource Component

Policy 8.6 (*Streams, Wetlands, and Estuaries*). This policy prohibits structural development in the Coastal Zone that will adversely affect the visual quality of perennial streams and associated riparian habitat, except for those permitted by Sensitive Habitats Component policies, requires open natural visual appearance of estuaries and their surrounding beaches be retained, and that wetlands be retained intact except for public accessways designed to respect the visual and ecological fragility of the area and adjacent land, in accordance with the Sensitive Habitats Component policies.

District lands provide scenic viewing opportunities for the public. Depending on the visual sensitivity of an individual project area, temporary visual impacts could occur from the presence of personnel and equipment, staging, vegetation removal, earthwork, and on-site stockpiling of materials. Visual changes related to the presence of

equipment and workers is generally considered low because viewers perceive it as temporary and can quickly and easily move to uninterrupted areas of District lands. The District would implement multiple BMPs, incorporated as part of the Program, to reduce temporary impacts to visual character and quality of public views during Program activities by minimizing the area of disturbance, disposing waste and storing materials and equipment properly, minimizing the disturbance of vegetation, and restoring disturbed and riparian areas as quickly as possible following Program activities. The overall long-term effect of the Program would be to maintain the existing visual quality, and in many instances, would improve the visual quality, such as through Program activities that stabilize failed pond berms, remove tires, repair dilapidated culverts, and plant native vegetation in riparian areas.

Policy 8.17 (*Alteration of Landforms; Roads and Grading*). This policy requires development to be located and designed to conform with, rather than change landforms. Some small-scale facility improvement projects, such as new roads, trails, or bridges, may be constructed, and routine maintenance activities, such as sediment removal, may include some recontouring. Road decommissioning is also included in the Program. District staff evaluates these former roads for decommissioning based on the level of disturbance necessary to achieve a beneficial outcome. Some pond and wetland restoration work would include recontouring ponds to increase aquatic habitat, placing large woody materials to restore and enhance aquatic habitat, and enlarging aquatic features to optimize geometry to support vegetative benches and open water areas for use by sensitive species. Overall, Program objectives and anticipated outcomes include protecting and enhancing the natural environment, avoiding and minimizing potential impacts to the natural environment, and reducing soil disturbances and erosion.

Policy 8.31 (*Regulation of Scenic Corridors in Rural Areas*). This policy requires application of the policies of the Scenic Road Element of the County General Plan; application of Section 6325.1 (Primary Scenic Resources Areas Criteria) of the Resource Management (RM) Zoning District; application of the Rural Design Policies of the LCP; application of the Policies for Landforms and Vegetative Forms of the LCP; a minimum setback of 100 feet from the right-of-way line, and greater where possible; the continued application of special regulations for the Skyline Boulevard and Cabrillo Highway State Scenic Corridors; and enforcement of specific regulations of the Timber Harvest Ordinance which prohibits the removal of more than 50% of timber volume in scenic corridors.

Scenic roadways and San Mateo County designated scenic corridors are located in and adjacent to many District lands. Program activities may occur in areas adjacent to designated scenic roadways (e.g., construction of a wildlife crossing at Bear Creek Redwoods open space preserve adjacent to Bear Creek Road, culvert/repair replacement, trail maintenance, and other facility repairs/improvements). Although the presence of construction equipment in these locations could disrupt scenic views, such disruption would be temporary. The use of heavy equipment would be minimal and work activities would generally be completed within a few days up to three weeks. In addition, Program activities are intended to restore and enhance the natural environment. Although tree removal may be conducted under the Program, tree removal would only occur under circumstances where the tree has or is in danger of falling, is causing damage, or is posing a safety or flood hazard. On the other hand, restoration activities (e.g., invasive plant removal, native riparian plantings, road decommissioning, etc.) conducted under the Program would enhance the natural habitat and scenic resources. Further, no structures are proposed that would be visible from view from Skyline Boulevard and no removal of significant vegetation will occur that screens the view of a structure from Skyline Boulevard.

The District would implement the following BMPs, incorporated as part of the Program, to reduce temporary visual impacts on scenic resources visible from scenic corridors. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-2: Minimize the Area of Disturbance and Site Maintenance
- BMP GEN-7: Waste Management
- BMP GEN-16: Site Stabilization
- BMP GEN-21: Staged Materials Management and Excavation Ramps
- BMP GEN-22: Spoils Management
- BMP GEN-23: Vegetation and Tree Removal and Retention
- BMP GEN-24: Vegetation Management with Prescribed Burns
- BMP BIO-24: Riparian Restoration
- BMP EC-5: Revegetation of Disturbed Areas

Implementation of the BMPs listed above would minimize temporary visual impacts on scenic resources associated with maintenance by minimizing the area of disturbance, disposing of waste and storing materials and equipment properly, minimizing the disturbance of vegetation, and restoring disturbed and riparian areas as quickly as

possible following Program activities. Because Program activities would be short-term, visual disruptions along scenic corridors would be temporary, and implementation of BMPs would further minimize adverse effects, there would be no substantial or long-term degradation of scenic resources, including those along a scenic corridor.

3. Conformance with Zoning Regulations

The Program activities, goals and expected outcomes conform with the purpose of the Zoning Regulations, as detailed in Section 6101, to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare, accomplished through the following more particularly specified purposes:

a. To guide, control, and regulate the future growth and development of San Mateo County.

b. To protect the character and the social and economic stability of agricultural, residential, commercial, industrial, and other private and public areas within the County, and to assure the orderly and beneficial development of such areas.

c. To obviate the menace to the public safety resulting from the locating of buildings, and the use thereof, and the use of land, adjacent to streets and highways which are a part of the Streets and Highway Plan Unit of the Master Plan of the County, or which are important thoroughfares, in such manner as to cause interference with existing or prospective traffic movements on said streets and highways.

d. To provide adequate light, air, privacy, and convenience of access to property, and to secure safety from fire, inundation, and other dangers.

e. To prevent overcrowding the land and prevent undue congestion of population.

One of the Program's central objectives is to streamline the regulatory permitting process, emphasizing the acquisition of comprehensive long-term permits to improve work planning and execution. This not only enhances efficiency but also ensures that development and land use activities adhere to regulatory standards, safeguarding public health, safety, and the environment. Another vital aspect of the Program is its commitment to the preservation, conservation, and enhancement of the natural environment. The Program actively seeks to improve low-intensity public access within the District's open space preserves. This improvement in accessibility to

recreational and natural spaces enhances the community's opportunities for enjoyment of the natural environmental contributing to public health, convenience, and general welfare.

To address potential environmental impacts, the Program provides for a thorough assessments of habitat, species, and resource conditions during its activities. This approach aligns with the Zoning Ordinance's objective of protecting public health and safety. The Program engages in the balanced prioritization of maintenance and facility needs by considering potential impacts in relation to permitting requirements, preserving natural resources while maintaining public health and safety. The Program's expected conservation outcomes, including reducing soil disturbances, promoting native vegetation, removing invasive species, and mitigating fire fuels, contribute to the preservation of the natural environment. These outcomes underscore the Zoning Ordinance's central aim of safeguarding public health, safety, and the general welfare through responsible land use practices.

Further, the Program activities, goals and expected outcomes conform with the goals of the zone districts identified below, which encompass District properties within the unincorporated County. All Program activities shall comply with all applicable criteria and standards of the Zoning Ordinance and of local, State and federal agencies.

Planned Agricultural District (PAD)

The purpose of the PAD District is to: 1) preserve and foster existing and potential agricultural operations in San Mateo County in order to keep the maximum amount of prime agricultural land and all other lands suitable for agriculture in agricultural production, and 2) minimize conflicts between agricultural and non-agricultural land uses.

The District’s Mission Statement is: “To acquire and preserve a regional greenbelt of open space land in perpetuity, protect and restore the natural environment, and provide opportunities for ecologically sensitive public enjoyment and education.” Pursuant to Section 6353, “Public Recreation” uses in the PAD require a PAD permit. Section 6351 defines Public Recreation as lands and facilities serving primarily a recreation function which are operated by public agencies or other non-profit organizations. Although the District does provide public recreation on its open space preserves, public recreation is not the District’s primary function. Opportunities for public enjoyment and education of the preserves are provided so long as they are low-impact and ecologically sensitive of the open space land to be protected and restored, and not negatively impacting the effort to provide an environment for plants and animals to thrive. Therefore, issuance of a PAD Permit is not required as the Program

primarily encompasses ongoing maintenance and restoration activities and is not proposing new land uses.

Agriculture is a principally permitted use in the PAD District. Grazing, growing or pasturing of livestock is defined as agriculture. One of the District's objectives is to acquire and preserve in perpetuity open agricultural land of regional significance and encourage viable agricultural use of land resources. Conservation grazing is conducted on District coastal rangeland and agricultural farms and fields to control growth of herbaceous weeds, brush, and non-native plants; enhance the diversity of native plants and animals; help sustain the local agricultural economy; foster the region's rural heritage; and manage fire fuel (i.e., flammable vegetation). Conservation grazing uses livestock to reduce the height and thatch build-up of non-native annual grasses, which benefits native grasses, and a variety of other native grassland species, supporting more diversity. In addition, the reduction of fuel loads reduces the intensity of wildfires. Conservation grazing is conducted either seasonally, typically in late spring or early summer when vegetation is palatable to the grazing animals, or year-round.

Currently, approximately 11,000 acres of District lands in the Program Area are grazed and managed by multiple ranching tenants. The District works closely with grazing tenants to ensure grazing practices are compatible with or contribute to resource protection. Conservation grazing is used within portions of five open space preserves, including La Honda Creek, Purisima Creek Redwoods, Russian Ridge, Skyline Ridge, and Tunitas Creek, and may be extended into additional areas as more lands are acquired. In compliance with Policy GM-1 of the Program, a certified rangeland manager would prepare site specific grazing management plans that incorporate BMPs for preserves where grazing will be utilized based on the unique features of each site. In addition, the rangeland manager will determine the appropriate class of livestock and stocking rates based on site-specific conditions, such as soil fertility, terrain, plant composition, water availability, and available infrastructure. Before conservation grazing activities commence, a biologist will evaluate the area to be grazed to identify sensitive resources, including special-status plants, wildlife, and wetlands. In order to contain livestock grazing, wildlife-friendly fencing will be installed that allows for wildlife movement. Once fencing has been installed, cattle or other livestock, are put on parcels for a set amount of time and are monitored to ensure appropriate amounts of residual dry matter remains on the ground in order to accommodate new plant growth, prevent soil erosion, and maximize species richness. Because agriculture is a principally permitted use in the PAD, no permit is required for the Program activities.

Resource Management (RM) District and Resource Management-Coastal Zone (RM-CZ) District

The purpose of the RM and RM-CZ Districts is to carry out the objectives and policies of those San Mateo County General Plan Chapters that fulfill the requirements for State-mandated Open Space and Conservation Elements, as well as other elements adopted as part of the General Plan of San Mateo County, to meet the requirements of Section 65910 of the Government Code of the State of California requiring formulation of an open space zoning ordinance, and to ensure consistency between the General Plan and the zoning ordinance.

All developments proposed within a RM or RM-CZ District require the issuance of a permit, pursuant to the Development Review Procedure specified in Chapter 23 of the Zoning Regulations. Excluded from the definition of development and, accordingly, from Development Review Permits and Procedures, are uses defined in Section 6458 “Minor Development Review Procedure.” This section defines minor development as any development which, following examination of environmental information, qualifies for a Negative Declaration or Categorical Exemption. As stated above, the District adopted an Initial Study/Mitigated Negative Declaration on September 22, 2021. Therefore, this project meets the definition of minor development pursuant to Section 6458 and no Development Review Permit is required. However, minor developments require securing a Certificate of Compliance from the Planning Director, certifying that all applicable criteria contained within Chapter 20A.2 have been met prior to the issuance of any permit required by ordinance. Further, necessary repairs or maintenance of existing structures are also excluded from the definition of development. Agricultural uses, livestock raising and grazing, and public recreation are all principally permitted uses in the in the RM and RM-CZ Districts.

Minor development in the RM and RM-CZ must comply with the development review criteria in Zoning Regulations Chapter 20A.2, commencing with Section 6324. Staff has reviewed the Program activities and determined that they comply with all applicable development review criteria, including the following: 1) general review (environmental quality, site design, utilities, water resources, cultural resources, hazards to public safety); 2) supplemental review for primary resource areas; 3) primary scenic resources areas; 4) primary fish and wildlife habitat areas; 5) primary agricultural resources area; 6) primary water resources area; 7) ocean shoreline; 8) primary mineral resources area; 9) primary natural vegetative areas ;10) supplemental review for special hazard area; 11) flood plain area; 12) tsunami inundation area; and 13) slope instability area criteria.

Timberland Preserve Zone (TPZ) District and Timberland Preserve Zone-Coastal Zone (TPZ-CZ) District

The TPZ and TPZ-CZ Districts aim to protect timberlands and preserve the ecological balance of such timberlands, to protect the public from the environmental deterioration, hazards, and costs of inappropriate development in the hills and forests and give consideration and protection to the public's need for watershed protection, fisheries and wildlife, and recreational opportunities.

A "compatible use" in the TPZ and TPZ-CD Districts is defined as any use which does not significantly detract from the use of the property for, or inhibit growing and harvesting timber, and includes, but is not limited to watershed management; management of lands for wildlife habitat; management for recreation; and grazing. Program activities do not propose construction of structures for human occupancy. Program objectives are to streamline the regulatory permitting process by obtaining comprehensive long-term permits that improve work planning and implementation, and reduce delays; utilize existing and planned District restoration and enhancement efforts in a strategic manner to ensure that the overall Program has a net benefit to regulated habitats and special-status species; protect and enhance the natural environment and improve low-intensity public access throughout the District's open space preserves; avoid and minimize potential impacts to the natural environment when conducting activities by assessing habitat, species, and resource conditions; and identify and prioritize maintenance and facility needs by weighing potential impacts versus permitting requirements and timelines.

The District has built performance standards into the Program and will confirm ongoing compliance. Program activities will preserve and protect District forests and woodlands to enhance natural ecosystems. Implementation of the Program will not result in a loss of forest land and will not convert forestry land to non-forestry use. Therefore, the Program is a compatible use in the TPZ and TPZ-CZ.

Residential Estates (R-E) District

Open space preserves, and similar land uses, are not listed as a principally permitted use or a use permitted subject to a ministerial or discretionary permit in the R-E District. However, the Program does not propose new land uses and all parcels within the R-E District are owned by the District and within an existing open space preserve. There are 10 parcels of approximately 388 cumulative acres in the R-E District within the Pulgas Ridge, Purisima Creek Redwoods, La Honda Creek, Coal Creek, and Monte Bello open space preserves. All parcels within the R-E District are undeveloped. As detailed above, the Program primarily encompasses

routine maintenance activities, habitat enhancement, environmental restoration, and low-impact facility improvements. The District has built performance standards into the Program and will confirm ongoing compliance. Therefore, Program does not authorize the introduction of an open space use in the R-E District, but rather is an allowable continuation of an existing use in the district.

One-Family Residential (R-1) District

Open space preserves, and similar land uses, are not listed as a principally permitted use or a use permitted subject to a ministerial or discretionary permit in the R-1 District. However, the Program does not propose new land uses and all parcels within the R-1 District are owned by the District and within an existing open space preserve. There are 24 parcels of approximately 9.3 cumulative acres in the R-1 District within the Purisima Creek Redwoods and La Honda Creek open space preserves. All parcels within the R-1 District are undeveloped. As detailed above, the Program primarily encompasses routine maintenance activities, habitat enhancement, environmental restoration, and low-impact facility improvements. The District has built performance standards into the Program and will confirm ongoing compliance. Therefore, Program does not authorize the introduction of an open space use in the R-1 District, but rather is an allowable continuation of an existing use in the district.

4. Compliance with the County Grading Ordinance

The District annually conducts maintenance projects on its open space preserves. To date, many of these activities have been developed and permitted individually with state and federal environmental regulators. However, the District also permits small scale work through programmatic permits that cover many projects annually. One reason for developing the proposed Program is to streamline the permitting process, including the issuance of County grading permits. Administering the District's maintenance and restoration as a Program, versus a series of individual activities, allows the District to establish and follow a consistent set of maintenance methods, BMPs, and impact avoidance approaches.

The Program would involve ground-disturbing activities including berm/bank repair, pond restoration, bridge relocation, trail repair, road grading and shaping, culvert repair and replacement, vegetation removal, road and trail re-routes, among others. The Program lists multiple BMPs that would be implemented to reduce the potential for erosion and sedimentation during construction, and to reduce temporary impacts to water quality. In summary, implementation of the BMPs listed in the Program Manual would minimize the potential for erosion, sedimentation and reduce temporary impacts to water quality by minimizing ground disturbance and the amount

of earthwork, using previously disturbed areas for staging and access, stabilizing the active work site, restoring disturbed and riparian areas following Program activities, avoiding rainy weather, ensuring proper storage of materials, equipment, and spoils, preventing overgrazing, installing silt control and filtering devices, and monitoring water quality. The Program also includes restoration activities such as native vegetation plantings and road decommissioning that would further prevent erosion from occurring on District lands by stabilizing bank/berm slopes, revegetating denuded areas with native species, and removing roads to restore the natural hydrology and watershed processes. Implementation of Mitigation Measure GEO-1 would further reduce impacts by requiring the implementation of erosion and slope stabilization measures in areas prone to erosion and slope instability.

Planning staff reviewed the proposal against the required findings for a grading permit. Staff determined that, as conditioned, the project can be completed without a significant adverse effect to the public or damage to the environment or property of adjacent landowners. Staff determined that the project conforms to the criteria for review contained in the Grading Ordinance and that the purpose and intended outcomes of the Program are aligned with the listed purpose of the Grading Ordinance. Finally, as outlined above, the project conforms to the Local Coastal Program and the Zoning Regulations. In order to approve this project, the Planning Commission must make the required findings contained in the Grading Regulations. The findings and supporting evidence are outlined below:

a. **That the project will not have a significant adverse effect on the environment.**

   The District is the CEQA Lead Agency. They adopted a Mitigated Negative Declaration and filed a Notice of Determination on September 23, 2021. Staff has reviewed the environmental document, proposed Open Space Maintenance and Restoration Program, and the biological and cultural resources assessments provided. Based on this review, staff has determined that there will not be a significant adverse effect on the environment with implementation of all mitigation measures and Best Management Practices.

b. **That the project conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan.**

   The project, as conditioned, conforms to the criteria for review contained in the Grading Ordinance, including the standards set forth in Section 9296. The County's Local Coastal Program (LCP), being a subset of the County General Plan, is internally consistent with the

County General Plan. Many of the Coastal Act's requirements for the LCP Land Use Plan overlap with the Government Code's requirements for the General Plan. The County's General Plan and its LCP are generally aligned regarding policies and regulations specific to this project. No unique or specific General Plan policies have been identified that would apply outside the coastal zone which require separate analysis and discussion from the LCP policy discussion. Therefore, the analysis of the project's consistency with the LCP in Section A(2), which is more specific than the General Plan with regard to issues raised by this project, also addresses, by extension, the project's consistency with the County's General Plan in the coastal zone and non-coastal zone areas of the Program.

B. ENVIRONMENTAL REVIEW

The District, as the CEQA Lead Agency, adopted an Initial Study/Mitigated Negative Declaration on September 22, 2021, and subsequently filed a Notice of Determination with the State Clearinghouse and the County Recorder on September 23, 2021. As a Responsible Agency, the County was noticed during the District's CEQA review process and had no comments or objections to the adequacy of the Negative Declaration prepared. The potential environmental effects of the project identified in the Negative Declaration prepared by the District have been reviewed and considered during evaluation of this application.

C. REVIEWING AGENCIES

California Coastal Commission
California Department of Fish and Wildlife
Regional Water Quality Control Board
San Mateo County Building Department
San Mateo County Environmental Health Services
San Mateo County Fire Department
San Mateo County Parks Department
U.S. Fish and Wildlife Service

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Program Area Map
C. List of Open Space Preserves
D. Summary of Program Activities
E. Projected New Small-Scale Facility Improvements
F. Restoration and Enhancement Activities
G. Program Activity Work Limits
H. Open Space Maintenance and Restoration Program Manual
I. Initial Study / Mitigated Negative Declaration
J. Mitigation Monitoring Program
K. Notice of Determination

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Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2023-00068 Hearing Date: December 13, 2023

Prepared By: Luis Topete, Project Planner III For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Commission, acting as a Responsible Agency, has reviewed and considered the Initial Study and Mitigated Negative Declaration prepared by the Lead Agency, Midpeninsula Regional Open Space District, and has considered the environmental effects of the project as shown in the Mitigated Negative Declaration.

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7, and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements, and standards of the San Mateo County Local Coastal Program with regards to the Sensitive Habitats and Visual Resources Component of the Local Coastal Program. See Section A(2) of the staff report for the supporting analysis demonstrating conformance with the Local Coastal Program.

3. That the project is not subject to the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code) since the project is not located between the nearest public road and the sea.

4. That the project conforms to specific findings required by policies of the San Mateo County LCP as detailed in Section A(2) of this staff report. See Section A(2) for the supporting analysis.

Regarding the Grading Permit, Find:

5. That the granting of the permit will not have a significant adverse impact on the environment. The District is the CEQA Lead Agency. They adopted a Mitigated

Negative Declaration and filed a Notice of Determination on September 23, 2021. Staff has reviewed the environmental document, proposed Open Space Maintenance and Restoration Program, and the biological and cultural resources assessments provided. Based on this review, staff has determined that there will not be a significant adverse effect on the environment with implementation of all mitigation measures and Best Management Practices.

6. That the project conforms to the criteria of Chapter 5, the San Mateo County Grading Ordinance, including the standards referenced in Section 9296, and is consistent with the General Plan. The County's Local Coastal Program (LCP), being a subset of the County General Plan, is internally consistent with the County General Plan. Many of the Coastal Act's requirements for the LCP Land Use Plan overlap with the Government Code's requirements for the General Plan. The County's General Plan and its LCP are generally aligned regarding policies and regulations specific to this project. No unique or specific General Plan policies have been identified that would apply outside the coastal zone which require separate analysis and discussion from the LCP policy discussion. Therefore, the analysis of the project's consistency with the LCP in Section A(2), which is more specific than the General Plan with regard to issues raised by this project, also addresses, by extension, the project's consistency with the County's General Plan in the coastal zone and non-coastal zone areas of the Program.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on December 13, 2023. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of, and in substantial conformance with this approval.

2. The applicant shall implement all planning and impact avoidance approaches specified in the Program Manual.

3. Maintenance activities shall be conducted only when determined to be necessary or in conjunction with other nearby essential work to minimize equipment entries into an area.

4. The applicant shall implement all BMPs, as identified in Table 10-3 of the Program Manual, prior to and/or during Program activities, which include general avoidance and minimization practices as well as measures focused on biological resources and habitat protection, cultural resources protection, erosion control, sediment and water quality control, and dewatering. The District may periodically update the BMPs to reflect new BMP technologies and maintenance techniques which shall provide equal or greater protection.

5. The District shall adhere to all work limits set forth in the Program Manual to limit the extent of impacts associated with Program activities.

6. In addition to implementation of the impact avoidance and minimization measures, BMPs, and mitigation measures identified in the Program Manual, the applicant shall implement the following mitigation measures identified in the Mitigated Negative Declaration:

   a. **Mitigation Measure BIO-1: Avoid Monarch Butterfly Wintering Habitat.**

      Prior to any Program activities in tree groves comprised primarily or entirely of pine, cypress, fir, or eucalyptus that are within 2 miles of the Pacific Coast, a qualified biologist or biological monitor working under a qualified biologist will survey the grove for aggregations of Monarch butterflies during the overwintering season according to the Xerces Society's Western Monarch Count Protocol (Xerces Society 2019), available at https://www.westernmonarchcount.org:

      - Two surveys will be conducted during the overwintering season, one during the Western Monarch Thanksgiving Count period (the three-week period centered on the Thanksgiving holiday), and a second during the New Year's County period (the two-week period beginning the weekend prior to the New Year's Day).

      - Each survey will be conducted by two surveyors to provide multiple independent estimates of monarch numbers.

      - Surveys will be conducted in the morning while temperatures are below 55° F (13° C) and monarchs are more likely to be clustered.

      - Surveys will not be conducted during rain or strong winds due to poor visibility and the chance that individual monarchs shall be scattered on the ground.

      - If no Monarch overwintering aggregations are observed, Program activities may proceed pursuant as long as they occur prior to November 1. If Program activities are delayed beyond November 1, then the grove will be re-surveyed.

      - If a Monarch overwintering aggregation of any size is detected, then no Program activities may take place inside the tree canopy within 200 feet of the aggregation, when present. Activities outside of the canopy line but within 200 feet may proceed (i.e., treatment of low-growing vegetation outside of the tree grove) if a qualified biologist or monitor determines that the activity does not pose a threat to the monarch aggregation.

- Once the aggregation disperses (typically by March), treatment of vegetation within 200 feet of tree(s) where monarch aggregations were observed may proceed if, as determined by a qualified biologist or monitor, it will not result in significant alteration to wind and sunlight patterns within the grove.

- If monarch overwintering aggregations are detected in eucalyptus removal areas, then a long-term tree planting strategy is necessary (see Protecting California's Butterfly Groves [Xerces Society 2017]). A long-term tree planting strategy will also be used for those stands which have historically been used as monarch overwintering habitat (https://www.westernmonarchcount.org/find-an-overwintering-site-near-you/).

- Native tree species suitable for Monarchs must be planted many years prior to eucalyptus removal with the understanding that they may not reach functional heights to provide wind protection and suitable dappled lighting for 15-30 years. Transplanting saplings from a local source may speed this process. Planting of Eucalyptus will be prohibited. Removal of Eucalyptus may proceed once native replacement trees have reached sufficient size to provide wind protection within the grove.

- Standing dead trees generally do not contribute to monarch overwintering habitat (Xerces Society 2017) and may be removed within the grove between April 1 and August 31, outside of the overwintering period, as determined appropriate by a qualified biologist or monitor. Sites where invasive dead trees have been removed may create opportunities for native tree planting within the interior of the grove.

- If a Eucalyptus grove where a monarch overwintering aggregation was previously detected is re-surveyed using the Western Monarch Count Protocol (Xerces Society 2019) and found to be unoccupied for 5 consecutive years, then the grove may be removed before native replacement trees have reached full size.

b. **Mitigation Measure BIO-2: Avoid Monarch Butterfly Host Plants.**

- For all Program activities that only have incidental vegetation removal, Midpen will conduct a pre-construction worker training to identify milkweeds (Asclepias sp.), the host plant for Monarch butterflies, and survey for eggs/larvae. Following the training, workers will survey the site for milkweed.

- For Program activities that have more than incidental vegetation removal, a qualified biologist or biological monitor working under a qualified biologist will conduct pre-construction surveys for milkweed.

- Host plants containing eggs, larvae, or pupae of Monarch butterflies will be avoided, and will be protected with an appropriately-sized buffer as determined by a qualified biologist, taking into account the characteristics of the plant species and the nature of the proposed treatment.

- Vegetation treatment may proceed if a qualified biologist determines that the host plants (1) are not occupied by Monarchs, and (2) may benefit from treatment (such as if the host plants have already set seed and post-treatment conditions will favor them over non-native weed species).

c. **Mitigation Measure GEO-1: Erosion Control and Slope Stability Measures.**

This mitigation measure applies to any Program activity areas determined to be at risk for erosion and slope instability, including if the activity exposes soils and leaves groundcover or native mulch/organic matter to be less than 70 percent following work; if work is proposed to occur on steep slopes (defined as over 35 % slope); if evidence of unconsolidated soils or landslides is found on site; or if the scale of the proposed activity would disturb a large area.

Prior to conducting work that could result in erosion or slope instability, qualified personnel will conduct a review of site conditions which may include, but is not limited to, a desktop review of slope, LiDAR, historic evidence of landslides (e.g., Wentworth et al. 1997), local hazard mapping and safety plans, proximity of the site to infrastructure, and modeling of landslide susceptibility GIS data (e.g., Wills et al. 2011). Qualified personnel are personnel who have knowledge and experience in the application of erosion and slope stabilization control measures through training or field experience with control measure installation. The qualified personnel may also conduct a site visit to look for existing signs of erosion or slope instability (e.g., rills or slumped soil). Depending on the slope and the downslope resources (e.g., roads that could be impacted if a slope failed or waterbodies or habitat that could be impacted from erosion.), erosion and slope stabilization measures (listed below) will be implemented. These measures will depend on the site's specific characteristics and the type and extent of work to be performed and will be determined by qualified personnel. The qualified personnel will memorialize in writing their field observations and corresponding recommendations regarding installation of

control measures. Control measures may be adjusted as needed depending on the site's specific characteristics.

For activities that involve substantial grading on active slide areas, unstable areas, or unstable soils (as defined in the California Forest Practice Rules), a licensed geologist or Registered Professional Forester (RPF) will conduct the site inspection. This includes activities occurring in previously undisturbed soils (e.g., would not apply for grading within an existing, engineered road or trail); or activities occurring above (within 0.5 mile) or below (within 0.25 mile) infrastructure, including residences or other potentially occupied structures. Activities involving substantial vegetation removal will be conducted consistent with the IPM and Wildland Fire Resiliency Program measures.

A licensed geologist or RPF will also conduct site inspections where any road is proposed to be extended or re-routed by 600 feet or more, regardless of the proximity to active slide areas, unstable areas, or unstable soils. The licensed geologist or RPF will identify specific control measures to be implemented, which may include, but are not limited to, the control measures identified below.

If the desktop review and/or site visit determine that a public safety hazard could occur from Program activities being conducted in unstable areas adjacent to existing infrastructure, sensitive habitat, or habitable structures, a licensed geologist/engineer will perform a site assessment. Recommendations provided in the site assessment will be implemented as needed to ensure that slope instability and public safety hazards do not occur. Recommendations could include measures such as stabilizing slopes with mats or natural materials after tree removal and replanting denude areas to stabilize soils.

In areas that were previously analyzed by an RPF or licensed geologist, Midpen will review the prior recommendations for consistency with the proposed activity and determine if a new review is warranted.

General Control Measures

In addition to Program BMPs GEN-2 and GEN-19, the following general control measure will be implemented during work as determined appropriate by the qualified personnel:

- Shut down use of heavy equipment, skidding, and truck traffic when soils become saturated and unable to support the machines.

Reduced Groundcover Control Measures

In addition to Program BMPs EC-1 through EC-5, the following reduced groundcover control measures will be implemented during work as determined appropriate by the qualified personnel if the activity would leave less than 70 % of groundcover or native mulch/organic material on site:

- Sow native grasses and other herbs on denuded areas where natural colonization or other replanting will not occur rapidly; use slash or chips to prevent erosion on such areas.

- Use surface mounds, depressions, logs, rocks, trees and stumps, slash and brush, the litter layer, and native herbaceous vegetation downslope of denuded areas to reduce sedimentation and erosion as necessary to prevent erosion or slope destabilization.

- Install approved, biodegradable erosion-control measures and non-filament-based geotextiles (e.g., coir, jute) when:

    - Conducting substantial ground-disturbing work (e.g., use of heavy equipment, pulling large vegetation, etc.) within 100 feet and upslope of currently flowing or wet wetlands, streams, lakes, and riparian areas;

    - Causing soil disturbance on moderate to steep (i.e., 10 % slope and greater) slopes; and

    - Following the removal of invasive plants from stream banks to prevent sediment movement into watercourses and to protect bank stability.

- Install certified weed-free sediment control devices as appropriate. Sediment control devices will be inspected daily during active construction by workers to ensure that the devices are in good working condition to prevent sediment transport into the waterbodies and will be repaired as needed.

Steep Slopes Control Measures

The following measures will be implemented during work conducted on steep slopes (i.e., greater than 35 %) as determined appropriate by qualified personnel:

- Avoid use of heavy equipment on slopes greater than 35 % unless specialized equipment is used that does not impact slope stability as determined by the qualified personnel.

- Prescribed burns and pile burns will be performed outside of perennial and intermittent streams and of riparian forest/ woodland. A 50-foot buffer

around perennial and intermittent streams will be maintained when the burn is proposed upslope of the stream on slopes greater than 35 percent.

- Avoid installation of cleared areas, including spur roads or staging areas, on steep slopes, particularly over 50 percent slope, where feasible. Where not feasible, a licensed geologist/engineer or RPF will be consulted, as required above. The licensed geologist/engineer or RPF will identify and require implementation of appropriate design and control measures, including but not limited to, those identified in Low-Volume Roads Engineering (Keller & Sherar, 2003); Handbook for Forest, Ranch, and Rural Roads (Weaver, 2015); or the latest California Forest Practice Rules. Other suitable engineering guidance includes:

    - Locating roads on well-drained soils and slopes where drainage moves away from the road;

    - Providing adequate surface drainage;

    - Avoiding wet and unstable areas (seeps, springs, etc.);

    - Using the natural topography to control or dictate the ideal location of road or cleared area (e.g., staging area); use saddles, follow ridges, use bench areas, etc.

d. **Mitigation Measure HAZ-1: Proper Handling and Disposal of Contaminated Soil, Sediment, and Groundwater.**

Prior to initiating ground-disturbing activities, Midpen or its contractors will inspect the soil, sediment, or groundwater for the presence of possible contamination. If indicators of contamination (e.g., foul odor, staining or sheen, etc.) are found, soil and groundwater sampling will be conducted by an appropriate licensed professional and testing of samples will be completed by a California Certified laboratory. In the event that soils to be excavated are found to be contaminated, the excavated soil will be treated as hazardous materials and disposed of at an approved hazardous waste disposal facility in compliance with state and federal regulations and Midpen operational procedures. Effective dust suppression procedures will be used in construction areas to reduce airborne emissions of these contaminants and reduce the risk of exposure to workers and the public. Regulatory agencies for the State of California (Department of Toxic Substances Control [DTSC] or RWQCB) and the appropriate county will be contacted by Midpen or its contractor to plan handling, treatment, and/or disposal options. In removing potentially contaminated soil, sediment, or groundwater, workers will wear protective clothing and equipment to limit their exposure.

e. **Mitigation Measure HAZ-2: Review of Proximity to Existing Known Hazardous Materials Clean-up Sites and Implementation of Safety Precautions.**

Midpen and/or its contractors will evaluate the proximity of proposed Program sites that involve ground-disturbing activities to existing known hazardous material cleanup sites. This review will include examination of the planned Program activity footprint in relation to records of hazardous materials sites in the SWRCB's GeoTracker database and the DTSC's EnviroStor database.

If the Program activity is located on or within 100 feet of a documented hazardous material contamination site, for which clean-up activities have not been completed or been successful, Midpen and/or its contractors will commission a Phase I Environmental Site Assessment to more fully characterize the past land uses and potential for soil and/or groundwater contamination to occur at or in close proximity to the site.

If the Phase I Environmental Site Assessment demonstrates a reasonable likelihood that contamination remains within the Program activity's area of disturbance, Midpen and/or its contractors will commission a Phase II Environmental Site Assessment, including soils testing, to characterize the extent of the contamination and develop ways to avoid the contaminated areas during Program activities. Midpen will follow all recommendations of the Phase II Environmental Site Assessment and will avoid areas of contamination, to the extent feasible. In the event that it is not feasible to avoid all areas of contamination, Midpen and its contractors will follow all applicable laws regarding management of hazardous materials and wastes. This includes proper disposal of any contaminated soil in a hazardous waste landfill, and ensuring that workers are provided with adequate personal protective equipment to prevent unsafe exposure.

f. **Mitigation Measure NOI-1 Noise Control.**

For all Program activities, Midpen will implement the following noise control practices to minimize disturbances to residential areas surrounding work sites:

- The operation of heavy construction equipment will be limited to occur between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday and comply with applicable local noise requirements.

- Program activities in residential areas will not occur on Saturdays, Sundays, or any holidays except during emergencies, or with advance notification of surrounding residents. Powered equipment (vehicles, heavy equipment, and hand equipment such as chainsaws) will be

equipped with adequate mufflers maintained in good condition. Best available noise control techniques (e.g., mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) will be used for all equipment and trucks, as necessary.

- Staging areas will be located as far as possible from noise sensitive receptors during maintenance work.

- At work sites where heavy equipment will be used within 40 feet of sensitive receptors for longer than 5 days within the Program area, residents/sensitive receptors will be notified at least one week prior to performing maintenance work. At Program sites where heavy equipment will be used within 75 feet and 130 feet in Los Gatos and Cupertino, residents/sensitive receptors will be notified at least one week prior to performing maintenance work. The notification will include the anticipated schedule and contact number for a Midpen representative who can address noise complaints.

g. **Mitigation Measure TRANS-1: Emergency Responders and Access.**

The following measures shall be implemented to ensure emergency access is maintained:

- At least one week prior to temporary lane or full closure of a public road, Midpen shall contact the appropriate emergency response agency/agencies with jurisdiction (e.g., CalTrans, County, City) to ensure that each agency is notified of the closure and any temporary detours in advance. Midpen shall also notify adjacent neighbors along the road in advance of temporary closure.

- In the event of an emergency, roads (public roads, and Midpen-owned or managed roads) or access trails blocked or obstructed by activities shall be cleared to allow emergency vehicles to pass.

- During temporary lane or road closures on public roads, Midpen shall use flaggers equipped with two-way radios. During an emergency, flaggers shall radio to the crew to cease operations and reopen the public road to emergency vehicles.

- In work areas, all vehicles and equipment shall be parked so the road is not blocked or obstructed when there is no operator present to move the vehicle.

7. As identified in Section 10.6 of the Program Manual, once the Program is operating under regulatory approvals and permits, further mitigation opportunities shall be identified and implemented as necessary to address any potential impacts, including the need for any compensatory action.

8. For any mitigation efforts that the District will undertake in support of the Program, the District shall ensure adequate monitoring to document that the mitigation is operational and successfully providing the functions and value needed to offset potential Program impacts.

9. The applicant shall adhere to all Annual Work Plan Notification requirements as detailed in Section 11.4 of the Program Manual. At the beginning of each year, the District shall prepare an annual notification report summarizing proposed activities for that upcoming given year. The notification report shall describe the locations, natural resource conditions, and other key resource issues as well as summarize anticipated impacts on wetlands and waters of the U.S. and state, riparian resources, and federally and state listed species. The annual notification will also describe avoidance and minimization measures, BMPs, and proposed mitigation that will be implemented. If requested, the District shall be available to host a tour of the identified Program sites.

10. All Program activities will be conducted in accordance with the project description, program-wide and resource/activity-specific BMPs, and terms of the Program permits.

11. As required by Section 11.12 of the Program Manual, at the conclusion of the Program implementation season (generally after October 31 and before December 31), the District shall prepare and submit to the relevant regulatory agencies an annual summary report describing the work plan status and confirm which projects were completed. The report shall comply with permitting requirements issued by the relevant regulatory agencies.

12. The Coastal Development Permit and Grading Permit shall be valid for five (5) years from the date of final approval, in which time all work authorized under the permit must be completed. Any extension to this permit shall require submittal of a request for permit extension and payment of any applicable extension fees at least sixty (60) days before the expiration date.

13. Should any human remains be discovered during site preparation, excavation, or other ground disturbance associated with the proposed project, all ground disturbing work shall cease, and the County Coroner shall be immediately notified, pursuant to Section 7050.5 of the State of California Health and Safety Code. Work must stop until the County Coroner can make a determination of origin and disposition of the remains pursuant to California Public Resources Code Section 5097.98. If the County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT B

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Miles

- MROSD Boundary
- Sphere of Influence
- Preserves within the Program Area
- Foothill and Skyline Region Boundary
- Coastal Zone Boundary
- San Mateo County Boundary
- Stream
- Interstate Highway
- State Highway and Route
- US Highway

Horizon WATER and ENVIRONMENT

Data Source: ESRI 2020; MROSD 2020

Note: Although the Program covers the larger area, the CDP application materials only pertain to those Preserves within the Program that are within San Mateo County

Figure 1
Program Area

Open Space Maintenance and Restoration Program

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT C

Table 1-1. Existing Midpen Open Space Preserves

Open Space Preserve	Size (Acres)	Miles of Existing Trail	Grazing	Foothill or Skyline Region	County/ Community
1. Bear Creek Redwoods	1,437	7.2	No	Foothill	Los Gatos
2. Coal Creek	508	3.7	No	Skyline	Palo Alto Foothills
3. El Corte de Madera Creek	2,906	34.8	No	Skyline	La Honda
4. El Sereno	1,430	6.5	No	Foothill	Los Gatos/ Monte Sereno
5. Foothills	212	0.2	No	Skyline	Palo Alto/ Los Altos
6. Fremont Older	739	12.1	No	Foothill	Cupertino
7. La Honda Creek	6,144	10.6	Yes	Skyline	La Honda
8. Long Ridge	2,226	14.1	No	Skyline	Skyline
9. Los Trancos	274	6	No	Skyline	Los Altos
10. Miramontes Ridge	1,716	--	No	Skyline	Half Moon Bay
11. Monte Bello	3,537	18	No	Skyline	Palo Alto/ Los Altos
12. Picchetti Ranch	308	3.1	No	Foothill	Cupertino
13. Pulgas Ridge	366	6.2	No	Foothill	San Carlos
14. Purisima Creek Redwoods	4,798	28.9	Yes	Skyline	Half Moon Bay
15. Rancho San Antonio	3,988	25.2	No	Foothill	Los Altos Hills
16. Ravenswood*	374	1.3	No	Foothill	East Palo Alto
17. Russian Ridge	3,491	13.1	Yes	Skyline	Skyline
18. Saratoga Gap	1,613	1.4	No	Skyline	Saratoga
19. Sierra Azul	18,939	25.8	No	Foothill	San Jose

Open Space Preserve	Size (Acres)	Miles of Existing Trail	Grazing	Foothill or Skyline Region	County/ Community
20. Skyline Ridge	2,143	12.4	Yes	Skyline	Skyline
21. St. Joseph's Hill	270	4.2	No	Foothill	Los Gatos
22. Stevens Creek*	55	0.7	No	Foothill	Mountain View
23. Teague Hill	626	.2	No	Skyline	Woodside
24. Thornewood	167	1.6	No	Skyline	Woodside
25. Tunitas Creek	1,660	--	Yes	Skyline	Half Moon Bay
26. Windy Hill	1,414	13.6	No	Skyline	Portola Valley

*Program activities would not be conducted at Preserves along the Bayside.

The Program area contains over approximately 900 culverts (including ditch relief and stream crossings), 150 trail bridges (including fords, puncheons, and boardwalks), 25 vehicle bridges, approximately 230 miles of streams (excluding many unmapped seasonal drainages and tributaries), 100 waterbodies (mostly ponds), 115 miles of single-track maintained unpaved trails, and 230 miles of maintained roads (including paved, unpaved seasonal, and unpaved all-season).

Midpen acquires several hundred acres across multiple properties each year within their Sphere of Influence and sometimes thousands of contiguous acres at once from private landowners. Newly acquired properties often come with a number of environmental issues needing attention, including:

- permitted and unpermitted structures built in sensitive environmental areas,
- unpermitted ponds or water diversions,
- invasive species,
- poorly designed and maintained roads, and
- generally degraded infrastructure and disturbed and/or degraded habitat.

Midpen undertakes comprehensive planning processes for these properties; however, urgent items such as road repairs, invasive species, or other critical natural resources issues must be addressed rapidly and would be addressed as part of this Program. Larger scale projects on new lands take longer to fund and develop and therefore fit well within the individual permit process and are not a subject of this proposed Program.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT D

Midpen also oversees and facilitates work on neighboring lands or partner properties within their Sphere of Influence such as lands of the Peninsula Open Space Trust (POST), State Parks, the San Mateo Resource Conservation District (RCD), San Francisco Public Utilities Commission, or the rights-of-way of local, County, and State roads, bringing expertise, sometimes funding, and permitting to activities that are consistent with the approved Program permitting framework.

1.5 Summary of Program Activities

The vast majority of Midpen's proposed Program activities benefit listed species and their habitats, consistent with Midpen's mission statement. Table 1-2 summarizes activities that are covered by the Program, which generally includes: (1) routine maintenance activities; (2) small-scale facility improvements and new low-intensity/small footprint facilities; and (3) restoration and enhancement projects. Facility improvements and new facility projects will be included in the Program when they are necessary to maintain Preserve facilities and amenities in good condition and can simultaneously reduce the threat of, or correct degradation of, natural environments, particularly where sensitive species will benefit.

Table 1-2. Summary of Program Activities by Facility or Feature

Facility or Feature	Typical Examples of Activity Type
Routine Maintenance Activities	
Ponds/lakes	Berm repair/maintenance Outlet, inlet, and pipe repair Trash and woody debris removal Vegetation removal Sediment removal (may include some recontouring) Invasive plant treatment Wildlife structure install (basking platforms/logs) Livestock exclusion fencing and gate repair Trash rack clearing
Water supply structures	Spring box and/or water tank maintenance or replacement Water line replacement, extensions, or realignments Instream diversion intake clearing Vegetation removal
Roads	Grading and shaping (may include rocking) Culvert repair and replacement Removal of asbestos from culverts and other structures

Facility or Feature	Typical Examples of Activity Type
	Sediment and debris removal at inboard ditches and stream crossings (including culvert inlets, outlets, and rocked fords)
	Fords and swales repair and replacement (including new culverts in place of fords)
	Bank stabilization
	Repair of gabion rock or riprap
	Road brushing/mowing
	Vegetation management
	Minor relocation of road segments (unpaved) to correct resource concerns (e.g. erosion, rutting)
	Installation of new roadside and trailside ditch relief culverts at non-stream crossings
	Repair and replacement of driveways
Bridges	Replace decking and handrails
	Minor structural repairs
	Repair and fortify bridge abutments
	Sediment and debris removal
	Addition of surface material to puncheons
	Vegetation management/removal
	Bridge removal or replacement (e.g., increasing span to outside ordinary high water mark [OHWM])
	Removal of lead paint
	Repainting bridges
Roadside/trailside ditches	Replace culverts and ditches
	Install new rolling dips and fords
	Replace and repair fords
	Sediment and debris removal
	Vegetation management
	Cleaning ditches
Trails	Grading and shaping
	Culvert repair and replacement
	Repair and replace fords and swales (including with new culverts)
	Bank stabilization
	Repair of gabion rock, riprap, or retaining wall
	Boardwalk repair

Facility or Feature	Typical Examples of Activity Type
	Trail brushing/mowing Vegetation management Minor relocation/ reroute Sediment and debris removal at channel/trail crossings Maintenance of rolling dips Fence, gate, and signage repair
Creeks	Vegetation management Sediment and debris removal Downed tree management and large woody material removal Bank stabilization Trash rack clearing
Other Midpen Parks and Open Space features (picnic or rest areas, natural areas, rangeland, staging areas, parking lots, tenant structures, field offices, etc.)	Invasive species removal (e.g. manual, mechanical, chemical, and biological) in natural lands Fire fuel management (e.g. manual, mechanical, grazing, and chemical) for disc lines and fuel breaks Maintenance/clearing of defensive space buffers around buildings, staging areas, roads, trails, water supply infrastructure, and use areas Mechanical and chemical treatment of vegetation at helicopter landing zones
New Facilities and Improvements	
Bridges	Bridge relocation or new installation to reduce resource/water quality impacts
Interpretive facilities and signage	Installation of new low-intensity, small-footprint interpretative facilities and signage at existing preserves
Ranching infrastructure	Improve existing ranching infrastructure, including fences, corrals, stock water
Utilities	Maintenance of septic, telephone, telecommunications, and other utilities etc.
Trails	Reroute existing unpaved trails, provide new trail connections and public access, and single-track trail resurfacing for Americans with Disabilities Act (ADA) compliance
Wildlife crossings	Construct wildlife crossings some of which may also provide public access
Existing buildings and structures	Repair existing structures to provide habitat for wildlife species

Facility or Feature	Typical Examples of Activity Type
Water infrastructure	Replace or remove degraded water infrastructure facilities
Restoration and Enhancement Activities	
Removal of in-stream infrastructure (i.e., impoundments) and collapsed structures (i.e., bridges or culverts) or upsizing of culverts	Creation of aquatic habitat and/or improvement of fisheries habitat, flows, sediment transport
Native vegetation plantings and seeding	Habitat enhancement
Traditional ecological knowledge practices (indigenous stewardship)	Plant gathering, seed collection, and plantings
Wildlife friendly spring box/troughs	Habitat enhancement to prevents wildlife entrapment
Pond and stream restoration	Improve ponds and streams to restore aquatic habitat
Treatment of invasive species	Habitat enhancement
Exclusion fencing	Habitat enhancement to exclude cattle and protect species
Prescribed burns	Habitat enhancement, fuels management, and cultural fire
Conservation grazing	Fuels and species/grassland management
Road decommissioning	Restored hydrology and watershed processes
Water well decommissioning	Entrapment hazard removal and water quality protection
Structural demolitions in riparian or other sensitive areas	Habitat enhancement

1.6 Projects or Activities Not Included in the Program

The Program does not include large, complex projects, such as new paved parking areas, new ponds, new offices, or other projects that significantly increase visitor capacity to Midpen Preserves. These types of activities would be outside of the scope of the Program and thus, would be permitted separately (to the extent that permits are needed for those activities).

In addition, emergency maintenance actions or unplanned repair work are not included in the Program, nor addressed by Program CEQA compliance or permits and authorizations. A situation is considered an "emergency" if it is a sudden, unexpected occurrence involving a clear

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT E

Table 8-1. Midpen Projected New Small-Scale Facility Improvements

	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Max Number of Projects Per Year	Reasoning for Improvement
Buildings and Structures Repairs and Utility Improvements			
Septic System Repair or Replacement	400	2	Facilitates land management
Electrical, Plumbing, or other Utility Line	100	2	Facilitates land management
Existing Building and Structure Repair (e.g., stabilizing historic barns, removing dilapidated structures, remodeling offices and tenant and workforce housing, replacing restrooms, etc.)	50	10	Facilitates land management
Recreational Facility Improvements			
Trail Reroutes	1,500	2	Reduces trail maintenance
Road Reroutes	850	2	Reduces road maintenance
New Trail and Trail Bridge	1,500	4	Facilitates restoration and monitoring
Trail Bridge Replacements	500	4	Improves channel geomorphology
Vehicle Bridge Replacements	3,000	2	Improves channel geomorphology
Interpretive Panels	50	2	Improves public engagement with restoration
Wildlife Crossings	1200	9	Provides safe passage for wildlife

	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Max Number of Projects Per Year	Reasoning for Improvement
New Conservation Grazing Infrastructure			
Water Lines	20	4	Distribute conservation grazing to achieve grassland health
Spring boxes	30	4	Minimizes cattle use of riparian areas
Tanks, Troughs	10	4	Distribute conservation grazing to achieve grassland health
Pond Diversions/Pumps	50	2	Minimizes cattle disturbance to aquatic habitats

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT F

Table 9-1. Restoration and Enhancement Activities

Restoration and Enhancement Activity	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Projected Average Number of Projects Per Year	Max Number of Projects Per Year	Reasoning for Activity
Pond and Wetland Restoration		**8**	**13**	
Reconstruction	12,000	1	2	Unsuitable hydroperiod
Berm/Inlet/Outlet Modification	2,000	1	1	Risk of failure, unsuitable hydroperiod, climate adaptation
De-sedimentation/ Vegetation Removal	1 acre 1,000	6 (2 de-sedimentation and 4 vegetation removal projects)	10 (4 de-sedimentation and 6 vegetation removal projects)	Lack of open water or escape habitat, and habitat enhancement for native species and/or California red-legged frog (CRLF) and San Francisco garter snake (SFGS) recovery
Creek and River Restoration		**11**	**28**	
Structure Demolitions in Riparian Areas	1,500	4	8	Attractive nuisances and wildlife entrapment
In-Channel Debris Removal	100	2	6	Stream restoration
Stream Crossing Removal	2,000	4	12	Unnecessary access

Restoration and Enhancement Activity	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Projected Average Number of Projects Per Year	Max Number of Projects Per Year	Reasoning for Activity
Large Woody Material	2,000	1	2	Salmonid pool habitat, sediment storage, and lateral connectivity
Invasive Species Removal		**51**	**103**	
Invasive Animal Removal (trapping of species or draining ponds)	1,000	1	3	Habitat enhancement for native species and/or CRLF and SFGS recovery
Invasive Plant Removal	50	50	100	Resilient native plants populations
Road Decommissioning		**1**	**4**	
Road Decommissioning	2,000	1	4	Unsuitable access, restore natural hydrology and watershed, reduce sedimentation

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT G

Table 10-2. Program Activity Work Limits Per Activity Type

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Culvert, Bridge, Channel, Pond and Other Maintenance							
Culvert repair/replacement	150 LF, 3,000 SF	25	50	20,000 SF	60,000 SF	360 SF	25
	100 CY culvert replacement			5,000 CY	25,000 CY	50 CY	
	10 CY culvert repair			7,500 LF	15,000 LF	90 LF	
Bridge repair/maintenance (railing, decking, minor abutment or armoring)	100 LF; work area is limited to 25 LF upstream/downstream of site	5	10	400 LF	2,500 LF	50 LF; 1,500 SF	5
	5 CY (grading primarily on approach)			20 CY	100 CY	2 CY	
Road and trail ditch clearing and installation	30 CY of sediment and debris removal for every 300 LF; 500 LF	15	50	9,000 LF	45,000 LF	150 LF; 5 CY; 600 SF	5
Fords/ swales replacement, repair, and maintenance	200 LF	2	6	2,000 LF; 5,000 SF	10,000 LF	100 LF; 600 SF	2
	20 CY			120 CY	600 CY	10 CY	
Annual pre-rainstorm preparation and clearing (i.e., hand shovel clearing of fords, rolling dips, ditches, culverts, etc.)	5 CY	100	200	100 CY	500 CY	1 CY	50
Sediment removal from channels (e.g., from landslides, road failures, or slip-outs)	160 LF	10	20	1,000 LF for all sediment removal sites	1,000 LF	40 LF	10
	4,000 SF			Dewatering limit of 1,000 LF for all sites.	20,000 SF	200 SF	
	10 CY			100 CY	1,000 CY	4 CY	
Sediment removal from culverts, crossings, and other drainage features	150 LF Dewatering limit 300 LF	3 sites in an average hydrologic year (based on average seasonal precipitation)	8	23,000 LF; 12,000 SF	15,000 LF; 48,000 SF	100 LF	3

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	10 CY	8 sites in a wet hydrologic year		200 CY	1,000 CY	8 CY	
Streambank Stabilization	100 LF; 1,000 SF	2 projects in an average hydrologic year	4	200 LF	1,000 LF	60 LF; 600 SF	2
		4 projects in wet hydrologic year		400 LF	2,000 LF		
Water supply structure maintenance (instream)	Vegetation removal is limited to 30 to 100 ft buffer; 4 CY removed per site	2	4	500 SF	2,500 SF	100 SF	2
Minor maintenance activities (i.e., repair of fences, gates, signage, and trash rack clearing)	200 SF	3	6	1,000 SF	5,000 SF	80 SF	1
	4 CY			20 CY	100 CY	1 CY	
Vegetation Management Activities							
Riparian or pond adjacent tree removal (inclusive of all Program activities)	Trees between 6" dbh and 24" dbh. No trees greater than 24"dbh would be removed (unless for public safety reasons).	12 trees	36 trees	30 trees	150 trees	750 SF (assumes 30-inch diameter canopy)	12
Tree trimming/pruning (inclusive of all Program activities)	No more than 25% of individual tree canopy would be trimmed/pruned	300 trees	750 trees	750 trees	3,750 trees	500 SF	75
Non-native vegetation removal	4 acres of treatment per site Typical site involves 15% cover over 8 acres	300 acres	450 acres	450 acres	2,250 acres	2,000 SF	35
Vegetation management along roads/trails	Typically, 10 feet on either side of a road or 3 feet along a trail. Steeper side slopes in chaparral and hardwood forest may call for a 10-foot buffer along a road.	230 miles of road/trail	350 miles of road and trail; 665 acres	774 acres	3,870 acres	720 SF (assumed 60-feet along riparian areas with 12-foot treatment area)	50

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Fuels management along roads and trails	Typically 100-foot shaded fuel break and 100-foot lighter fuels treatment beyond in each area every 5 years.	8 sites	12 sites, approximately 1 mile per project	80 acres 12 miles of roads	400 acres 60 miles of roads	*See ecosystem resiliency; all Fuels treatments in jurisdictional areas will follow Resiliency treatments.	2 to 4
Vegetation management around open space facilities (i.e., for defensible space)	100-foot buffer around each building, 15,000 SF	100 sites, 35 acres[1]	150 buildings	50 acres	250 acres	50 SF	10
Ecosystem Resiliency Fuel Treatments	TBD	10	20	500 acres	2,500 acres	720 SF	2 to 4 fuel sites and 2 to 4 ecosystem resiliency sites
Road and Trail Maintenance							
Paved road surface maintenance (major work)	10,000 LF	2	4	20,000 LF	60,000 LF	500 LF (adjacent to ditches)	1
Minor paved road repair (potholes, tack oil, small subgrade failures)	300 SF 200 LF	5	10	3,000 SF 2,000 LF	15,000 SF 10,000 LF	10 LF (adjacent to ditches)	1
Unpaved road surface maintenance (major sites more than 1,000 LF)	20,000 LF 100 CY	15	30	75,000 LF	375,000 LF	150 LF	12
Trail maintenance repair (major sites more than 1,000 LF)	20,000 LF 100 CY	10	15	25,000 LF	125,000 LF	600 LF	8
Road relocation	500 LF	1	2	1,000 LF	5,000 LF	60 LF	1
	10,000 SF			20,000 SF	100,000 SF	850 SF	
	1,500 CY			2,500 CY	12,500 CY	-	
Trail reroutes	500 LF	0	2	1,000 LF	5,000 LF	80 LF	0

[1] These numbers may increase as Midpen acquires new lands and constructs new trails and other facilities.

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	3,000 SF			4,000 SF	20,000 SF	1,500 SF	
	200 CY			200 CY	1,000 CY	40 CY	
Roadway/trail slip-outs and slide repairs	250 LF	5	10 (or 20 sites in a wet hydrologic year)	2,500 LF	12,500 LF	100 LF	3
	4,000 SF			40,000 SF	200,000 SF	2,000 SF	
	100 CY			1,000 CY	5,000 CY	20 CY	
New Small-Scale Facilities Improvements							
New trails and roads construction							
Trail bridge replacements	100 LF	2	4	200 LF	10,000 LF	50 LF	2
	2,000 SF			4,000 SF	20,000 SF	500 SF	
	20 CY			40 CY	200 CY	15 CY	
New trail and trail bridges	100 LF	2	4	400 LF	2,000 LF	100 LF	2
	2,000 SF			8,000 SF	40,000 SF	1,500 SF	
	50 CY			200 CY	1,000 CY	25 CY	
New trail (uplands)	5,800 LF	2	4	10,000 LF	50,000 LF	100 LF	2
	45,000 SF			90,000 SF	450,000 SF	1,500 SF	
	800 CY			16,000 CY	80,000 CY	25 CY	
Vehicle bridge replacement	200 LF	1	2	200 LF	1,000 LF	3,000 SF	1
	4,000 SF			4,000 SF	20,000 SF		
	200 CY			200 CY	1,000 CY		
New Conservation Grazing Infrastructure							
Water lines	6,000 LF	2	4	18,000 LF	90,000 LF	20 SF	1
	60,000 SF			180,000 SF	900,000 SF		
	330 CY			1,000 CY	5,000 CY		
Spring box	200 LF	2	4	400 LF	2,000 LF	30 SF	2
	100 SF			200 SF	1,000 SF		

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	10 CY			20 CY	1000 CY		
Tanks, troughs	200 LF	2	4	8,000 LF		10 SF	1
	300 SF			1,200 SF			
	10 CY			40 CY			
Pond diversion	200 LF	0	2	200 LF		50 SF	0
	100 SF			100 SF			
	10 CY			10 CY			
Building Repairs, Utilities, and Other Misc.							
Electrical, plumbing, or other utility lines	1,000 LF	2	2	1,000 LF	5,000 LF	100 SF	0
	6,000 SF			6,000 SF	30,000 SF		
	55 CY			55 CY	275 CY		
Septic line repair	1,000 LF	2	2	2,000 LF,	10,000 LF	400 SF	0
	6,000 SF			6,000 SF	30,000 SF		
	10 CY			10 CY	50 CY		
New Interpretive Facilities/ Signage	50 LF	2	2	100 LF	500 LF	50 SF	1
	100 SF			200 SF	1,000 SF		
	5 CY			10 CY	50 CY		
Existing building and structure repairs	200 LF	5	10	1,000LF	5,000 LF	50 SF	0
	100 SF			500 SF	25,000 SF		
	10 CY			50 CY	250 CY		
Safe wildlife passages	200 LF	1 large and 2 small	1 large and 8 small	400 LF	20,000 LF	200 LF	1
	1,200 SF			2,500 SF	12,500 SF	1,200 SF	
	100 CY			200 CY	1,000 CY	100 CY	
Restoration and Enhancement Projects							
Pond reconstruction	20,000 SF	1	2	20,000 SF	100,000 SF	12,000 SF	1

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	1,200 CY			1,200 CY	6,000 CY		
Pond Inlet/Outlet pipe or spillway overflow modification[2]	300LF	1	1	300 LF	1,500 LF	300 LF	1
	2,000 SF			2,000 SF	10,000 SF	2000 SF	
	200 CY			200 CY	1,000 CY	-	
Sediment removal from ponds	600 CY	2	4	1,800 CY 1 acre	9,000 CY 5 acres	900CY, 0.40acres.	2
Pond vegetation removal	2,500 SF	4	6	10,000 SF	50,000 SF	1,000 SF	4
	150 CY			600 CY	3,000 CY		
Pond berm stabilization	200 LF/berm	1	3	600 LF	3,000 LF	200LF/400CY	1
Structure demolitions/ removal in riparian areas	400 CY/berm	4	8	1,200 CY	6,000 CY	1,500 SF	4
In channel debris removal (i.e., removal of tires)	100 LF	2	6	400 LF	2,000 LF	100 SF	2
	3,000 SF			12,000 SF	60,000 SF		
	150 CY			600 CY	3,000 CY		
Road decommissioning	10,000 LF	1	4	20,000 LF	100,000 LF	2,000 SF	1
	160,000 SF			300,000 SF	1,500,000		
	10,000 CY			20,000 CY	100,000 CY		
Stream crossing removal and restoration of natural channel	150 LF	4	12	1,000 LF	5,000 LF	2,000 SF	4
	4,000 SF			24,000 SF	120,000 SF		
	300 CY			1,800 CY	9,000 CY		
Traditional ecological knowledge practices (indigenous stewardship)	24,000 SF	6	12	300,000 SF	1,500,000 SF	100 SF	0

[2] Note that many of these activities are typically aboveground maintenance. Midpen conducts these activities for maintenance or for restoration purposes. These activities may be duplicative to other pond activities listed above and below.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT H

Open Space Maintenance and Restoration Program Manual

August 2021

Midpeninsula Regional Open Space District

Open Space Maintenance and Restoration Program Manual

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Table of Contents

Chapter 1. Introduction 1-1

1.1 Program Purpose and Background 1-1

1.1.1 Midpen Vision Plan and Measure AA 1-3

1.1.2 Programmatic Permitting Need 1-3

1.2 Program Objectives 1-5

1.3 Conservation Outcomes 1-5

1.4 Program Area 1-6

1.5 Summary of Program Activities 1-13

1.6 Projects or Activities Not Included in the Program 1-16

1.7 Natural Resource Protection and Impact Avoidance 1-17

1.8 Example Typical Activity within the Program 1-18

Chapter 2. Regulatory Framework 2-1

2.1 Regulatory Background 2-1

2.1.1 Permitting History 2-1

2.1.2 Activities Covered Under Existing Permits 2-5

2.2 Regulatory Guidance for Program 2-7

2.3 Tiered Approach Based on Activities and Resource Conditions 2-7

2.4 Permits and Authorizations Required for the Program 2-10

2.4.1 U.S. Army Corps of Engineers 2-10

2.4.2 U.S. Fish Wildlife Service 2-20

2.4.3 National Marine Fisheries Service 2-21

2.4.4 Regional Water Quality Control Board 2-22

2.4.5 California Department of Fish and Wildlife 2-25

2.4.6 California Coastal Commission and San Mateo County's Local Coastal Program 2-29

2.4.7 National Environmental Policy Act 2-29

2.4.8 California Environmental Quality Act 2-29

Chapter 3. Physical Setting 3-1

3.1 Watersheds and Creeks 3-1

3.1.1 Skyline Region 3-7

3.1.2 Foothill Region 3-8
3.2 Ponds 3-9
3.3 Geology and Soils 3-10
3.3.1 Skyline Region 3-15
3.3.2 Foothill Region 3-15
3.4 Hydrologic and Geomorphic Conditions 3-16
3.5 Water Quality 3-20
3.5.1 Beneficial Uses of Surface Waters 3-20
3.5.2 Impaired Waterbodies 3-24
3.5.3 Total Maximum Daily Loads 3-26
3.6 Groundwater Hydrology 3-28

Chapter 4 Biological Resources 4-1
4.1 Natural Communities and Habitats 4-1
4.1.1 Chaparral 4-5
4.1.2 Coastal Scrub 4-6
4.1.3 Conifer Forest 4-7
4.1.4 Grassland 4-8
4.1.5 Hardwood Forest 4-12
4.1.6 Oak Savanna 4-13
4.1.7 Riparian Communities 4-13
4.1.8 Aquatic and Wetland Communities 4-15
4.1.9 Non-Native/Ornamental Woodland 4-17
4.1.10 Urban 4-18
4.2 Fish Resources 4-19
4.3 Special-Status Plant and Animal Species 4-19
4.1.11 Special-Status Plants 4-21
4.1.12 Special-Status Animals 4-59
4.4 Invasive Animals and Plants, Noxious Weeds, and Pathogens 4-111
4.1.13 Invasive Plants 4-111
4.1.14 Invasive Animals 4-118
4.1.15 Pathogens 4-120

Chapter 5. Culvert, Bridge, Channel Pond, and Other Facility Maintenance 5-1
5.1 Culvert and Bridge Maintenance 5-1
5.1.1 Culvert Repair or Replacement 5-1
5.1.2 Bridge Maintenance and Replacement 5-4
5.2 Road and Trail Drainage Feature Maintenance 5-5
5.2.1 Unpaved and Paved Road and Trail Ditches 5-6
5.2.2 Ditch Relief Culverts 5-6
5.2.3 Armored Fords and Swales 5-7
5.2.4 Rolling dips 5-8
5.3 Sediment and Debris Removal 5-8
5.3.1 Sediment Removal 5-9
5.3.2 Debris Removal 5-11
5.4 Streambank Stabilization 5-12
5.5 Water Supply Structure Maintenance 5-15
5.6 Ponds 5-16
5.7 Minor Maintenance Activities 5-17

Chapter 6. Vegetation Management 6-1
6.1 Brushing and Mowing 6-3
6.2 Tree and Shrub Pruning 6-5
6.3 Tree Removal 6-5
6.3.1 Downed Tree Management 6-7
6.4 Aquatic Vegetation Removal 6-7
6.5 Fuel Management 6-8
6.5.1 Prescribed Burns 6-9
6.5.2 Disclines 6-10
6.5.3 Shaded Fuelbreaks 6-10
6.5.4 Maintaining Defensible Space around Buildings, Emergency Helicopter Landing Zones, Driveways, and Water Supply Infrastructure 6-11
6.6 Invasive Plant Removal 6-11
6.6.1 Pesticide Application 6-12
6.6.2 Compliance with Pesticide Injunctions Concerning Special-Status Species 6-18

6.7 Conservation Grazing 6-20
6.8 Traditional Ecological Knowledge Practices (Indigenous Stewardship). 6-21

Chapter 7. Road and Trail Maintenance 7-1
7.1 Paved Road Surface Maintenance Activities 7-1
7.2 Unpaved Road Surface Maintenance Activities 7-2
7.3 Trail Maintenance and Repair 7-4
7.4 Roadway or Trail Slip-outs and Slide Repairs 7-5

Chapter 8. New Small-Scale Facilities Improvements 8-1
8.1 Existing Buildings and Structure Repairs and Utility Improvements 8-1
8.2 Recreational Facility Improvements 8-2
8.2.1 New Trails/Roads and Re-Routes 8-2
8.2.2 New Bridges, Replacements, and Relocations 8-3
8.2.3 New Interpretative Facilities and Signage 8-5
8.2.4 Wildlife Crossings 8-6
8.3 Conservation Grazing Infrastructure Improvements 8-7
8.3.1 New Water Infrastructure 8-8

Chapter 9. Restoration and Enhancement Projects 9-1
9.1 Aquatic Habitat Restoration 9-1
9.1.1 Pond and Wetland Restoration 9-2
9.1.2 Creek and River Restoration 9-3
9.2 Native Vegetation Plantings 9-5
9.3 Invasive Species Removal 9-6
9.4 Road Decommissioning 9-8
9.5 Other Restoration Activities 9-9
Case Study – Hendry's Creek Restoration Project 9-11

Chapter 10. Impact Avoidance and Minimization, BMPs, and Mitigation 10-1
10.1 Introduction 10-1
10.2 Using Impact Tier Categories to Classify Potential Effects 10-1
10.3 Program Triggering Criteria 10-6
10.3.1 Maintenance Triggers for Culverts, Channels, Bridges, and Other Facilities 10-7

10.3.2 Maintenance Triggers for Roads and Trails 10-8
10.4 Work Limits 10-10
10.5 Best Management Practices (BMPs) 10-10
10.6 Mitigation Opportunities 10-17
10.6.1 Summary of Impacts to Wetlands, Waters, and Riparian Resources and the Federally or State Listed Species They Support 10-19
10.6.2 Timing of Mitigation 10-19
10.6.3 Mitigation Approaches 10-20
10.6.4 On-Site Mitigation Approach 10-20
10.6.5 Off-Site Mitigation Approach 10-21
10.6.6 Partner with Local Watershed Organizations 10-23
10.6.7 Mitigation Monitoring 10-23

Chapter 11. Program Administration and Reporting 11-1
11.1 Introduction 11-1
11.2 Annual Maintenance and Facilities Improvements Cycle 11-1
11.3 Project Site Definitions 11-2
11.4 Annual Work Plan Notification 11-3
11.5 Tier 1 Program Activities 11-4
11.6 Tier 2A, 2B and 3 Program Activities 11-6
11.7 Special Review Process 11-7
11.8 Projects on Properties Not Under Fee Ownership of Midpen 11-8
11.9 New Lands 11-8
11.10 Develop Mitigation Plan 11-8
11.11 Project Implementation 11-9
11.12 Annual Maintenance Summary Report 11-10

Chapter 12. Acronyms and Abbreviations 12-1

Chapter 13. Reference 13-1

Appendices

Appendix A Biological Resources Information
Appendix B Meeting Notes and Guidance from Regulatory Agencies
Appendix C Cultural Resource Sensitivty Maps
Appendix D Midpen's BMPs for Routine Maintenance Activities in Water Courses
Appendix E Midpen's Details and Specifications Guidelines

List of Tables

Table 1-1. Existing Midpen Open Space Preserves 1-9
Table 1-2. Summary of Program Activities by Facility or Feature 1-13
Table 2-1. Routine Maintenance Activities Completed (2013- 2019) 2-5
Table 2-2. Small Facility Infrastructure Improvements and Restoration Projects Completed (2016- 2020) 2-6
Table 2-3. Federal Endangered Species Act Coverage Mechanism for Potentially Affected, Federally Listed Species 2-17
Table 3-1. Major Watershed Areas and Surface Waters in the Skyline Region 3-7
Table 3-2. Major Watershed Areas and Surface Waters in the Foothill Region 3-8
Table 3-3. Designated Beneficial Uses of Surface Waters Potentially Affected by Activities 3-21
Table 3-4. 2014-2016 Clean Water Act Section 303(d) List of Impaired Waterbodies in the Program Area 3-24
Table 4-1. Special-Status Plant Species with Potential to Occur in the Program Area. 4-31
Table 4-2. Special-Status Animal Species with Potential to Occur in the Program Area. 4-77
Table 4-3. Invasive and Pest Plant Species Treated on Midpen Preserves 4-113
Table 6-1. List of Approved Pesticides Used for Vegetation Management on Midpen Lands 6-14
Table 6-2. Summary of Pesticide Used for Vegetation Management in Midpen Lands 6-15
Table 8-1. Midpen Projected New Small-Scale Facility Improvements 8-9
Table 9-1. Restoration and Enhancement Activities 9-13
Table 10-1. Summary of Midpen's Qualified Monitoring Requirements 10-5
Table 10-2. Program Activity Work Limits Per Activity Type 10-11

Table 10-3. Program Best Management Practices 10-25
Table 11-1. Timeline for Tier 1 Program Activities 11-4
Table 11-2. Timeline for Tier 2A, Tier 2B, and Tier 3 Program Activities 11-4

List of Figures

Figure 1-1. Program Area 1-7
Figure 1-2. Skyline and Foothill Regions 1-11
Figure 1-3. La Honda OSP Culvert Replacement Project 1-19
Figure 3-1. Watersheds in the Program Area 3-3
Figure 3-2. Soils in the Program Area 3-11
Figure 3-3. Impervious Surfaces in the Program Area 3-17
Figure 4-1. Vegetation Communities Map 4-3
Figure 4-2. Special-Status Plants Map 4-23
Figure 4-3. Special-Status Animals Map 4-61
Figure 4-4. Designated Critical Habitat 4-69

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Chapter 1. Introduction

1.1 Program Purpose and Background

Midpeninsula Regional Open Space District (Midpen) was founded in 1972 and protects over 64,000 acres of open space in the South Bay and San Francisco Peninsula. Most of these lands are located within 26 open space preserves (OSPs or Preserves) that form a connected greenbelt in the greater Santa Cruz Mountains region for plants and animals to thrive while also providing ecologically-sensitive low-impact recreational opportunities for local residents to enjoy the forests, baylands, ridgelines, and mountains of the South Bay Area. These diverse and scenic landscapes, from bay wetlands to redwood forests and coastal grasslands, host an incredible diversity of life, making Midpen's region one of the world's biodiversity hotspots. Midpen OSPs have long and complex histories of human use prior to becoming public open spaces. Midpen actively manages the land and waterways to restore their health and function, helping the local ecosystem become more resilient in a time of climate change. By caring for the land, the land in turn takes care of Midpen, providing tangible and intangible benefits like clean air and water, flood protection, and the opportunity for restorative experiences in nature. Midpen's Open Space Maintenance and Restoration Program (OSMRP or Program) Manual (Manual) describes the ongoing, regular stewardship activities within Midpen Preserves for the purpose of obtaining state and federal environmental permits.

MIDPEN MISSION STATEMENT

To acquire and preserve a regional greenbelt of open space land in perpetuity, protect and restore the natural environment, and provide opportunities for ecologically sensitive public enjoyment and education.

Midpen boundaries enclose an area of approximately 227,900 acres in northern Santa Clara and southern San Mateo counties, and a small portion of Santa Cruz County. Midpen's Sphere of Influence includes an additional 8,333 acres near its southernmost boundary, of which most of this land is held within Midpen's Sierra Azul OSP. In 2004, Midpen's boundaries were expanded

MIDPEN COASTSIDE MISSION STATEMENT

To acquire and preserve in perpetuity open space land and agricultural land of regional significance, protect and restore the natural environment, preserve rural character, encourage viable agricultural use of land resources, and provide opportunities for ecologically sensitive public enjoyment and education.

to include more than 140,000 acres of the San Mateo County coast, from the Pacific Ocean to the Santa Cruz Mountain ridgeline, between Montara to the north and the San Mateo and Santa Cruz County line to the south (also referred to as Midpen's Coastside Protection Area or Coastal Annexation Area[1]). The Midpen's Coastside Protection Area has an added mission focused on protecting workable agricultural lands and coastal watersheds and preserving the rural character of the region. Midpen partners with small-scale local ranchers to use conservation grazing as a land management tool for enhancing native coastal grasslands and providing wildland fire protection.

Midpen manages land primarily to preserve a regional greenbelt of open space land. There are generally few improvements, other than parking areas, some restrooms, and informational signs. Relevant guidance documents that have described and directed Midpen's Preserve management approach include:

- Ordinance for Use of Midpeninsula Regional Open Space District Lands (July 1993, as amended)
- Resource Management Policies (February 2021)
- Vision Plan (February 2014a)
- Top 25 Open Space Projects Identified in Midpen's Vision Plan (2014b)
- Integrated Pest Management (IPM) Program Guidance Manual (September 2014c)
- Service Plan for the San Mateo Coastal Annexation Area (June 2003)
- Draft Wildland Fire Resiliency Program (as of January 2021)
- Individual Open Space Preserve Plans or Master Plans (Midpen 2012, 2017)

[1] Note that approximately three-fifths of Midpen's Coastside Protection Area is located within the Coastal Zone Boundary. Thus, all lands within the Coastal Zone are subject to local coastal policies adopted by San Mateo County pursuant to the California Coastal Act.

1.1.1 Midpen Vision Plan and Measure AA

In 2014, voters passed Measure AA, a 30-year, $300 million general obligation bond funding open space projects, including land conservation, restoration, and public access projects, described in Midpen's Vision Plan (2014a). The bonds will be used over the next 25 years to:

- Protect natural open space lands;
- Open preserves or areas of preserves that are currently closed to low-intensity public enjoyment and education;
- Construct public access improvements, including new trails and staging areas; and
- Restore and enhance open space land (i.e., forests, streams, watersheds, and coastal ranch areas).

During the first five years of funding (2014-2019), Midpen preserved an additional 2,000 acres, restored open space lands (i.e., forests, watersheds, and grasslands), opened the Bear Creek Redwoods Open Space Preserve (OSP) and La Honda Creek OSP to public access, added new trails on the Mount Umunhum summit and Mindego Hill, and re-introduced over 300 acres of land to conservation grazing as a land management tool to protect grassland habitat. In 2018, Midpen's Board of Directors adopted a new list of Measure AA projects that focused on opening additional public access areas and restoring habitat in Bear Creek Redwoods OSP and La Honda OSP. Measure AA funds will only be used for the 25-key project portfolios first identified in the 2014 Vision Plan (2014a) and further described in the Top 25 Open Space Projects (2014b).

With Measure AA funding, Midpen has more resources to acquire land for conservation and preservation purposes, improve public access by adding new unpaved trails and other amenities to existing Preserves, open areas of Preserves that are currently closed, and restore and enhance natural habitats.

1.1.2 Programmatic Permitting Need

Midpen annually conducts a few large-scale capital improvement and dozens of smaller maintenance projects on its OSPs to ensure proper care of the land and provide for ecologically sensitive public access opportunities. To date, many of these activities have been developed and permitted individually with state and federal environmental regulators, like the U.S. Army Corps of Engineers (USACE), the U.S. Fish and Wildlife Service (USFWS), the San Francisco Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife (CDFW). Midpen also permits small scale work through 'programmatic' permits that cover many projects annually. Midpen has a Routine Maintenance Agreement (RMA) with CDFW, a maintenance-focused Waste Discharge Requirements (WDRs) and a 401 certification from the RWQCB, and species-specific recovery permits for the San Francisco Garter Snake and California Red-Legged Frog (CRLF) with the USFWS and for San Francisco Garter Snake and

California Tiger Salamander with CDFW. All of these permits together represent the state and federal permits needed to steward Midpen's open spaces, protect the environment, and restore important habitats.

Without a broadly applicable and consistent permitting strategy, small and large maintenance and construction projects take significantly longer to plan, permit, and construct. These delays create scheduling uncertainty and are costly to the public taxpayer. The purpose of developing the OSMRP is to streamline the permitting process and provide a more strategic and integrative approach to the planning and scheduling of Preserve maintenance, low-impact facility improvements, and habitat enhancement and restoration that are the core of both Midpen's overall mission and coastside mission, mentioned above. Administering Midpen's maintenance and restoration as a Program, versus a series of individual activities, allows Midpen to establish and follow a consistent set of maintenance methods, best management practices (BMPs), and impact avoidance approaches. Midpen conducts projects that protect and enhance the natural environment. The purpose of this Manual is to describe those activities that comprise the Program. This includes routine maintenance projects, habitat enhancement and restoration projects, and new small-scale construction activities that facilitate access for natural resource management and species recovery, such as improved or new unpaved trails.

This Manual provides guidance and practices that avoid and minimize potential environmental impacts during implementation of Program activities. The Manual describes impact mitigation approaches and monitoring and reporting activities. In addition, this Manual serves as a basis for Midpen to comply with the California Environmental Quality Act (CEQA) and other resource agency permitting requirements.

While the standard operating procedures and guidelines described in this Manual are intended to provide the Program with consistent approaches, the Program is also envisioned to be flexible and subject to periodic updates to reflect improved understanding of resource conditions, new technologies, and adaptive management practices within Preserves over time. Midpen acquires new lands each year and new challenges from climate change also drive the need for adaptation. This Manual will be submitted for review and comment to the following resource agencies: CDFW, USFWS, San Francisco Bay RWQCB, the Central Coast RWQCB, and USACE.

1.2 Program Objectives

The objectives of the Program include:

- Streamlining the regulatory permitting process by obtaining comprehensive long-term permits that improve work planning and implementation, and reduce delays.
- Utilizing existing and planned Midpen restoration and enhancement efforts in a strategic manner to ensure that the overall Program has a net benefit to regulated habitats and special-status species.
- Protecting and enhancing the natural environment and improving low-intensity public access throughout Midpen open space preserves.
- Avoiding and minimizing potential impacts to the natural environment when conducting activities by assessing habitat, species, and resource conditions.
- Identifying and prioritizing maintenance and facilities needs by weighing potential impacts vs. permitting requirements and timelines.

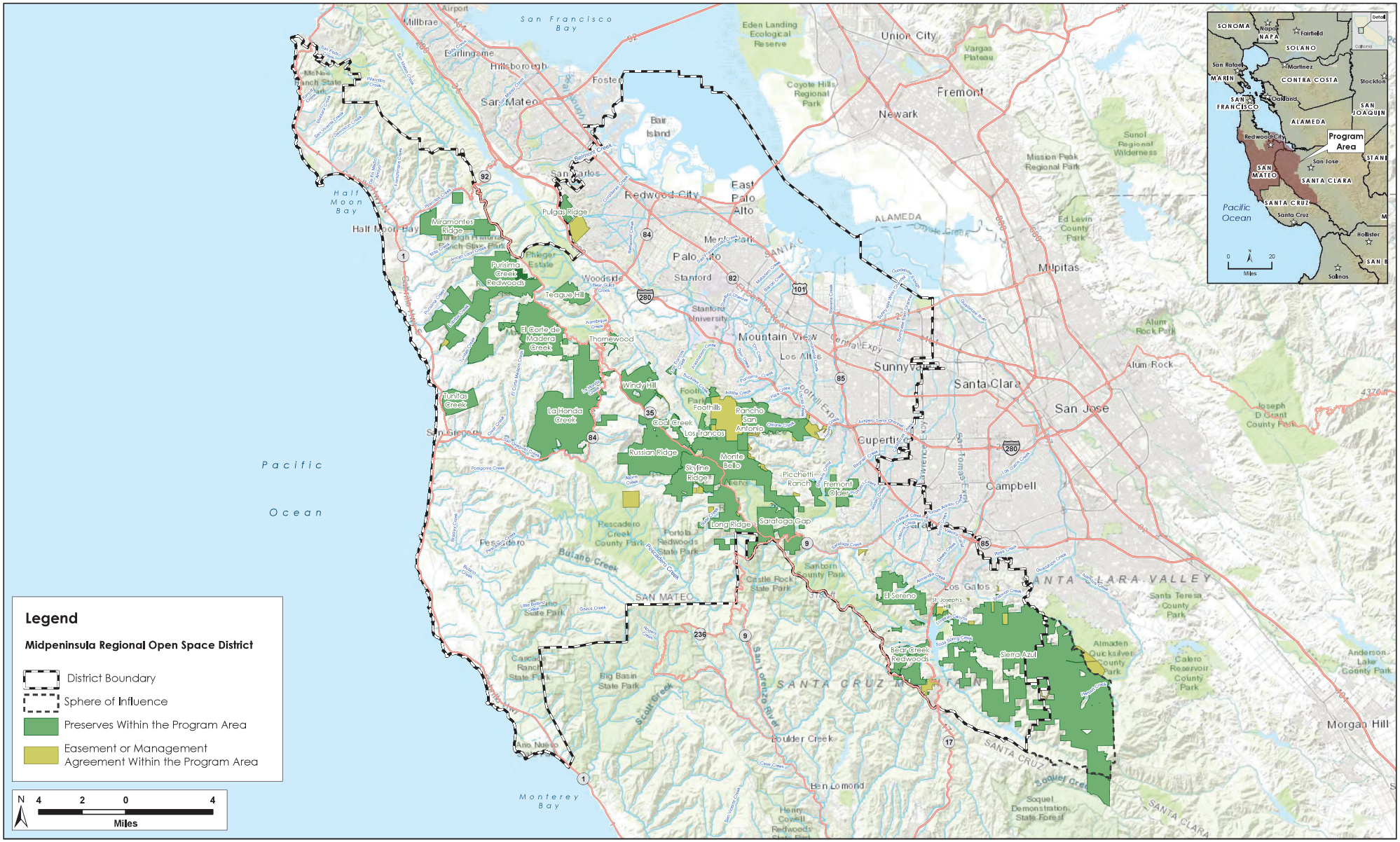
1.3 Conservation Outcomes

Conservation outcomes of the Program, which were derived and modified from Midpen's Resource Management Policies, IPM Guidance Manual, and Wildland Fire Resiliency Program, include:

- Reduce soil disturbances, erosion, and water quality impacts associated with maintenance activities through careful planning combined with implementation of best management practices (BMPs) that provide erosion control and protect water quality.
- Promote growth of native vegetation and protect and restore special-status species and sensitive habitats, and rehabilitate areas disturbed prior to Midpen ownership.
- Acquire and provide public access to lands while also protecting and restoring natural resources.
- Remove and manage invasive species while protecting natural resources and public health.
- Reduce fire fuels that contribute to the risk of catastrophic wildfire and restore ecosystems by removing invasive plant species and/or dead and excessive accumulated vegetation due to past fire suppression.

1.4 Program Area

The Program area currently consists of nearly 64,000 acres of protected open space in the Counties of San Mateo, Santa Clara, and Santa Cruz (refer to **Figure 1-1**). Most of these lands are located in 26 OSPs (refer to **Table 1-1**) within either the Skyline region or Foothills region (refer to **Figure 1-2**). Existing conditions within each open space preserve are described in Chapters 3 and 4.



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Ecological Consultants

Figure 1-1: Program Area

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program
April 2021

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Table 1-1. Existing Midpen Open Space Preserves

Open Space Preserve	Size (Acres)	Miles of Existing Trail	Grazing	Foothill or Skyline Region	County/ Community
1. Bear Creek Redwoods	1,437	7.2	No	Foothill	Los Gatos
2. Coal Creek	508	3.7	No	Skyline	Palo Alto Foothills
3. El Corte de Madera Creek	2,906	34.8	No	Skyline	La Honda
4. El Sereno	1,430	6.5	No	Foothill	Los Gatos/ Monte Sereno
5. Foothills	212	0.2	No	Skyline	Palo Alto/ Los Altos
6. Fremont Older	739	12.1	No	Foothill	Cupertino
7. La Honda Creek	6,144	10.6	Yes	Skyline	La Honda
8. Long Ridge	2,226	14.1	No	Skyline	Skyline
9. Los Trancos	274	6	No	Skyline	Los Altos
10. Miramontes Ridge	1,716	--	No	Skyline	Half Moon Bay
11. Monte Bello	3,537	18	No	Skyline	Palo Alto/ Los Altos
12. Picchetti Ranch	308	3.1	No	Foothill	Cupertino
13. Pulgas Ridge	366	6.2	No	Foothill	San Carlos
14. Purisima Creek Redwoods	4,798	28.9	Yes	Skyline	Half Moon Bay
15. Rancho San Antonio	3,988	25.2	No	Foothill	Los Altos Hills
16. Ravenswood*	374	1.3	No	Foothill	East Palo Alto
17. Russian Ridge	3,491	13.1	Yes	Skyline	Skyline
18. Saratoga Gap	1,613	1.4	No	Skyline	Saratoga
19. Sierra Azul	18,939	25.8	No	Foothill	San Jose

Open Space Preserve	Size (Acres)	Miles of Existing Trail	Grazing	Foothill or Skyline Region	County/ Community
20. Skyline Ridge	2,143	12.4	Yes	Skyline	Skyline
21. St. Joseph's Hill	270	4.2	No	Foothill	Los Gatos
22. Stevens Creek*	55	0.7	No	Foothill	Mountain View
23. Teague Hill	626	.2	No	Skyline	Woodside
24. Thornewood	167	1.6	No	Skyline	Woodside
25. Tunitas Creek	1,660	--	Yes	Skyline	Half Moon Bay
26. Windy Hill	1,414	13.6	No	Skyline	Portola Valley

*Program activities would not be conducted at Preserves along the Bayside.

The Program area contains over approximately 900 culverts (including ditch relief and stream crossings), 150 trail bridges (including fords, puncheons, and boardwalks), 25 vehicle bridges, approximately 230 miles of streams (excluding many unmapped seasonal drainages and tributaries), 100 waterbodies (mostly ponds), 115 miles of single-track maintained unpaved trails, and 230 miles of maintained roads (including paved, unpaved seasonal, and unpaved all-season).

Midpen acquires several hundred acres across multiple properties each year within their Sphere of Influence and sometimes thousands of contiguous acres at once from private landowners. Newly acquired properties often come with a number of environmental issues needing attention, including:

- permitted and unpermitted structures built in sensitive environmental areas,
- unpermitted ponds or water diversions,
- invasive species,
- poorly designed and maintained roads, and
- generally degraded infrastructure and disturbed and/or degraded habitat.

Midpen undertakes comprehensive planning processes for these properties; however, urgent items such as road repairs, invasive species, or other critical natural resources issues must be addressed rapidly and would be addressed as part of this Program. Larger scale projects on new lands take longer to fund and develop and therefore fit well within the individual permit process and are not a subject of this proposed Program.

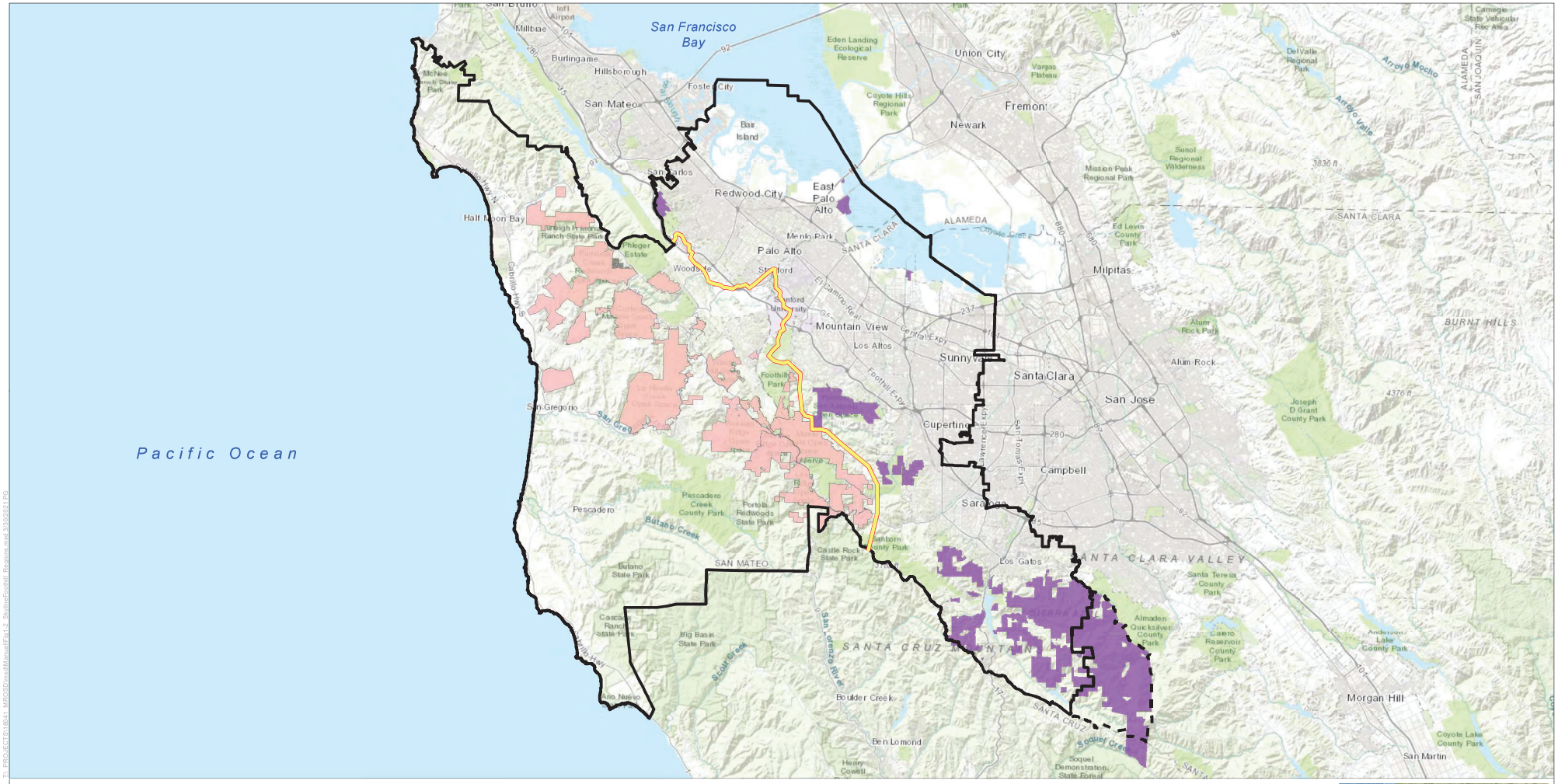

Figure 1-2
Skyline and Foothill Regions in the Program Area

Open Space Maintenance and Restoration Program Manual

Horizon WATER and ENVIRONMENT

Data Source: ESRI 2020; MROSD 2020

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Midpen also oversees and facilitates work on neighboring lands or partner properties within their Sphere of Influence such as lands of the Peninsula Open Space Trust (POST), State Parks, the San Mateo Resource Conservation District (RCD), San Francisco Public Utilities Commission, or the rights-of-way of local, County, and State roads, bringing expertise, sometimes funding, and permitting to activities that are consistent with the approved Program permitting framework.

1.5 Summary of Program Activities

The vast majority of Midpen's proposed Program activities benefit listed species and their habitats, consistent with Midpen's mission statement. Table 1-2 summarizes activities that are covered by the Program, which generally includes: (1) routine maintenance activities; (2) small-scale facility improvements and new low-intensity/small footprint facilities; and (3) restoration and enhancement projects. Facility improvements and new facility projects will be included in the Program when they are necessary to maintain Preserve facilities and amenities in good condition and can simultaneously reduce the threat of, or correct degradation of, natural environments, particularly where sensitive species will benefit.

Table 1-2. Summary of Program Activities by Facility or Feature

Facility or Feature	Typical Examples of Activity Type
Routine Maintenance Activities	
Ponds/lakes	Berm repair/maintenance Outlet, inlet, and pipe repair Trash and woody debris removal Vegetation removal Sediment removal (may include some recontouring) Invasive plant treatment Wildlife structure install (basking platforms/logs) Livestock exclusion fencing and gate repair Trash rack clearing
Water supply structures	Spring box and/or water tank maintenance or replacement Water line replacement, extensions, or realignments Instream diversion intake clearing Vegetation removal
Roads	Grading and shaping (may include rocking) Culvert repair and replacement Removal of asbestos from culverts and other structures

Facility or Feature	Typical Examples of Activity Type
	Sediment and debris removal at inboard ditches and stream crossings (including culvert inlets, outlets, and rocked fords)
	Fords and swales repair and replacement (including new culverts in place of fords)
	Bank stabilization
	Repair of gabion rock or riprap
	Road brushing/mowing
	Vegetation management
	Minor relocation of road segments (unpaved) to correct resource concerns (e.g. erosion, rutting)
	Installation of new roadside and trailside ditch relief culverts at non-stream crossings
	Repair and replacement of driveways
Bridges	Replace decking and handrails
	Minor structural repairs
	Repair and fortify bridge abutments
	Sediment and debris removal
	Addition of surface material to puncheons
	Vegetation management/removal
	Bridge removal or replacement (e.g., increasing span to outside ordinary high water mark [OHWM])
	Removal of lead paint
	Repainting bridges
Roadside/trailside ditches	Replace culverts and ditches
	Install new rolling dips and fords
	Replace and repair fords
	Sediment and debris removal
	Vegetation management
	Cleaning ditches
Trails	Grading and shaping
	Culvert repair and replacement
	Repair and replace fords and swales (including with new culverts)
	Bank stabilization
	Repair of gabion rock, riprap, or retaining wall
	Boardwalk repair

Facility or Feature	Typical Examples of Activity Type
	Trail brushing/mowing
	Vegetation management
	Minor relocation/ reroute
	Sediment and debris removal at channel/trail crossings
	Maintenance of rolling dips
	Fence, gate, and signage repair
Creeks	Vegetation management
	Sediment and debris removal
	Downed tree management and large woody material removal
	Bank stabilization
	Trash rack clearing
Other Midpen Parks and Open Space features (picnic or rest areas, natural areas, rangeland, staging areas, parking lots, tenant structures, field offices, etc.)	Invasive species removal (e.g. manual, mechanical, chemical, and biological) in natural lands
	Fire fuel management (e.g. manual, mechanical, grazing, and chemical) for disc lines and fuel breaks
	Maintenance/clearing of defensive space buffers around buildings, staging areas, roads, trails, water supply infrastructure, and use areas
	Mechanical and chemical treatment of vegetation at helicopter landing zones
New Facilities and Improvements	
Bridges	Bridge relocation or new installation to reduce resource/water quality impacts
Interpretive facilities and signage	Installation of new low-intensity, small-footprint interpretative facilities and signage at existing preserves
Ranching infrastructure	Improve existing ranching infrastructure, including fences, corrals, stock water
Utilities	Maintenance of septic, telephone, telecommunications, and other utilities etc.
Trails	Reroute existing unpaved trails, provide new trail connections and public access, and single-track trail resurfacing for Americans with Disabilities Act (ADA) compliance
Wildlife crossings	Construct wildlife crossings some of which may also provide public access
Existing buildings and structures	Repair existing structures to provide habitat for wildlife species

Facility or Feature	Typical Examples of Activity Type
Water infrastructure	Replace or remove degraded water infrastructure facilities
Restoration and Enhancement Activities	
Removal of in-stream infrastructure (i.e., impoundments) and collapsed structures (i.e., bridges or culverts) or upsizing of culverts	Creation of aquatic habitat and/or improvement of fisheries habitat, flows, sediment transport
Native vegetation plantings and seeding	Habitat enhancement
Traditional ecological knowledge practices (indigenous stewardship)	Plant gathering, seed collection, and plantings
Wildlife friendly spring box/troughs	Habitat enhancement to prevents wildlife entrapment
Pond and stream restoration	Improve ponds and streams to restore aquatic habitat
Treatment of invasive species	Habitat enhancement
Exclusion fencing	Habitat enhancement to exclude cattle and protect species
Prescribed burns	Habitat enhancement, fuels management, and cultural fire
Conservation grazing	Fuels and species/grassland management
Road decommissioning	Restored hydrology and watershed processes
Water well decommissioning	Entrapment hazard removal and water quality protection
Structural demolitions in riparian or other sensitive areas	Habitat enhancement

1.6 Projects or Activities Not Included in the Program

The Program does not include large, complex projects, such as new paved parking areas, new ponds, new offices, or other projects that significantly increase visitor capacity to Midpen Preserves. These types of activities would be outside of the scope of the Program and thus, would be permitted separately (to the extent that permits are needed for those activities).

In addition, emergency maintenance actions or unplanned repair work are not included in the Program, nor addressed by Program CEQA compliance or permits and authorizations. A situation is considered an "emergency" if it is a sudden, unexpected occurrence involving a clear

and imminent danger that demands immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services (Public Resources Code Section 21060.3). An emergency situation could involve activities that would otherwise be considered routine maintenance as described in this Manual but may need to occur at an unplanned time. Although emergency situations are not covered by the permits authorizing Program activities described in this Manual, Midpen will make every effort to follow the impact avoidance and minimization guidance provided in this Manual when implementing activities under emergency conditions.

1.7 Natural Resource Protection and Impact Avoidance

Midpen's lands were acquired and managed to improve habitat. As urban development has intensified in the Bay Area, Midpen's lands have been a refuge for a variety of protected and important species. The unintended result of this is that the environmental protections given to those species bear especially on Midpen's land management. Most of Midpen's Preserves contain special status species or their habitats. Midpen's projects almost always have the potential to impact these species if not for the close observation of biologists or the carefully timed construction to avoid them. Various portions of the Program area have sensitive habitat for special-status species, including but not limited to, critical habitat for California red-legged frog, San Francisco garter snake, marbled murrelet, and Bay checkerspot butterfly (refer to Figure 4-5 in Chapter 4, *Biological Resources*). Midpen values these natural resources and aims to minimize impacts to these species and their habitats and other sensitive resources by implementing impact avoidance and minimization measures. In addition, the Program is designed to be self-mitigating; habitat enhancement and restoration activities offset Program impacts. Chapter 4 of this Manual, *Biological Resources*, describes the sensitive natural resources in the Program area. Chapter 10, *Impact Avoidance and Minimization, BMPs, and Mitigation*, further describes the Program's approach to reduce potential environmental impacts and includes a comprehensive table that identifies BMPs for the Program. Detailed BMPs including those implemented for specific biological resources and cultural resources are presented in Chapter 10.

Each permitting agency has its own enabling laws and statutes that drive how they evaluate the individual and cumulative effects of Midpen's land management; a potentially negative effect to one agency may be a beneficial change to another. For the USFWS, a project must have a reasonably direct benefit to a listed species to be a 'recovery' action and benefit from a recovery permit. Much of Midpen's restoration program are recovery actions. Other activities, like roads maintenance, do not directly benefit a listed species like CRLF and are therefore analyzed differently under a different permit. Even so, improving watershed conditions supports CRLFs and in many cases helps manage sediment in watersheds that are impaired under the Clean Water Act. Midpen's program often blurs the line between maintenance and restoration because of its mission to restore the environment. Activities that may be initiated for an operational or maintenance reason are often modified to better serve a restoration purpose or may be combined with a nearby restoration project for efficiencies.

Throughout this Program Manual, the temporary, permanent, and potential impacts to the environment are discussed in light of each maintenance and restoration activity. The concluding chapters look at program as a whole, assessing the overall or net effect of Midpen's stewardship. The program as a whole is 'self-mitigating' in that any impacts are more than offset by the measurable, beneficial actions Midpen takes.

1.8 Example Typical Activity within the Program

Unpaved dirt roads sometimes lack proper drainage and introduce excess sediment into streams and watersheds. Midpen seeks to improve road drainage through maintenance of its roads. These roads provide trail access, emergency response, and help Midpen steward natural resources. A common problem is an undersized culvert, which conveys water underneath a road to and from a natural stream channel. When these pipes are too small, they sometimes become plugged with tree limbs and other natural material. When plugged, the water levels rises and erodes the road, eventually moving parts of the road into the stream system. The water quality is then impacted and habitats for aquatic species are harmed. To prevent this from happening, Midpen replaces undersized culverts with larger culverts or bridges. The construction of properly designed culverts causes "temporary" and "permanent" impacts to the environment (as described through the lens of the Clean Water Act), even though the project itself improves the environment overall. Temporary impacts could include fine dusty soil entering the creek, noise disturbances to nesting birds, or the removal of vegetation necessary to physically access the culvert. Permanent impacts would be a longer culvert, which reduces the amount of natural channel length, but prevents erosion and better mimics the natural channel slope. Midpen uses BMPs for roads and trails to protect the environment (such as those in the California Salmonid Stream Habitat Restoration Manual).

The culvert pictured below is conveying water from a small tributary to Harrington Creek, which flows to San Gregorio Creek, home to some of the best salmonid habitat in the region. The old culvert (top photo) extends just beyond the road and juts into the air, causing water to plunge into the stream below and erode. If not for the replacement culvert, sediment from this erosion would eventually flow downstream and may harm eggs laid by salmon by covering them, depriving them of oxygen. In the photos below, the replacement culvert is angled down to match the natural angle of the creek and then rock is placed below the outlet to dissipate the energy and reduce the potential for erosion. From a permitting standpoint, there are temporary and permanent impacts, but this project results in an overall benefit to the environment. This culvert replacement and many others in La Honda OSP were funded by the Fisheries Restoration Grant Program.

Existing old culvert that extends beyond the road and juts into the air, resulting in erosion

Replacement culvert installed to match the natural angle of Harrington Creek

Replaced culvert outlet and energy dissipater installed to reduce the potential for erosion

Figure 1-3. La Honda OSP Culvert Replacement Project

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Chapter 2. Regulatory Framework

This chapter describes environmental regulations and permitting processes that apply to the Open Space Maintenance and Restoration Program (OSMRP or Program). Before describing the relevant regulations and permits, this chapter begins by summarizing past maintenance activities conducted by Midpeninsula Regional Open Space District (Midpen) and associated regulatory permits.

Agencies with regulatory authority over Program activities include the U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), State Historic Preservation Officer (SHPO), California Regional Water Quality Control Board (RWQCB) Region 2 – San Francisco Bay and RWQCB Region 3 – Central Coast, California Department of Fish and Wildlife (CDFW), and the California Coastal Commission (CCC). In addition, local city and county permits will be obtained as needed for Program activities.

This chapter also describes compliance with California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

2.1 Regulatory Background

2.1.1 Permitting History

Midpen annually conducts a wide range of capital improvement and maintenance projects on its open space preserves (OSPs or Preserves) that are covered by a variety of regulatory agreements and permits. A description of Midpen's existing permits, agreements, and approvals is described below.

U.S. Fish and Wildlife Service

Federal Endangered Species Act 10(a)(1)(A) Recovery Permit

The USFWS issued a Federal Endangered Species Act (FESA) 10(a)(1)(A) Recovery Permit (dated December 22, 2016, expiring December 21, 2021) to Midpen for habitat enhancement and management activities and prepared a Biological Opinion (BO) (dated December 9, 2016) for the issuance of the Recovery Permit. This permit authorizes Midpen to take (i.e., harass by survey, capture, handle, transfer, mark, collect tissue, and release) the San Francisco garter snake (SFGS; *Thamnophis sirtalis tetrataenia*; state and federally listed as endangered) and the California red-legged frog (CRLF; *Rana draytonii*; federally listed as threatened and a California species of special concern) in conjunction with habitat management activities (e.g., prescribed fire, invasive species removal, pond restoration and creation, road and trail maintenance, removal of dilapidated structures, and cattle grazing) for the purpose of enhancing their survival. These activities are authorized on any Midpen holdings in San Mateo and Santa Clara counties, excluding Ravenswood OSP and Stevens Creek Shoreline Nature Study Area OSP (where these two species do not occur anyway). By March 31 of each year, Midpen is required to submit an annual workplan that includes a description of each site-specific recovery activity to be performed in that calendar year. This workplan incorporates recovery activities reflected in other Midpen activity lists, such as the Routine Maintenance notification and Action Plan, and it may also describe non-construction activities such as pond monitoring that are part of Midpen staff's "core function" and are not generally described elsewhere. No activities requiring the Recovery Permit can proceed within 30 days after the annual work plan is submitted without USFWS approval. The Recovery Permit also requires that the work plan be submitted to CDFW for review.

During the USFWS review of the annual work plan, the USFWS will verify that a proposed site-specific activity benefits SFGS and/or CRLF. Only those activities with a clear benefit to these species can be performed under the take authority granted by the Recovery Permit. Activities covered by the Recovery Permit include pond enhancement, such as vegetation removal, basin deepening and sediment removal, dam repair and strengthening, and planting of vegetation; prescribed burns; invasive pest management and hazardous fuel reduction; grazing management; trapping surveys for SFGS; and surveys for CRLF. The existing Recovery Permit includes some activities, such as road and trail maintenance, that provide an indirect benefit to listed species, such as by avoiding excessive sedimentation of streams or maintaining access for Midpen personnel to perform management, restoration, and monitoring activities that directly benefit these species. However, the USFWS is moving toward excluding any activities that do not have a direct recovery benefit, so some road and trail maintenance may no longer be covered by the Recovery Permit when it is renewed in 2021.

The Recovery Permit includes a number of conditions for covered activities. For example, approved Midpen biologists have to perform an educational program for work crews prior to the start of work; monitor work activities that could result in take; relocate individuals out of harm's

way as necessary; establish travel corridors for vehicles and heavy machinery; and notify the USFWS and CDFW if any CRLF or SFGS are injured or killed during enhancement or management activities. The Recovery Permit also includes a number of conditions on the timing of various enhancement and management activities, restrictions on allowable herbicides and fungicides, and other conditions. The existing Recovery Permit authorizes up to one adult or juvenile CRLF and one larval CRLF per locality to be injured or killed each year; no injury or mortality of SFGS is authorized. Although Midpen has never detected injury or mortality of CRLF during its recovery activities, the take levels in the amended Recovery Permit may be higher to encompass potential take from the vast extent of Midpen's recovery activities.

In addition to addressing potential effects of recovery activities on the SFGS and CRLF, the BO issued for the Recovery Permit also evaluated effects of habitat management and enhancement activities on the marbled murrelet (*Brachyramphus marmoratus*; federally threatened and state endangered), Bay checkerspot butterfly (*Euphydryas editha bayensis*; federally threatened), and Santa Clara Valley dudleya (*Dudleya setchellii*; federally endangered), as well as on designated critical habitat for the CRLF, marbled murrelet, and Bay checkerspot butterfly.

The USFWS typically does not provide take approval for federally listed plants, as take of plants by Midpen on its own lands is not a violation of FESA (although Midpen may implement measures to avoid or minimize take of such species).

California Department of Fish and Wildlife

Routine Maintenance Agreement

Currently, Midpen conducts routine maintenance activities in compliance with a Section 1602 Routine Maintenance Agreement (RMA), which is a programmatic, long-term permitting mechanism under the Lake and Streambed Alteration Program. The original RMA (Notification No. 1600-2012-0444-R3) was issued in 2012 and amended in 2018. The extension is valid through December 2022. RMAs are commonly 5-year agreements and cover a set list of maintenance activities to maintain channel capacity. The current RMA provides guidance, terms, and conditions for implementation of culvert, bridge, and ford and swale replacement, repair, and maintenance; sediment removal; bank stabilization; road and trail maintenance; ponds and lakes maintenance; vegetation management and removal; fire control; and habitat enhancement activities. The RMA also identifies required avoidance and minimization measures, including seasonal work restrictions, wildlife pre-work surveys, stream diversion techniques, revegetation requirements, and notification responsibilities.

Memorandum of Understanding

On April 6, 2017, CDFW issued a California Endangered Species Act (CESA) 2081(a) MOU authorizing Midpen to take SFGS and California tiger salamander (CTS) (*Ambystoma californiense*; state and federally listed as threatened) for scientific research and habitat creation, enhancement, and maintenance activities related to the conservation and recovery of

these species. The Memorandum of Understanding (MOU), which expires December 21, 2021, authorizes Midpen to handle and trap these species during surveys, collect tissue samples, salvage dead or dying individuals, and relocate SFGS over short distances. This MOU does not authorize Midpen to move individuals out of harm's way during project activities, and does not allow any injury or mortality beyond that approved by the federal Recovery Permit.

In addition, Midpen has a Scientific Collecting Permit (SCP) from CDFW, valid November 14, 2017 through November 14, 2020 that authorizes handling of CRLF, SFGS, CTS, foothill yellow-legged frog (*Rana boylii*; listed as threatened under CESA), and four additional California species of special concern: the western pond turtle (*Actinemys marmorata*), Santa Cruz black salamander (*Aneides niger*), California giant salamander (*Dicamptodon ensatus*), and coast horned lizard (*Phrynosoma blainvillii*). The SCP also authorizes the capture and sacrifice of bullfrogs (*Lithobates catesbeianus*). CDFW has temporarily extended the SCP as Midpen moves through the permit renewal process.

All CDFW authorizations include detailed reporting requirements as well.

Streambed Alteration Agreements

Streambed Alteration Agreements (SAAs) issued by CDFW for Midpen's individual activities typically contain conditions to avoid and minimize impacts to sensitive species. These SAAs often include authorization for CDFW-approved biologists to relocate individuals out of harm's way for the specific project for which the SAA has been issued. Species for which measures may involve relocation or exclusion measures include most of those mentioned above, as well as the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*; a California species of special concern), roosting bats, and stranded aquatic life (i.e., fish and amphibians). Active nests of native birds, including the marbled murrelet, as well as active bat maternity colonies, must be avoided while breeding is occurring. SAAs may also contain project-specific measures to avoid or minimize take of state-listed plants; Midpen has no existing permits (such as an Incidental Take Permit [ITP]) allowing programmatic take of any state-listed plant species.

Regional Water Quality Control Board

Midpen conducts routine maintenance activities in compliance with a Section 401 Water Quality Certifications (WQCs) and Waste Discharge Requirements (WDRs) from the San Francisco Bay RWQCB, (Order No. R2-2010-0083, adopted in June 2010).The issuance of the Section 401 permit authorizes Midpen to conduct the following routine maintenance activities for the purposes of maintaining and enhancing water quality, protecting fish and wildlife habitat, and maintaining trail, road, and drainage infrastructure: facilities maintenance such as roads, trails, bridges, culverts, and water supply facilities; vegetation management such as large wood debris management; and bank stabilization. In addition, the permit identifies general provisions and measures for avoiding and minimizing impacts to waters of the State and notification requirements. The San Francisco Bay RWQCB has granted waiver letters to allow Midpen to

continue conducting work under Section 401 permit while they apply for a new Section 401 permit.

2.1.2 Activities Covered Under Existing Permits

Through multiple existing permits, Midpen conducts routine maintenance activities, new facility improvements and development projects, restoration projects, vegetation and pest management, monitoring, and other types of projects on its OSPs.

Routine Maintenance Activities

Routine maintenance activities are defined as activities that occur repeatedly over time and are covered under an existing CDFW RMA and RWQCB WDRs. These types of activities include:

- Repair and maintenance of trails, roads, culverts, bridges, ponds, lakes, staging areas, parking lots, and water supply facilities;
- Sediment and debris removal;
- Bank stabilization;
- Drainage and erosion improvements;
- Fire control;
- Habitat enhancement activities; and
- Graffiti and trash and litter removal.

Table 2-1 summarizes the annual number of completed routine maintenance activities by repair type from 2013 to 2019. As shown in Table 2-1, the majority of maintenance activities from 2013-2019 involved culvert repair and replacement and road and trail maintenance. Midpen also conducts unplanned maintenance work as needed in response to unforeseen changed conditions or imminent threats to public safety.

Table 2-1. Routine Maintenance Activities Completed (2013- 2019)

Routine Maintenance Repair Type	2013	2014	2015	2016	2017	2018	2019
Culvert Repair/Replacement and Maintenance	5	4	7	2	5	18	15
Roads and Trail Drainage Maintenance	2	1	4	2	4	14	5
Bridge Repair	0	0	0	0	1	1	1
Vegetation Management Activities*	0	1	1	0	2	79*	66*

Routine Maintenance Repair Type	2013	2014	2015	2016	2017	2018	2019
Debris and Trash Removal, Woody Debris Removal, and Other Drainage Maintenance	0	1	2	0	0	0	1
Water Supply Facility Repair	0	0	4	0	2	2	0

*In the past, vegetation management activities near riparian areas were not documented separately. However, with implementation of the Integrated Pest Management (IPM), Midpen is better able to track its vegetation management activities, which is why there is a large increase in the number of activities between years 2014-2018 and 2019.

Other Projects

Midpen also conducts a variety of other projects that are forecasted in Midpen planning documents and implemented in Midpen work/action plans, including the Capital Improvement Plan (CIP), adopted Measure AA project list, and specific OSP plans.

With Measure AA funding, Midpen is focused on improving public access and restoring habitats throughout its Preserves, and acquiring new lands in the next 25 years. Measure AA projects include new facility improvement and development projects, such as installing new trails, trail connections, parking lots, improved roads, and other visitor service amenities, as well as facility infrastructure projects such as fiber optic installation, well drilling, etc. Species restoration activities include salmonid barrier removal, reduction in sedimentation from old roads, pond habitat restoration for CRLF, provision of wildlife crossing structures, and other improvements. **Table 2-2** summarizes the annual number of completed small facility infrastructure and restoration projects from 2016 to 2020. Measure AA funding has increased Midpen's capacity to complete more land conservation, public access, and restoration projects.

Table 2-2. Small Facility Infrastructure Improvements and Restoration Projects Completed (2016- 2020)

Type of Project	2016	2017	2018	2019	2020
Infrastructure Improvement Projects (i.e., water pipelines/systems, trails, restrooms, signs, gates, fencing, etc.)	10	7	7	1	1
Restoration Projects (i.e., demolitions, large woody debris placement, revegetation, debris removal)	5	6	8	0	3

Type of Project	2016	2017	2018	2019	2020
Habitat improved by invasive species management (acres)	800	2,093	1,400	1,030	1,000

One of the goals of Midpen is to protect and enhance the natural environment within its Preserves while undertaking system-wide facility improvements. Restoration projects improve the natural environment and include removing non-native vegetation, planting and seeding native vegetation, and eradicating invasive non-native species. Midpen enhances ponds and streams on its properties to improve habitat for sensitive amphibians and aquatic species. Vegetation and pest management projects are conducted according to Midpen's Integrated Pest Management (IPM) Program and include both large- and small-scale vegetation management projects on natural lands to maintain native vegetation and manage ignitable fuel loads. Midpen also conducts water quality monitoring and species monitoring.

2.2 Regulatory Guidance for Program

Prior to the Program, individual project permitting was very time consuming and resulted in permitting uncertainty and delays. In 2019, Midpen met with regulatory agency representatives to discuss approaches for obtaining programmatic permits. Midpen met with staff from the RWQCB, CDFW, USACE, USFWS, and the National Oceanic Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS). General topics discussed at these meetings included the applicability of a USACE Regional General Permit, mitigation approaches, the possibility of not needing Section 7 coverage for listed fish species, and the need to evaluate structures over 50-years old if they will be impacted. Based on the 2019 meetings, Midpen received guidance from regulatory agencies on how best to proceed with developing the Program to obtain long-term permits. Refer to Appendix B for detailed meeting notes and guidance received from the regulatory agencies.

2.3 Tiered Approach Based on Activities and Resource Conditions

Based on regulatory agency recommendations for other similar programs in the region, Midpen's Program incorporates a tiered approach for addressing potential effects on special-status species and habitats based on site-specific resource sensitivity. The tiered approach will help Midpen and regulatory agency staff identify resource and site sensitivity and thereby prioritize impact avoidance and minimization measures and/or best management practices (BMPs) accordingly. The Program includes the following three project tiers:

- **Tier 1 – No Effect.** There is no potential for a special-status species to be present in the maintenance area at any time. Tier 1 is appropriate if the biologist determines that Program activities would occur in creek reaches inaccessible to special-status fish or, for terrestrial special-status species other than birds, in areas where no suitable breeding habitat is present and there is no connectivity between the site and known or potential breeding habitat (so that non-breeding individuals can also be presumed to be absent). Because foraging or roosting birds could easily fly away before being impacted by Program activities, the implementation of Program activities in non-breeding habitat for special-status bird species would also be considered a Tier 1 because such activities would not result in impacts on individuals that rise to the level of "take". No qualified biologist or biological monitor would need to conduct pre-activity surveys or to be present during the performance of Tier 1 activities. Tier 1 activities would not result in take of individuals or habitat, even if permanent impacts to habitat conditions occur.

- **Tier 2 –** A special-status species could occur, at least at times, at a site, but take will not occur. Tier 2 is applicable if the biologist determines that one or more special-status species are known to occur or could possibly occur on-site either because (1) suitable breeding habitat is present, or (2) for terrestrial species and fish, suitable non-breeding habitat is present and there is connectivity between the work site and suitable breeding habitat.

    - **Tier 2A (Not Likely to Adversely Affect) –** The activity will not result in take of special-status species based on the location and timing of work; although a special-status species could occur at the location at times, none would be present when the work will occur. For example, CRLFs could potentially occur in numerous work areas during nighttime and wet-season dispersal but are not expected to occur far from (e.g., more than 100 feet) aquatic and wetland habitats during daytime, dry-season activities. During numerous pre-activity surveys and performance of Program activities (including associated biological monitoring), Midpen has not observed any CRLFs under such conditions. Pre-activity surveys and monitoring by a qualified biologist or biological monitor are not required for this tier, though either may be conducted (e.g., they may pre-check a work location and/or monitor as a precautionary measure). Examples are dry-season, daytime brushing, minor facility improvements, mowing, pesticide application consisting of spot-application, or fencing installation or repair that takes place more than 100 feet from wetland or aquatic habitat. During all work, Midpen's personnel (who are well-trained on the biology of special-status species, appropriate avoidance measures, and procedures to follow when they are encountered) will keep an eye out for special-status species and contact the Midpen biologist immediately if any animal that could potentially be a special-status species is observed. If any such individual is encountered, maintenance activities that could potentially affect the species will cease until the species is

confirmed to have left the work area on its own, or until a qualified biologist or biological monitor visit the site to determine whether it is a special-status species and whether it is in harm's way from the activity. If so, avoidance and minimization measures will then be implemented as described below for Tier 2B activities.

- **Tier 2B (Not Likely to Adversely Affect for individuals, but may be considered Likely to Adversely Affect if permanent habitat impacts occur) –** The activity will not result in take of special-status species with implementation of BMPs , such as pre-activity surveys, exclusion of individuals from the site, and/or implementation of non-disturbance buffers around active nests of special-status birds. Such BMPs would be implemented or overseen as necessary by a qualified biologist or biological monitor. Depending on the sensitivity of the work area and the likelihood that individuals may move into the work area after the pre-activity surveys are conducted, some of these activities may require a biological monitor. Though a qualified biologist would not necessarily be on-site, they would be assigned to each project and would determine when pre-activity surveys and monitoring are necessary, and would oversee any avoidance and minimization measures implemented by biological monitors. In addition, as discussed for Tier 2A, trained Midpen maintenance personnel will keep an eye out for special-status species and contact the Midpen biologist immediately if any animal that could potentially be a special-status species is observed.

  Some Tier 2B activities may result in a permanent loss of habitat. If permanent habitat loss occurs in holdings where special-status species occur in higher densities and/or with a higher frequency of occurrence, the USFWS would likely consider this loss of habitat to constitute take under FESA, in which case the FESA determination for that activity would be "Likely to Adversely Affect". Permanent habitat loss in holdings where special-status species occur in lower densities and/or with a lower frequency of occurrence and temporary habitat loss in any holding would be considered "Not Likely to Adversely Affect" the species.

- **Tier 3 (Likely to Adversely Affect) –** The activity may result in take of special-status species, even with implementation of BMPs. Tier 3 is applicable if the biologist determines that (1) a special-status species are known to occur or may occur on site either because suitable breeding habitat is present or suitable non-breeding habitat with connectivity between the site and suitable breeding habitat is present; (2) the special-status species may be present at the time of day/season in which the Program activity occurs; and (3) special-status species cannot be effectively excluded from the work area, pre-activity surveys cannot definitively determine the absence of the species, and/or "take" in the form of permanent loss of habitat cannot be avoided. An example Tier 3

project might include culvert replacement activities on streams known for salmonid habitat or pond maintenance activities in CRLF habitat. For these types of activities, Midpen anticipates that BMPs, avoidance and minimization measures, and possibly an on-site qualified biologist would be needed to minimize construction-related effects. Compensatory mitigation may be needed to offset permanent effects on sensitive species and/or habitat. However, for CRLF and SFGS, because the Program will have a net beneficial effect on these species' populations, compensatory mitigation for permanent impacts from one activity (or set of activities) may simply consist of the identification and implementation of enhancement and management activities that offset those permanent impacts. In short, the Program as a whole will be self-mitigating with respect to CRLF and SFGS.

More detailed descriptions of the Program's activities are provided in Chapters 5-9 and discussion of impact avoidance, minimization, and mitigation approaches are provided in Chapter 10.

2.4 Permits and Authorizations Required for the Program

The following sections describe each agency's regulatory authority and permitting process for the Program. This chapter also describes compliance with CEQA and NEPA.

2.4.1 U.S. Army Corps of Engineers

Clean Water Act - Section 404

Section 404 of the Clean Water Act (CWA) prohibits the discharge of dredged and fill materials into waters of the United States (U.S.), including wetlands, without prior USACE authorization. "Discharge of dredged material" and "discharge of fill material" are defined in Title 33, Section 323.2 of the Code of Federal Regulations (33 Code of Federal Regulations [CFR] Section 323.2). "Waters of the U.S.," including "wetlands," are defined in 33 CFR Section 328.3. USACE jurisdiction in wetlands and other waters of the U.S. is briefly summarized below.

Wetlands

USACE regulates wetlands, which are defined as those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. USACE jurisdiction extends to the limits of wetlands, which are delineated following the methodologies outlined in USACE's 1987 *Wetland Delineation Manual* and its 2008 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*. Wetlands are present in many portions of the Program area where activities may occur.

Non-wetland "Other" Waters of the U.S.

In non-tidal waters without wetlands present, USACE jurisdiction extends to the ordinary high-water mark (OHWM); when non-isolated wetlands are present, the jurisdiction extends beyond the OHWM to the boundary of those wetlands. In the Program area, non-tidal, non-wetland waters include creeks, channels, ditches, ponds, and lakes. These jurisdictional waters are categorized as "other" waters by the USACE.

Non-regulable Discharges of Dredge Material

As described in 33 CFR Section 323.2, "incidental fallback" is not considered a discharge of dredge material for the purposes of the CWA. While no regulatory definition of incidental fallback currently exists, in general, it refers to the small volumes of dredge material that become redeposited within waters of the U.S. during dredging or excavation activities. For instance, when using a clamshell dredge, some small portion of the sediment collected by the clamshell falls out of the clamshell and becomes redeposited within waters of the U.S.

As a result, the incidental fallback associated with excavating sediment from an earthen channel using long-reach excavators or similar equipment from a top-of-bank location or within the channel would not be regulated by USACE under CWA Section 404. This assumes that the removed sediment would not be stockpiled in the channel or within waters of the U.S. In contrast, equipment that moves dredged material from one place to another within waters of the U.S. before removal of the dredged material (for instance, a bulldozer) would be subject to regulation under CWA Section 404.

As described in 33 CFR Section 323.4, other discharges that are not subject to CWA Section 404 include normal farming, silviculture and ranching activities (e.g., plowing, seeding, minor drainage, and harvesting) for the purposes of food production, forest products or upland soil, and water conservation practices. In addition, emergency reconstruction of currently serviceable structures including dikes, dams, levees, groins, riprap, bridge abutments, and other transportation structures may be exempt from regulation under CWA Section 404. In order to qualify for this emergency reconstruction exemption, construction must occur within a reasonable period of time after the damage occurs. Other exemptions include construction or maintenance of farm roads or forest roads where such roads are constructed and maintained in accordance with BMPs to assure that flow and circulation patterns and chemical and biological characteristics of waters of the U.S. are not impaired.

Clean Water Act Section 404 Regional General Permit

USACE will issue a Regional General Permit (RGP) for activities conducted under the Program, under the authority of CWA Section 404 (33 U.S. Code [USC] Section 1344) and in accordance with provisions of "Regulatory Programs of the Corps of Engineers" (33 CFR Section 323.2[h]) for activities that are substantially similar in nature and cause only minimal individual and

cumulative environmental impacts. The RGP will be valid for five (5) years from the date of issuance and may be renewed at USACE's discretion.

Compliance with additional regulations, including consultations with other federal and state agencies, may be required by USACE before its issuance of the RGP. These regulations may include the following:

- Federal Endangered Species Act (FESA)
- Fish and Wildlife Coordination Act (FWCA)
- Migratory Bird Treaty Act (MBTA)
- Bald and Golden Eagle Protection Act (BGEPA)
- Section 106 of the National Historic Preservation Act (NHPA)
- Section 401 of the CWA
- NEPA

USACE will initiate ESA and NHPA consultations with the appropriate federal agency partners as part of the RGP permit process. ESA compliance will be achieved through a Section 7 consultation process as requested by USACE with USFWS (as described below under the heading "Federal Endangered Species Act – Section 7 Consultation"). FWCA compliance will be achieved through an FWCA report, such as a Biological Opinion, prepared by USFWS. NHPA compliance (as described below under the heading "National Historic Preservation Act – Section 106") will be achieved through adherence to BMPs CUL-1 through CUL-6 (described in Chapter 10). CWA Section 401 compliance will be completed through programmatic 401 WQCs from the San Francisco Bay and Central Coast RWQCBs (as described in Section 2.3.4, under the heading "Clean Water Act Section 401".) NEPA compliance will be achieved by USACE's preparation of an Environmental Assessment (EA) as part of the RGP process. A finding of no significant impact (FONSI) is anticipated for the EA.

In April 2008, U.S. Environmental Protection Agency (USEPA) and USACE issued regulations governing compensatory mitigation for activities authorized by USACE permits (40 CFR Part 230, 33 CFR Parts 325 and 332). The 2008 "Mitigation Rule" adopted standards to improve the planning, implementation, and management of compensatory mitigation projects through several means:

- emphasizing a watershed approach in selecting locations for those projects;
- requiring measurable, enforceable ecological performance standards and regular monitoring;

- stipulating timing requirements for mitigation project implementation; and
- specifying the components of a complete compensatory mitigation plan (including assurances of long-term protection of compensation sites, financial assurances, and identification of the parties responsible for specific project tasks).

The 2008 "Mitigation Rule" advised that compensatory mitigation projects (i.e., permittee-responsible compensatory mitigation, mitigation banks, and in-lieu fee mitigation) require written mitigation plans with the following components: objectives; site selection criteria; site protection instruments (e.g., conservation easements); baseline information (for impact and compensation sites); credit determination methodology; mitigation work plan; maintenance plan; ecological performance standards; monitoring requirements; long-term management plan; adaptive management plan; and financial assurances. The USACE requires compensatory mitigation for permanent impacts, such that there is no net loss of wetlands. Depending upon the nature of the impacts and the resources, higher mitigation ratios then an even replacement can sometimes occur (e.g. 2:1 to 3:1). However, the USACE does not require compensatory mitigation for temporary impacts. The final ratio will be determined using USACE's Attachment 12501.6 – SPD Mitigation Ratio Checklist. Mitigation for impacts due to dredging or filling of USACE jurisdictional waters may be achieved through one or more options, including (but not limited to) onsite or offsite habitat restoration or creation. Midpen will provide compensatory mitigation for impacts to waters of the U.S. in accordance with the Mitigation Rule, as described in Chapter 10. Given the extent of Midpen's land holdings, it is anticipated that any necessary compensatory mitigation will be performed on its own lands or in rare instances in conjunction with partners within its Sphere of Influence.

National Historic Preservation Act – Section 106

NHPA of 1966, as amended, authorizes the Secretary of the Interior to establish and maintain a National Register of Historic Places (NRHP), and establishes an Advisory Council on Historic Preservation (ACHP) as an independent federal entity to advise the Secretary of Interior on preservation policy, as well as to work with state and local governments and Native American tribes on preservation issues. Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings (i.e., projects) on historic properties (i.e., cultural resources that are determined eligible for listing in the NRHP). Such resources include prehistoric Native American and historic-era archaeological sites; traditional cultural properties; landscapes; buildings and structures; and districts. The implementing regulations of Section 106, found at 36 CFR Part 800, outline the responsibilities of federal governments for defining undertakings, consulting with Native American tribes and the public about resources that could be impacted by undertakings, identifying historic properties, and treating adverse effects to historic properties. The implementing regulations of Section 106 also require federal agencies to afford the ACHP a reasonable opportunity to comment before licensing or approving the expenditure of funds on any undertaking that may affect properties listed, or eligible for listing, in the

NRHP, and it requires federal agencies to coordinate with in the state where the proposed action will take place.

When issuing an RGP to Midpen to discharge fill into waters of the U.S. under the authority of CWA Section 404, USACE must comply with Section 106 of the NHPA because an RGP would be an undertaking by USACE as defined under Interim Guidance for Implementing Title 33, CFR Part 325, Appendix C, and under Title 36, CFR Part 800.16(y). Title 33, CFR Part 325, Appendix C establishes the procedures to be followed by USACE to fulfill NHPA requirements.

All earth-disturbing activities that are conducted under the Program within USACE jurisdiction will require compliance with Section 106 of the NHPA. USACE will ensure that Midpen meets its compliance requirements by conditioning the RGP to require the implementation of the relevant cultural resource avoidance measures and BMPs listed in Table 10-3 of Chapter 10. BMPs CUL-1 through CUL-6 and BMP GEO-1 include several measures to avoid and minimize potential impacts to cultural and paleontological resources. These BMPs describe the protocol for notification and response actions if cultural resources are encountered.

Federal Endangered Species Act – Section 7 Consultation

FESA was enacted in 1973 to protect plant and wildlife species as determined by USFWS and NMFS to be at risk of extinction. Species are protected through listing under FESA as either threatened or endangered. An endangered species is at risk of extinction throughout all or a significant portion of its range (FESA Section 3[6]). A threatened species is likely to become endangered within the foreseeable future (FESA Section 3[19]).

In Chapter 4 of this Manual, Table 4-1 lists special-status plants and Table 4-2 identifies special-status wildlife that may occur in the Program area, including those that are recognized by federal and state agencies as threatened or endangered.

FESA Section 9 prohibits the "take" of any fish or wildlife species listed under FESA as endangered. Take of threatened species is also prohibited under FESA Section 9 unless otherwise authorized by federal regulations. Take, as defined by the FESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Harm is defined as "any act that kills or injures the species, including significant habitat modification." In addition, FESA Section 9 prohibits the "removal or reduction to possession" of any listed plant species "under federal jurisdiction" (i.e., on federal land).

The FESA includes three mechanisms that provide exceptions to the FESA Section 9 take prohibitions: FESA Section 7 consultation, FESA Section 10, and issuing FESA Section 4(d) rules. FESA Section 10 and FESA Section 7 consultation will be the most relevant to Midpen's activities.

As described above in Section 2.1.1, the USFWS issued a Recovery Permit to Midpen for habitat enhancement and management activities. Because the vast majority of Program activities

contribute directly to management or enhancement of habitat for special-status species either directly (e.g., pond berm repair, water supply maintenance, grazing management, and creek restoration), Midpen's USFWS Recovery Permit provides an appropriate mechanism for approving incidental take of USFWS-regulated, federally listed species for most Program activities. Because not all Program activities are explicitly listed in the Recovery Permit or its accompanying BO, the USFWS has some discretion regarding whether to allow performance of some activities that are not explicitly described in those documents. In that case, Midpen will pursue having those activities explicitly added to its Recovery Permit.

However, the USFWS is moving away from covering activities under Recovery Permits if their benefits to listed species are indirect, such as maintenance of roads to avoid excessive sedimentation of streams or to maintain access for Midpen personnel to perform management, restoration, and monitoring activities that directly benefit these species. Such activities, as well as activities that involve facilities that are constructed or maintained solely for uses that have no nexus to habitat management/ enhancement or other recovery actions (e.g., construction or maintenance of parking areas that are used solely for public access and that have no utility for habitat management or recovery purposes), will therefore not be covered by Midpen's Recovery Permit. Some of these activities, particularly those that do not occur near wetland or aquatic habitats that may support CRLF and SFGS, are unlikely to result in incidental take of listed species. Implementation of avoidance and minimization measures may be adequate to avoid take of listed species for some activities (e.g., simple maintenance on existing paved or gravel lots) and/or in some habitats (e.g., open ground with no burrows). Otherwise, FESA Section 7 will be the mechanism by which incidental take coverage is obtained to conduct activities that cannot be authorized through the existing USFWS Recovery Permit; no take of federally listed species regulated by NMFS is expected to occur as a result of Program Activities. FESA Section 7 provides a means for authorizing take of threatened and endangered species by federal agencies under certain circumstances, including actions that are conducted, permitted, or funded by a federal agency.

Under FESA Section 7, USACE will consult with USFWS to ensure that the proposed federal action (which is USACE's issuance of the RGP) will not jeopardize the continued existence of endangered or threatened species or result in adverse modification of designated critical habitat. Midpen will prepare a Biological Assessment (BA) for distribution to USFWS by USACE, evaluating the nature and magnitude of the expected effects. Federally listed wildlife species that may be covered in the BA include CTS, marbled murrelet (*Brachyramphus marmoratus*), Hickman's cinquefoil (*Potentilla hickmanii*), and Crystal Springs fountain thistle (*Cirsium fontinale* var. *fontinale*), as well as CRLF and SFGS if these species may be affected by activities that are not covered by the Recovery Permit. For projects that have no USACE nexus (i.e., activities that are not located within USACE jurisdiction and/or are not interdependent or interrelated with activities requiring coverage under the RGP), Midpen would carefully conduct such activities in a manner that avoids impacts to species through the implementation of avoidance and minimization measures.

Based on communication with the USFWS regarding the Program, it is anticipated that USFWS will issue a programmatic BO for the Program for activities that could result in take and that are not covered by the USFWS Recovery Permit.

Table 2-3 summarizes how FESA incidental take approval is expected to be obtained (Section 7 consultation vs. coverage under Midpen's USFWS Recovery Permit) for various Program activities. Most federally listed species have very limited geographic distributions or habitat associations within the Program area. However, the CRLF, and potentially the SFGS, are more widespread in the Program area. Therefore, these latter two species are addressed briefly in Table 2-3 and in much greater detail in **Appendix A**.

Table 2-3. Federal Endangered Species Act Coverage Mechanism for Potentially Affected, Federally Listed Species.

Species	Section 7	Section 10(a)(1)(A)
Santa Clara Valley dudleya, Metcalf Canyon jewel flower, San Mateo thorn-mint, San Mateo woolly sunflower, Marin western flax white-rayed pentachaeta	Due to the terrestrial nature of these listed plant species, it is unlikely that any Section 7 consultation between the USACE and USFWS (during CWA Section 404 permitting) would include these species. The USFWS typically does not provide take approval for federally listed plants under Section 7, as take of plants by Midpen on its own lands is not a violation of FESA.	Take of federally listed plants by Midpen on its own lands is not a violation of FESA, and therefore no take approval is necessary (although Midpen would implement measures to avoid or minimize take of such species).
Bay checkerspot butterfly	Due to the terrestrial nature of the Bay checkerspot, it is unlikely that any Section 7 consultation between the USACE and USFWS (during CWA Section 404 permitting) would include this species.	Although the Bay checkerspot is not covered by Midpen's Recovery Permit, the USFWS's BO for issuance of the permit addressed potential effects of Midpen's management activities on this species due to its presence at Edgewood Park, immediately adjacent to Midpen's Pulgas Ridge OSP. Potential habitat is present (and historically, the Bay checkerspot occurred) at Sierra Azul OSP. With implementation of conservation measures required by the Recovery Permit's BO, take of individuals of this species is not expected to occur, and any non-lethal take is covered by that BO. Should Midpen desire to expand its activities into areas where the species could be present (e.g., for grassland enhancement purposes), the USFWS may be amenable to amending the Recovery Permit to include this species and enhancement activities potentially affecting it.

Species	Section 7	Section 10(a)(1)(A)
California tiger salamander	If this species occurs on Midpen lands at all, it is most likely present along the northeastern edge of Sierra Azul OSP due to the species' known occurrence in the nearby Santa Teresa Hills and potential off-site breeding ponds in that area. If maintenance requiring a Clean Water Act Section 404 permit were to occur in areas where California tiger salamanders are potentially present, incidental take approval would be obtained via the BO prepared as a result of Section 7 consultation between the USACE and USFWS.	The California tiger salamander is not covered by Midpen's Recovery Permit, and it is not addressed by the USFWS's BO for issuance of that permit. If Program activities occur along the northeastern edge of Sierra Azul OSP, in upland areas that are not subject to Section 7 consultation between the USACE and USFWS, there is some potential for take of this species. Midpen will consider adding this species to its Recovery Permit to provide incidental take approval for management activities in that area.
California red-legged frog	As detailed in Appendix A, many Program activities are expected to be covered by Midpen's USFWS Recovery Permit. In the event that the USFWS does not allow for incidental take coverage of an activity under the Recovery Permit, take coverage would be provided under Section 7 (via the BO prepared as a result of Section 7 consultation between the USACE and USFWS) if the activity in question necessitates a Clean Water Act Section 404 permit or is interdependent/interrelated with 404 permitted activities.	Most Program activities directly contribute to habitat management or enhancement (e.g., pond berm repair, water supply maintenance, grazing management, and creek restoration). Therefore, most Program activities that could affect the CRLF should be covered by Midpen's USFWS Recovery Permit, either as that permit currently stands or with amendments to explicitly include more management and enhancement activities.

Species	Section 7	Section 10(a)(1)(A)
San Francisco garter snake	As detailed in Appendix A, many Program activities are expected to be covered by Midpen's USFWS Recovery Permit. In the event that the USFWS does not allow for incidental take coverage of an activity under the Recovery Permit, take coverage would be provided under Section 7 (via the BO prepared as a result of Section 7 consultation between the USACE and USFWS) if the activity in question necessitates a Clean Water Act Section 404 permit or is interdependent/interrelated with 404 permitted activities.	Most Program activities directly contribute to habitat management or enhancement either directly (e.g., pond berm repair, water supply maintenance, grazing management, and creek restoration). Therefore, most Program activities that could affect the San Francisco garter snake should be covered by Midpen's USFWS Recovery Permit, either as that permit currently stands or with amendments to explicitly include more management and enhancement activities.
Marbled murrelet	Where Program activities will occur near suitable nest trees, implementation of avoidance and minimization measures will avoid take of individuals, including disturbance of active nests, and Program activities are not expected to impact this species' nest trees. Nevertheless, Program activities within or very close to suitable habitat and that necessitate a Clean Water Act Section 404 permit or are interdependent/interrelated with 404 permitted activities will be addressed during Section 7 consultation between the USACE and USFWS. Any necessary incidental take coverage for such activities will be provided via the USFWS's BO.	Although the marbled murrelet is not covered by Midpen's Recovery Permit, the USFWS's BO for issuance of the permit addressed potential effects of Midpen's management activities on this species due to its presence at Purisima Creek Redwoods OSP (and possibly in other locations with or near old-growth redwood forest). With implementation of conservation measures required by the Recovery Permit's BO, take of individuals of this species is not expected to occur, and any non-lethal take is covered by that BO.

2.4.2 U.S. Fish Wildlife Service

Migratory Bird Treaty Act

The MBTA (16 USC 703-712), administered by USFWS, implements four treaties between the U.S. and Canada, Mexico, Japan, and Russia, respectively, to manage and conserve migratory birds that cross national borders. The MBTA makes it unlawful in any manner, unless expressly authorized by permit in accordance with federal regulations, "to pursue, hunt, take, capture, or kill, possess, offer for sale, offer to barter, barter, offer to purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether manufactured, which consists, or is composed in whole or part, of any such bird or any nest, or egg thereof…" The definition of "take" is any act to "pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect." (50 CFR Section 10.12). This includes most actions, direct and indirect, that can result in take or possession, whether it is temporary or permanent, of any protected species. Although harassment and habitat modification do not themselves constitute as take under the MBTA or the California Fish and Game Code (F&G Code), such actions that result in the direct loss of birds, nests, or eggs, including nest abandonment or failure, are considered take under such regulations. A list of migratory birds protected under the MBTA is available in 50 CFR Section 10.13. On December 8, 2004, the U.S. Congress passed the Migratory Bird Treaty Reform Act (Division E, Title I, Section 143 of the Consolidated Appropriations Act, 2005, PL 108–447), which excludes all migratory birds that are non-native or have been human-introduced to the U.S. or its territories. It defines a native migratory bird as a species present within the U.S. and its territories as a result of natural biological or ecological processes. USFWS published a list of the bird species excluded from the MBTA on March 15, 2005 (70 Federal Register 12710).

All native bird species occurring in the Program area are protected by the MBTA. Activities, such as vegetation management, may require the removal of vegetation at work sites where migratory birds are nesting. Compliance with the MBTA will be met through the implementation of BMPs requiring pre-activity surveys before any breeding-season maintenance activities are implemented so that take of migratory birds is avoided.

Bald and Golden Eagle Protection Act

The BGEPA of 1940 protects eagles from commercial exploitation and safeguards their continued survival in the U.S. This law provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) (the national emblem) and the golden eagle (*Aquila chrysaetos*) by prohibiting, except under certain specified conditions, the taking, possession, and commerce of such birds. USFWS, which enforces the Bald and Golden Eagle Protection Act, can issue permits for the take of eagles under limited circumstances. However, no such permit will be needed for Midpen's activities, which will avoid any such impacts through implementation of BMP BIO-17.

Federal Endangered Species Act

As described under heading Federal Endangered Species Act – Section 7 Consultation, FESA protects plant and wildlife species determined by USFWS and NMFS to be at risk of extinction. USFWS is responsible for protection of listed plants and wildlife other than marine species and anadromous fishes, which are protected by the NMFS. Chapter 4, Section 4.3 describes listed species and critical habitat that may occur in the Program area. In addition, refer to Figure 4-5 for a graphic depicting critical habitat in the Program area.

As described under heading "FESA 10(a)(1)(A) Recovery Permit", the USFWS issued Midpen a Recovery Permit for habitat enhancement and management activities and prepared a BO (dated December 9, 2016) for the issuance of the Recovery Permit. This permit authorizes Midpen to take (i.e., harass by survey, capture, handle, transfer, mark, collect tissue, and release) SFGS; state and federally listed as endangered and CRLF; federally listed as threatened and a California species of special concern in conjunction with habitat management activities (e.g., prescribed fire, invasive species removal, pond restoration and creation, road and trail maintenance, removal of dilapidated structures, and cattle grazing) for the purpose of enhancing their survival. Midpen will be applying for an amendment to the Recovery Permit to add new species, such as CTS that is already covered by the CDFW under the state MOU, and new activities as needed, as outlined in Table 2-2. Because all the activities covered under the Recovery Permit would be associated with habitat enhancement, maintenance, and management, no compensatory mitigation for those activities should be necessary.

2.4.3 National Marine Fisheries Service

The Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) establishes a national program to manage and conserve the fisheries of the U.S. through the development of Federal Fishery Management Plans (FMPs), and the federal regulation of domestic fisheries under those FMPs, within the 200-mile U.S. Exclusive Economic Zone. The 1996 amendments to the MSA established a new mandate for NMFS, regional fishery management councils, and other federal agencies to identify and protect important marine and anadromous fish habitat (essential fish habitat or EFH), including wetlands. The EFH provisions of the MSA support one of the Nation's overall marine resource management goals – maintaining sustainable fisheries. Federal action agencies which fund, permit, or carry out activities that may adversely affect EFH are required to consult with NMFS with respect to the potential effects of their actions on EFH. When NMFS concludes that an action may adversely affect EFH, NMFS is required to provide the action agency with conservation recommendations to protect EFH. The Program is not expected to result in impacts to EFH. If a maintenance need arises that could affect EFH, Midpen will consult with NMFS separately (i.e., outside the Program) regarding that activity.

Federal Endangered Species Act

It is not anticipated that Program activities will have effects on protected marine and aquatic fish species or their habitat or on any federally listed fish regulated by NMFS. If a maintenance need arises that could affect federally listed, NMFS-regulated species, Midpen will consult with NMFS separately (i.e., outside the Program) through USACE permitting regarding that activity.

2.4.4 Regional Water Quality Control Board

Porter-Cologne Water Quality Control Act

California's Porter-Cologne Water Quality Control Act (Porter-Cologne Act) was enacted in 1969, and together with the federal CWA, provides regulatory guidance to protect water quality and water resources. The Porter-Cologne Act established the State Water Resources Control Board (SWRCB) and divided California into nine regions, each overseen by a RWQCB. The Porter-Cologne Act established regulatory authority over "waters of the State," which are defined as "any surface water or groundwater, including saline waters, within the boundaries of the State" (California Water Code, Division 7, Section 13050). More specifically, the SWRCB and its nine RWQCBs have jurisdiction over the bed and banks of a stream channel, its riparian corridor, and its beneficial uses.

The Porter-Cologne Act also assigns responsibility for implementing CWA Sections 303, 401, and 402 to the SWRCB and RWQCBs. Under Section 303, the RWQCBs, in conjunction with USEPA, are responsible for developing and implementing Total Maximum Daily Loads (TMDLs) to address water quality impairments.

The Porter-Cologne Act requires the development and periodic review of water quality control plans (basin plans) for the protection of water quality in each of California's nine regions. A basin plan is unique to each region and must identify beneficial uses, establish water quality objectives for the reasonable protection of the beneficial uses, and establish a program of implementation for achieving the water quality objectives. To provide currency, basin plans must be updated every 3 years. The basin plans also must comply with Section 303 of the federal CWA, which requires states to establish their own water quality standards. Basin plans provide the technical basis for the RWQCBs to determine WDRs, take enforcement actions, and evaluate grant proposals.

As described the following section, under the heading "Clean Water Act – Section 401," regulatory compliance for projects occurring within waters of the U.S. is met through WQC, granted by the RWQCBs. For projects occurring within Porter-Cologne Act jurisdiction (i.e., State jurisdiction) but outside waters of the U.S. (in streams, this is the area above the OHWM, or "isolated" waters such as wetlands), WDRs or waiver of WDRs are required. WDRs are issued by the RWQCB that has jurisdiction over the region in which the project will occur.

The San Francisco Bay RWQCB (Region 2) has jurisdictional authority over the majority of Midpen lands. A small portion of the Program area in southwest San Mateo County is within the jurisdiction of the Central Coast RWQCB (Region 3). All waters of the U.S. in the Program area also are considered waters of the State and thus are subject to RWQCB jurisdiction under the Porter-Cologne Act. Program compliance with the Porter-Cologne Act will occur through establishment of WDRs, which will be combined with the CWA Section 401 WQC, as described below.

Clean Water Act - Section 401

Under CWA Section 401, applicants for a federal license or permit to conduct activities that may result in the discharge of dredged or fill materials into surface waters of the U.S. and State (including wetlands) must obtain Section 401 WQC so that any such discharge will comply with the applicable provisions of the CWA, including Sections 301, 302, 303, 306, and 307 and State water quality standards. Section 401 WQC is issued by the State in which the discharge will originate or, if appropriate, from the interstate water pollution control agency with jurisdiction over affected waters at the point where the discharge will originate. Therefore, all projects that have a federal component and may affect state water quality (including projects that require federal agency approval, such as issuance of a CWA Section 404 permit) also must comply with CWA Section 401. The goal of CWA Section 401 is to include evaluation of water quality when considering activities associated with dredging or placement of fill materials into waters of the U.S.

Because a majority of Midpen lands are located within the jurisdiction of the San Francisco Bay RWQCB, Midpen will apply for a Section 401 WQC to the San Francisco Bay RWQCB for activities affecting waters of the U.S. in both the San Francisco Bay and Central Coast Region. As the RWQCBs have discretionary approval authority, the San Francisco Bay RWQCB and Central Coast RWQCB are responsible agencies under CEQA (see further discussion in Section 2.3.8, California Environmental Quality Act). Therefore, projects must fully comply with CEQA before the RWQCB can finalize the WQC.

Clean Water Act - Section 303 and the Total Maximum Daily Load Program

Under CWA Section 303(d), states are required to identify "impaired water bodies" (those that do not meet established water quality standards); identify the pollutants causing impairment; establish priority rankings for waters on the list; and develop a schedule for development of control plans to improve water quality. Each RWQCB must update the Section 303(d) list every 2-4 years. Water bodies are placed on the list when they have no further assimilative capacity for the identified pollutant, and the Section 303(d) list identifies priorities to develop pollution control plans for each listed water body and pollutant. The pollution control plans required by CWA Section 303(d) List are TMDLs.

CWA Section 303 is overseen by USEPA and is administered by the SWRCB and its nine RWQCBs. Once a TMDL is developed and approved by USEPA, the SWRCB, and the relevant

RWQCB, the implementation plan (if included in the TMDL) can be enacted. The San Francisco Bay RWQCB has prepared, or is in the process of preparing, the following TMDLs that must be approved by USEPA before they can be implemented:

- Urban Creeks Pesticide Toxicity – Approved by USEPA in 2007 and in implementation.
- Pescadero and Butano Creeks Watershed Sediment – Approved by USEPA in June 2019.
- San Gregorio Creek Sediment – Currently being evaluated.

The San Francisco Bay RWQCB implements and enforces TMDLs, primarily through the National Pollutant Discharge Elimination System (NPDES), the Basin Plan, Waste Discharge Requirements, and Water Quality Improvement Plans. Additional information on TMDLs is available at the San Francisco Bay RWQCB's website: www.swrcb.ca.gov/sanfranciscobay/water_issues/programs/TMDLs.

The Central Coast RWQCB also implements and enforces TMDLs through the NPDES, Basin Plan, and Water Discharge Requirements, and Water Quality Plans. Additional information on TMDLs is available at the Central Coast RWQCB's website: www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/303d_and_tmdl_projects.html. No TMDLs have been adopted in creeks or watersheds within Midpen's boundary in the southwestern portion of San Mateo County within the jurisdiction of the Central Coast RWQCB.

The Program would not contribute mercury, methylmercury, PCBs, diazinon, or pesticides to the San Francisco Bay or creeks; however, the Program will comply with applicable requirements detailed in adopted TMDLs for the Pescadero Creek, Butano Creek, and San Gregorio Creek Watersheds. Specifically, the Program will help reduce sedimentation issues and, in particular, help achieve targets established in the Pescadero and Butano Creeks Watershed Sediment TMDL and, if adopted, the San Gregorio Creek Sediment TMDL.

Clean Water Act – Section 402: National Pollutant Discharge Elimination System

CWA Section 402 regulates point-source discharges to surface waters (other than dredge or fill material) through the NPDES, which is administered by USEPA and some states. The NPDES program provides for both general permits (those that cover a number of similar or related activities) and individual permits for discharges to the waters of the U.S.

Under CWA, Section 402, the SWRCB and RWQCBs regulate stormwater discharges from municipal separate storm sewer systems (MS4s) through the Municipal Stormwater Permitting Program. Permits are issued under two phases, depending on the size of the urbanized area or municipality. Phase I MS4 permits are issued for medium (population between 100,000 and 250,000) and large (population of 250,000 or more) municipalities, and are often issued to a group of co-permittees within a metropolitan area. Phase II MS4 permits are issued to smaller

municipalities, and generally to any MS4 that is not already covered under a Phase I MSP permit.

Counties and other municipalities within the San Francisco Bay Area are permitted under the Phase I San Francisco Bay Municipal Regional Stormwater Permit, referred to as MRP, which was reissued in November 2015 (Order No. R2-2015-0049, NPDES Permit No. CAS612008). This MRP allows discharge of stormwater runoff from storm drains and watercourses. Under the MRP, municipalities including local flood control districts in the same County have joined together to locally manage stormwater runoff and implement appropriate BMPs to reduce pollution carried by stormwater into local creeks, the San Francisco Bay, and the Pacific Ocean. These programs assist municipalities to comply with the MRP by providing guidance and staff training, and aim to eliminate stormwater pollution in local creeks and flood control facilities through public education, inspection, and enforcement activities.

For the Central Coast Region, the City of Salinas holds the only Phase I permit; all other urban areas are covered by the Statewide Phase II Small MS4 Permit (Small MS4 Permit), Order No. 2013-0001-DWQ, NPDES Permit No. CAS000004, effective July 2013. The Small MS4 Permit regulates stormwater discharges and requires implementation of effective BMPs to reduce or eliminate the discharge of pollutants to receiving waters.

Because Midpen lands are located within various jurisdictions (i.e., San Mateo and Santa Clara counties, with a small area in Santa Cruz County), the applicable jurisdiction's MS4 permit requirements for a given site are dependent upon the location of the site. Thus, for OSPs located in San Mateo County and incorporated cities and towns, Midpen would be subject to the San Mateo Countywide Water Pollution Prevention Program. For OSPs located in Santa Clara County and incorporated cities and towns, Midpen would be subject to the Santa Clara Valley Urban Runoff Pollution Prevention Program or the Statewide Phase II MS4 Program. In addition, for the small portion of land within Santa Cruz County, Midpen would subject to the requirements of the Phase II MS4 Program. Note that when proposed activities are expected to result in impacts to waters of the state, as defined by the Porter-Cologne Act including areas above the OHWM on channel banks, compliance with Section 401 of the CWA is also required.

2.4.5 California Department of Fish and Wildlife

California Endangered Species Act

CESA is defined in the F&G Code Section 2080 *et seq*. CESA was originally enacted in 1970 to designate wildlife, fish, and plants as "endangered" or "rare." In 1984, CESA was amended and species were reclassified as "endangered" or "threatened." As of January 1985, all "rare" wildlife species were reclassified as "threatened" and the term "rare" was eliminated from the code. The classification of "rare" was maintained for plants listed under the California Native Plant Protection Act (Sections 1900-1913), but those plants are subject only to the protections of that act and not CESA.

CESA states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, as well as their habitats that are threatened with extinction and those experiencing a significant decline that, if not halted, will lead to a threatened or endangered designation, will be protected or preserved. The CESA sets forth procedures by which individuals, organizations, or CDFW can submit petitions to the Fish and Game Commission requesting that a species, subspecies, or variety of plant or wildlife be added to, deleted from, or changed in status on the state lists of threatened or endangered species.

Like FESA, the CESA also allows for incidental take of listed species. Take is defined under the F&G Code (Section 86) as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The incidental take permit process is outlined in CESA (F&G Code Section 2081). Section 2081(b) provides a means by which agencies or individuals may obtain authorization for incidental take of state-listed species. Take must be incidental to, and not the purpose of, an otherwise lawful activity. Requirements for an F&G Code Section 2081(b) permit include the identification of impacts on listed species; development of mitigation measures that minimize and fully mitigate impacts; development of a monitoring plan; and assurance of funding to implement mitigation and monitoring.

Chapter 4, Section 4.3 describes listed species and critical habitat that may occur in the Program area. As described under heading "Memorandum of Understanding", Midpen is authorized to take SFGS and CTS for scientific research and habitat creation, enhancement, and maintenance activities related to the conservation and recovery of these species. In addition, Midpen is currently able to take foothill yellow-legged frog for scientific, educational, or propagation purposes under a letter from CDFW (dated July 2017). It is anticipated that the potential to take state-listed species other than SFGS, CTS, and foothill yellow-legged frog will be limited. If activities not eligible for coverage under an MOU, Midpen will implement avoidance and minimization measures to avoid take of CDFW-regulated species, so that no take approval is necessary. However, if take of state-listed species cannot be avoided, Midpen will obtain an ITP from CDFW for the set of activities that could result in take that cannot be covered under an MOU.

Because all the activities covered under the MOU would be associated with habitat enhancement, maintenance, and management, no compensatory mitigation for those activities should be necessary.

State-listed plant species potentially occurring in the Program area include San Mateo thorn-mint (*Acanthomintha duttonii*), Crystal Springs fountain thistle (*Cirsium fontinale* var. *fontinale*), San Mateo woolly sunflower (*Eriophyllum latilobum*), San Francisco popcorn-flower (*Plagiobothrys diffusus*), Marin western flax (*Hesperolinon congestum*), Dudley's lousewort (*Pedicularis dudleyi*), and White-rayed pentachaeta (*Pentachaeta bellidiflora*). If suitable habitat for those species would be impacted by a proposed activity, Midpen would conduct appropriately timed surveys for those species. In the event that any state-listed plants are found,

Midpen will design the activity to avoid impacts to any individuals if feasible (in which case no ITP would be needed), or obtain an ITP for such activities on a case-by-case basis.

Lake and Streambed Alteration Program

California's Lake and Streambed Alteration Program is regulated under F&G Code Section 1600 *et seq*. Under Section 1602, CDFW regulates projects that affect the flow, channel, or banks of rivers, streams, and lakes. F&G Code Section 1602 requires state or local governmental agencies, public utilities, and private individuals to notify CDFW and enter into a streambed or lakebed alteration agreement before construction of a project that will:

- substantially divert, obstruct, or change the natural flow or the bed, channel, or bank of any river, stream, or lake;
- substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
- result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake.

F&G Code Section 1602 may apply to any work undertaken within the 100-year floodplain of any body of water or its tributaries, including perennial, intermittent, and ephemeral rivers, streams, or lakes in the state. In general, however, this language is construed as applying to work within an active floodplain and/or associated riparian habitat of a wash, stream, or lake that provides benefit to fish and wildlife. F&G Code Section 1602 typically does not apply to drainages that lack a defined bed and banks, such as swales, or to wetlands, such as vernal pools.

CDFW has regulatory jurisdiction over the bed, bank, and channel of a stream, lake, or pond, as stated in F&G Code Sections 1600-1616. Under F&G Code Section 1602, CDFW administers the Lake and Streambed Alteration Program and may issue a SAA for projects within their jurisdiction. SAAs typically are issued through an application process (submittal of a notification package) and include restrictions on construction periods and locations, along with avoidance, minimization, and mitigation measures for potential impacts on habitat associated with waters of the State. Because CDFW has discretionary approval authority, it is a responsible agency under CEQA (see further discussion in Section 2.3.8, California Environmental Quality Act). As such, projects must fully comply with CEQA before CDFW can finalize a SAA.

All creeks, channels, and basins in the Program area, as well as associated riparian vegetation, are subject to CDFW jurisdiction under F&G Code Sections 1600-1616. As described under heading "Routine Maintenance Agreement", Midpen currently conducts routine maintenance activities under their existing RMA that is set to expire on December 31, 2022. Midpen may either amend the existing RMA or apply for a new RMA to cover any additional activities and projects included under the Program.

Migratory Bird Treaty Act

In California, the MBTA is regulated under F&G Code Sections 3503, 3503.5, and 3513. Section 3503 makes it unlawful to take, possess, or needlessly destroy the nests or eggs of any bird; Section 3503.5 makes it unlawful to take, possess, or destroy birds of prey or the nest or eggs of a bird of prey; Section 3503.5 prohibits the take, possession, or destruction of any nests, eggs, or birds in the orders of Falconiformes (New World vultures, hawks, eagles, ospreys, and falcons, among others) and Strigiformes (owls); and Section 3513 prohibits the take or possession of any migratory non-game bird or part thereof, as designated in the MBTA. As described above, disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered take by CDFW.

All native bird species other than upland game birds such as quail, grouse, and turkeys in the Program area are protected by the F&G Code. Midpen activities, such as vegetation management, may require the removal of vegetation in areas where migratory birds are nesting. Compliance with the F&G Code will be met through implementation of BMPs requiring pre-activity surveys before any breeding-season activities, which will be implemented before activities begin so that take of migratory birds is avoided.

Fully Protected Species

Species that are fully protected from all forms of take are listed in F&G Code Section 3511 (birds), Section 5515 (fish), Section 4700 (mammals), and Section 5050 (amphibians). Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock. In addition, recent legislation allows Natural Community Conservation Plans (NCCPs) to provide take authorization for fully protected species covered by an NCCP.

Native Plant Protection Act

The Native Plant Protection Act (F&G Code Sections 1900–1913) requires permits for collecting, transporting, or selling plant species that are designated rare or endangered by the Fish and Wildlife Commission. The California Native Plant Society has developed a set of lists of native plants in California, categorized according to rarity. Plants on List 1A, List 1B, and List 2 meet the definitions of F&G Code Section 1901 and F&G Code Sections 2060 and 2067 (CESA) as rare or endangered species.

Table 4.1 in Chapter 4 lists native, special-status plant species occurring or potentially occurring in the Program area. Program measures to avoid, minimize, and mitigate impacts to these species are identified in Chapter 10.

2.4.6 California Coastal Commission and San Mateo County's Local Coastal Program

The California Coastal Act of 1976 requires new development (e.g., buildings, roads, pipe, and utility lines) that occur within the Coastal Zone to obtain a Coastal Development Permit (CDP) from either the CCC or the local government. While the CCC is the primary agency that issues these permits, once a local agency has a Local Coastal Program (LCP) that has been certified by the CCC, that local agency takes over the primary responsibility for issuing CDPs. All development planned in the Coastal Zone requires either issuance of a CDP or a CDP Exemption.

Midpen activities occurring within the Coastal Zone would be located within San Mateo County. In 1980, the San Mateo County Board of Supervisors and the CCC approved the San Mateo County's LCP. Development must comply with the policies in the LCP. In 1981, the County's Planning and Building Development assumed responsibility for implementing the State Coastal Act in the unincorporated area of the County, including issuance of CDPs. Thus, under the Program, activities that are planned within the Coastal Zone must either obtain a CDP or an exemption from these permit requirements. Activities that involve in-kind facility replacement (i.e., no expansion) are likely to be exempt; however, any upsizing or change in the location or size of infrastructure would require a CDP (e.g., a larger culvert would be considered an expansion and would require a CDP). In addition, activities occurring where sensitive species or habitat may occur would also require a CDP.

2.4.7 National Environmental Policy Act

NEPA requires federal agencies to include in their decision-making process appropriate and careful consideration of all environmental effects of a proposed action and its possible alternatives. Documentation of the environmental impact analysis and efforts to avoid or minimize the adverse effects of proposed actions must be made available for public notice and review. This analysis is documented in either an EA with a FONSI or an EA with a finding that preparation of an Environmental Impact Statement is required. NEPA compliance will be addressed for the Program by USACE through preparation of an EA as part of the RGP process. Issuance of a FONSI is anticipated.

2.4.8 California Environmental Quality Act

CEQA (Public Resource Code Section 21000 *et seq*.) is the cornerstone of environmental law and policy in California. CEQA requires public agencies to assess and publicly disclose the environmental implications of proposed actions through the preparation of appropriate documents. The primary objectives of CEQA include:

- ensuring that the potential environmental impacts of a project are disclosed to decision makers and the public;

- ensuring that environmental damage is avoided, reduced, or compensated for by the implementation of carefully designed mitigation measures;
- making the public aware of the reasons for an agency's approval of a project that is found to have significant, unavoidable, and unmitigable environmental impacts;
- fostering cooperation between agencies in the review of projects; and
- enhancing public involvement in the planning and review of projects that may affect local communities and their natural environment.

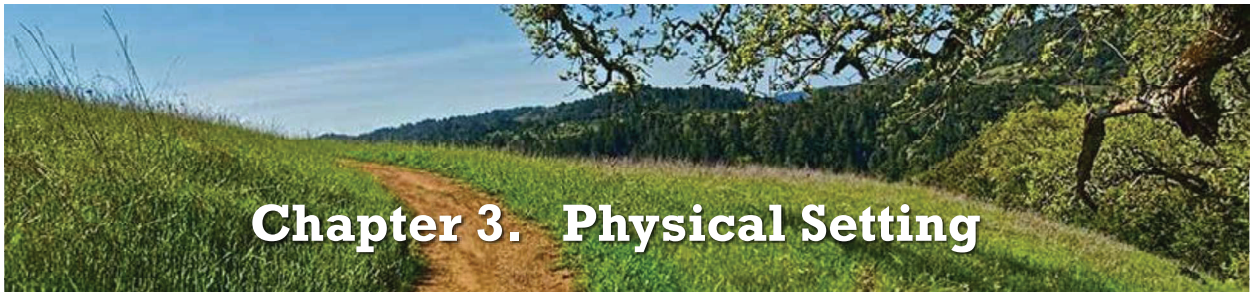
CEQA applies to discretionary activities proposed, implemented, or approved by California public agencies, including state, regional, county, and local agencies. The public agency with principal responsibility for carrying out or approving a project that may have a significant effect on the environment is the lead agency for CEQA compliance, and this agency is responsible for preparing the environmental documentation for that project.

For the Program, Midpen will serve as the lead agency for necessary environmental documents associated with Program activities.

CEQA and the CEQA Guidelines provide guidance in evaluating impacts of projects on biological resources and determining which impacts will be significant. CEQA defines "significant effect on the environment" as "a substantial adverse change in the physical conditions which exist in the area affected by the proposed project." Under CEQA Guidelines Section 15065, a project's effects on biotic resources are deemed significant where the project would:

- "substantially reduce the habitat of a fish or wildlife species"
- "cause a fish or wildlife population to drop below self-sustaining levels"
- "threaten to eliminate a plant or animal community"
- "substantially reduce the number or restrict the range of a rare or endangered plant or animal"

In addition to species listed on the federal and state lists of protected species, Section 15380(b) of the State CEQA Guidelines provides that a species not listed on these lists may be considered rare if the species can be shown to meet certain specified criteria. CDFW has produced three lists (amphibians and reptiles, birds, and mammals) of "species of special concern" that serve as "watch lists." Species on these lists are of limited distribution or the extent of their habitats has been reduced substantially, such that threat to their populations may be imminent. Thus, their populations should be monitored. They may receive special attention during environmental review as potential rare species, but they do not have specific statutory protection.



Chapter 3. Physical Setting

This chapter presents the physical environmental setting of the Open Space Maintenance and Restoration Program (OSMRP or Program) area. The physical setting in conjunction with the biological resources setting (Chapter 4) provide an important basis for determining how the activities (described in Chapters 5 through 9) may affect natural resources and what measures can be used to avoid and minimize potential environmental effects (described in Chapter 10).

3.1 Watersheds and Creeks

The Program area is located in the Santa Cruz Mountains on the San Francisco Peninsula, primarily within southern San Mateo and northwestern Santa Clara counties, with a small portion in Santa Cruz County. The peninsula separates the San Francisco Bay from the Pacific Ocean and extends from the Golden Gate south to the Santa Clara Valley and northern end of Monterey Bay. Runoff from the peninsula flows to the Pacific Ocean to the west and the San Francisco Bay and estuaries to the east.

The Program area is located within 25 watersheds[1] within the Santa Cruz Mountains, including the following from north to south: San Pedro Creek, Denniston Creek, Arroyo Leon, San Mateo Creek, Purisima Creek, San Francisquito Creek, Cordilleras Creek, Oakland Inner Harbor-San Francisco Bay, San Francisco Bay Estuaries, San Gregorio Creek, La Honda Creek, Adobe Creek, Permanente Creek, Stevens Creek, Calabazas Creek, Lower Pescadero Creek, Upper Pescadero Creek, Butano Creek, Gazos Creek, Waddell Creek, Saratoga Creek, San Tomas Aquino Creek, Los Gatos Creek, Guadalupe River, and Alamitos Creek (refer to **Figure 3-1**). Many of the Midpeninsula Regional Open Space District's (Midpen's) Open Space Preserves (OSPs or Preserves) are located within the headwaters or uppermost sections of these watersheds.

[1] Note that a Preserve is not necessarily located in each of the watersheds listed above; this is a comprehensive list of all watersheds within Midpen's Sphere of Influence or for purposes of this Program, the Program area identified herein.

Watersheds are land drainage areas that channel water flow to a single waterbody, typically a creek or stream. Most of these watersheds contain steep slopes and deep canyons, typical of the Santa Cruz Mountains. The elevation within the Program area ranges between approximately 200 feet and 3,500 feet above mean sea level (Midpen 2014).

The Program area encompasses a large portion of the San Francisco Peninsula and southern Bay Area and supports a wide variation of habitat quality throughout its boundaries. A majority of Midpen's OSPs are located in the Santa Cruz Mountains, in the upper watershed areas and upland transitional zones. Although high quality habitat occurs in and adjacent to Midpen's natural lands along major creek systems, work will typically not occur in those areas. The vast majority of the proposed work described in this Manual will occur along ephemeral and intermittent streams, at road and trail stream crossings.

For organizational purposes, the Program area is divided into two different regions: (1) the Skyline Region; and (2) the Foothill Region. The main watersheds and creeks included in these regions are discussed below.

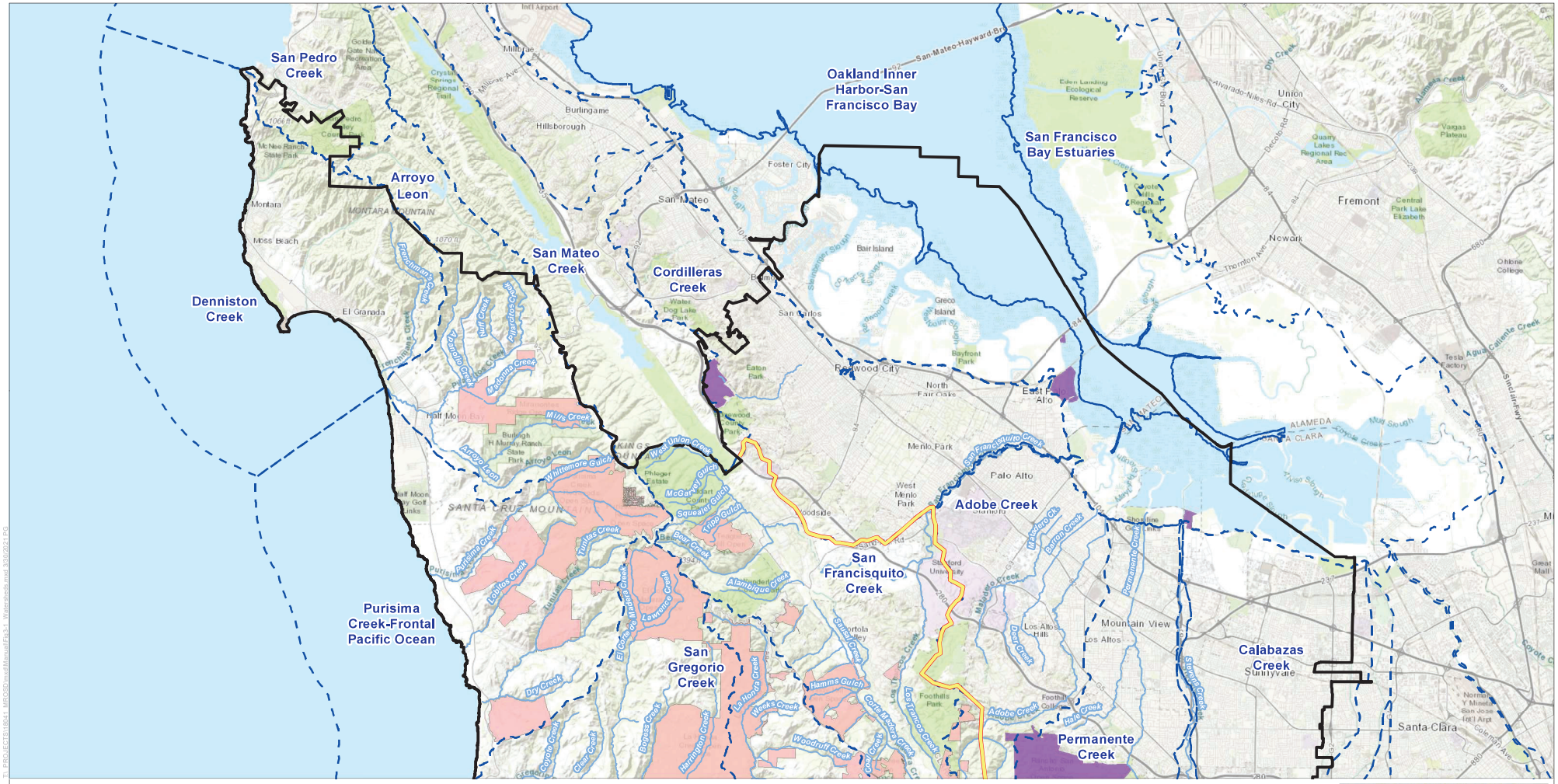


Figure 3-1
Watersheds in the Program Area

Sheet 1 of 2

Horizon WATER and ENVIRONMENT

Data Source: ESRI 2020; MROSD 2020

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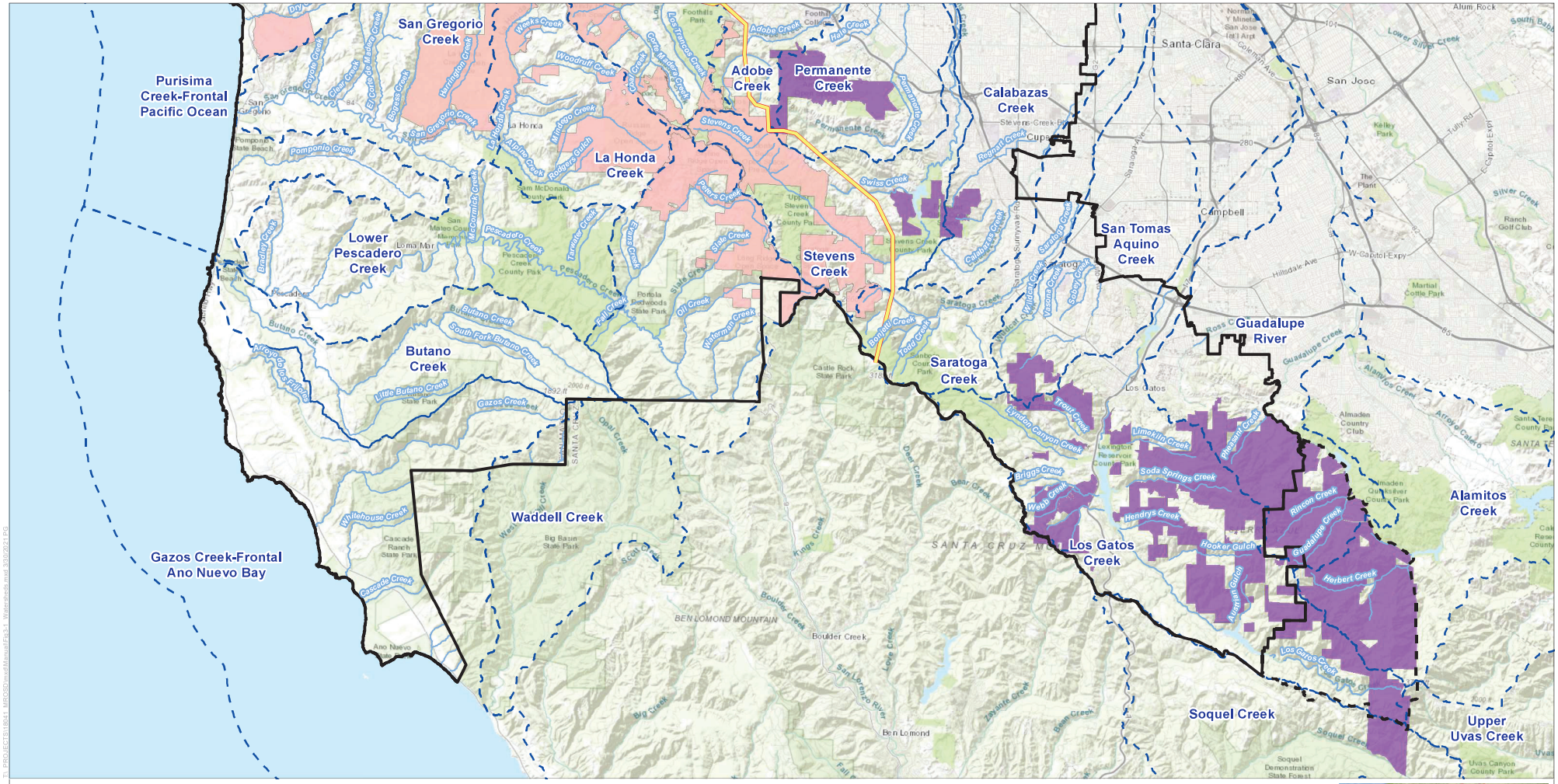

Figure 3-1
Watersheds in the Program Area

Sheet 2 of 2

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3.1.1 Skyline Region

The Skyline Region encompasses the western portion of the Program area from Pedro Point just south of Pacifica to the San Mateo and Santa Cruz counties boundary, and the Pacific Ocean east to between Skyline Boulevard and I-280 (refer to Figure 3-1). Nearing the coast, the steep mountain slopes of the Santa Cruz Mountains transition into gradually sloped coastal terraces. Development in this region is minimal and primarily occurs along the coastline due to the presence of open space areas and steep topography. Many federal, state and county parklands, Midpen Preserves, and other natural lands owned by public agencies (e.g., San Francisco Public Utilities Commission [SFPUC]) and private companies (e.g., California Water Service Company) scattered throughout this region help preserve most of the region as natural lands. The lower alluvial valleys and coastal terraces support farming and ranching practices. Many small creeks drain the western hillslopes of the Santa Cruz Mountains, the largest of which are listed in **Table 3-1** below.

Table 3-1. Major Watershed Areas and Surface Waters in the Skyline Region

Hydrologic Unit Code (HUC) Cataloging Units	Names of HUCs	Major Waterbodies within the HUC
180500060204	San Pedro Creek- Frontal Pacific Ocean	San Pedro Creek
180500060205	Denniston Creek – Frontal Pacific Ocean	Denniston Creek; Frenchman's Creek; San Vicente Creek
180500060201	Arroyo Leon	Pilarcitos Creek; Pilarcitos Reservoir; Mills Creek; Madonna Creek; Arroyo Leon Creek
180500060206	Purisima Creek – Frontal Pacific Ocean	Purisima Creek; Whitmore Gulch; Lobitos Creek; Pomponio Creek; Tunitas Creek
180500030404	San Francisquito Creek	San Francisquito Creek; Los Trancos Creek; Bear Gulch Creek; Bear Creek; Corte Madera Creek; West Union Creek; Coal Creek
180500060203	San Gregorio Creek	San Gregorio Creek; El Corte de Madera Creek; Lawrence Creek
180500060202	La Honda Creek	La Honda Creek; Alpine Creek; Mindego Creek
180500030407	Adobe Creek- Frontal San Francisco Bay Estuaries	Adobe Creek; Barron Creek; Matadero Creek; Deer Creek; Arastradero Creek
180500030403	Stevens Creek	Stevens Creek; Swiss Creek

Hydrologic Unit Code (HUC) Cataloging Units	Names of HUCs	Major Waterbodies within the HUC
180500030402	Saratoga Creek	Saratoga Creek
180500060101	Upper Pescadero Creek	Pescadero Creek; Peters Creek; Slate Creek
180500060103	Lower Pescadero Creek	Bradley Creek; Pescadero Creek
180500060102	Butano Creek	Butano Creek
180500060303	Gazos Creek – Frontal Año Nuevo Bay	Gazos Creek; Año Nuevo Creek; Arroyo de Frijoles
180500060301	Waddell Creek	Waddell Creek; Berry Creek

3.1.2 Foothill Region

The Foothill Region encompasses the eastern portion of the Program area, covering the area just southeast of Upper Crystal Springs Reservoir to the Santa Clara and Santa Cruz County boundary at Loma Prieta Avenue and extending east from the Santa Cruz Mountains to San Francisco Bay (refer to Figure 3-1). The topography of the Foothill Region is defined by the Santa Cruz Mountains in the upper watershed areas to the west and a relatively flat estuarine plain and the San Francisco Bay to the east. The lowlands adjacent San Francisco Bay are highly developed and include the cities of Redwood City, Palo Alto, Mountain View, Sunnyvale, Santa Clara, and San Jose. Due to this development, most creeks, drainages and water courses have been highly modified and/or redirected in this area. Residential and mixed urban development extend into the foothills of the Santa Cruz Mountains adjacent to either side of I-280; however, the western portion of the upper watershed, west of I-280, remains largely undeveloped due to the presence of Midpen's Preserves, State parklands, and other protected natural lands. Major waterways in this region are listed in below in **Table 3-2**. In addition, the San Francisco Bay shoreline supports an elaborate system of sloughs, estuarine marshes, and salt ponds. Please note that Midpen Preserve areas located along the Bay margin are not currently included in this Program.

Table 3-2. Major Watershed Areas and Surface Waters in the Foothill Region

Hydrologic Unit Code (HUC) Cataloging Units	Names of HUCs	Major Waterbodies within the HUC
180500041002	Oakland Inner Harbor- San Francisco Bay	San Francisco Bay
180500040902	Cordilleras Creek	Cordilleras Creek

Hydrologic Unit Code (HUC) Cataloging Units	Names of HUCs	Major Waterbodies within the HUC
180500040901	San Mateo Creek	San Mateo Creek
180500030407	Adobe Creek	Adobe Creek; Barron Creek
180500030406	Permanente Creek	Permanente Creek; Stevens Creek; Hale Creek
180500041001	San Francisco Bay Estuaries	San Francisco Bay
180500030403	Stevens Creek	Stevens Creek; Stevens Creek Reservoir; Swiss Creek
180500030405	Calabazas Creek	Calabazas Creek
180500030402	Saratoga Creek	Saratoga Creek; Bonjetti Creek
180500030401	San Tomas Aquinas Creek	San Tomas Aquinas Creek
180500030303	Los Gatos Creek	Los Gatos Creek; Vasona Reservoir; Lexington Reservoir; Soda Springs Creek; Lyndon Canyon Creek; Hendrys Creek; Webb Creek
180500030304	Guadalupe River	Guadalupe Creek; Pheasant Creek; Guadalupe Reservoir; Los Capitancillos Creek; Rincon Creek; Ross Creek
180500030301	Alamitos Creek	Alamitos Creek; Arroyo Calero; Calero Reservoir; Almaden Reservoir; Herbert Creek; Barrett Canyon Creek

3.2 Ponds

Over 100 natural and humanmade ponds are located on Midpen Preserves. A majority of these ponds are either humanmade or have been heavily modified from their natural condition. Ponds have many uses, including providing valuable habitat for rare plants and special-status amphibians and reptiles, such as Western pond turtle, California red-legged frog, and San Francisco garter snake; supplying clean water for livestock in support of current or historic grazing operations; protecting water quality of creeks and streams; supporting fire suppression needs; and providing aesthetic value to visitors. Ponds are generally located in the Skyline Region in support of conservation grazing operations, but also provide habitat for California red-legged frog. Typically, ponds are spring fed year-round, approximately 6 feet deep, and range from 0.10 acre to 0.40 acre in size. Vegetation along the perimeter of ponds generally consists of narrow bands of emergent freshwater marsh vegetation, as well as invasive plant

species, such as purple star thistle (*Centaurea calcitrapa*) and milk thistle (*Silybum marianum*). Cattails (Typha sp.) and duckweed (*Lemnoideae* sp.) or azola (aquatic fern) are also common species occurring in ponds.

Habitat quality in ponds for native species may be compromised due to siltation, invasive vegetation, and the presence of non-native fish and crayfish, which pray on larval and young amphibians. Known species of non-native fish include black bass (*Micropterus* sp.), sunfish (*Lepomis* sp.), catfish (*Ameiurus*/*Ictalurus* sp.) and mosquitofish (*Gambusia* sp.). Several species of non-native turtles are also known to occur in ponds including red-eared slider (*Trachemys scripta elegans*) and eastern snapping turtle (*Chelydra serpentina serpentina*). American bullfrog (*Rana [Lithobates] catesbeiana*) may also be present in Midpen ponds. These non-native species are generally found in human made stock ponds but may also occur in natural ponds.

3.3 Geology and Soils

Geologic conditions throughout the Program area are driven by tectonic movements along the San Andreas Fault Zone. Tectonic forces along this right-lateral strike-slip fault zone result in tremendous sheer stress and block faulting between the San Andreas and Hayward fault zones. Deformation and uplift of the restraining fault blocks created the Santa Cruz Mountains and East Bay Hills, while releasing or dropping blocks resulted in the San Francisco Bay Basin between the two ranges. Local cycles of uplift, strike-slip motion, and resulting erosion in addition to coastal processes and estuarine processes, occurring over thousands of years formed the landscapes of today. Geology and soils for each region are described in more detail below and shown on **Figure 3-2**.

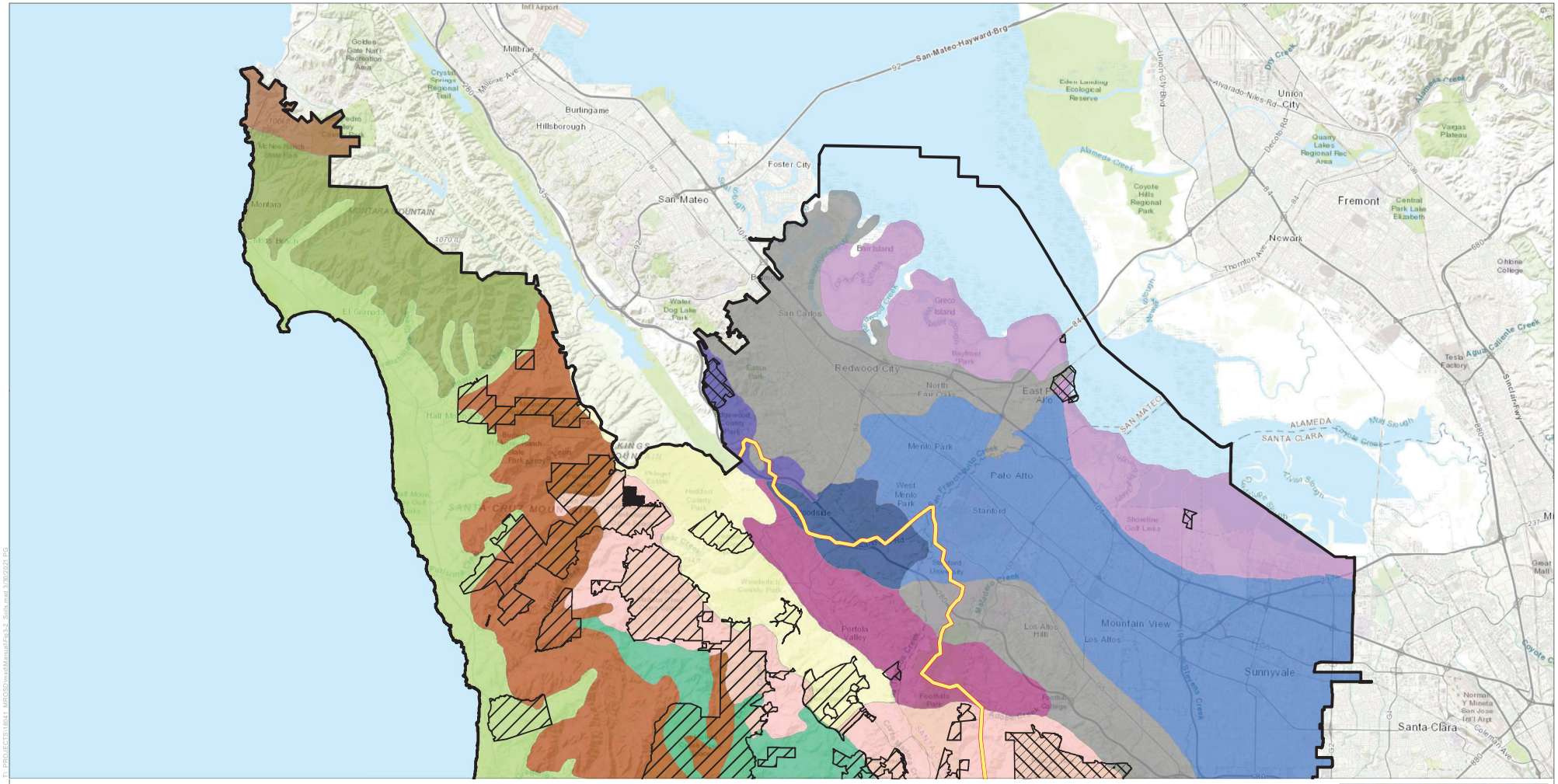

Figure 3-2
Soils in the Program Area

Sheet 1 of 2

Horizon WATER and ENVIRONMENT

Data Source: ESRI 2020; MROSD 2020; NRCS 2019

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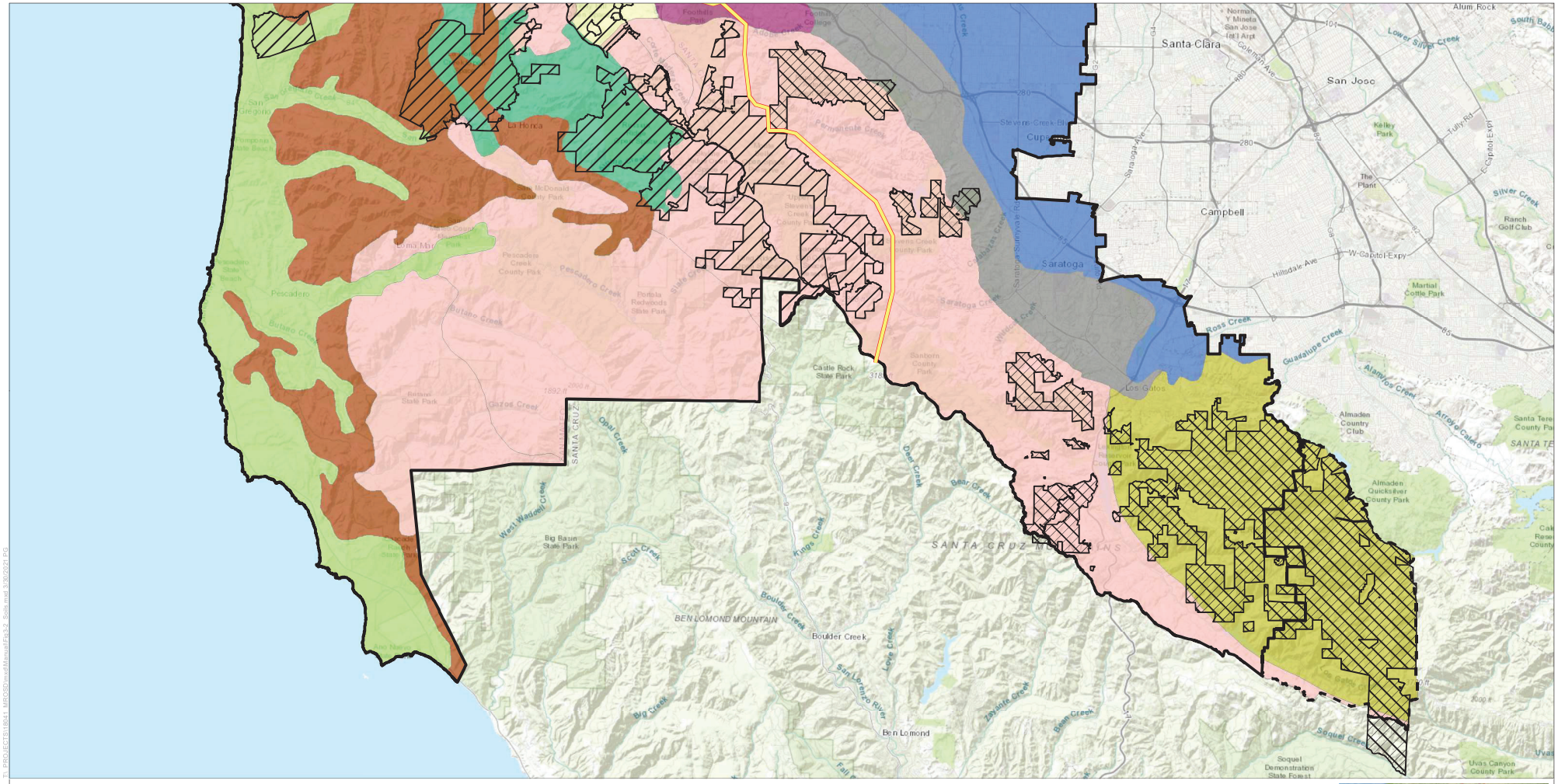

Figure 3-2
Soils in the Program Area

Sheet 2 of 2

Open Space Maintenance and Restoration Program Manual

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3.3.1 Skyline Region

Geology of this region is directly tied to different rate of movement, faulting, and folding along the San Andreas, Pilarcitos, Seal Cove, San Gregorio, La Honda, Butano and other thrust faults south along the Peninsula. The Santa Cruz Mountains are composed primarily of Franciscan Complex sandstone, shale, chert and serpentine with smaller amounts of Santa Clara, Purisima, San Lorenzo, Monterey, and Vaqueros formations of Tertiary age rock units. The Franciscan Complex was deposited in a deep marine trench off the California Coast. As a result of the Pacific and North American plates converging, those sediments were folded, faulted, and formed the Coast Ranges. During the Tertiary period, marine and non-marine sediments and volcanic rocks were deposited in portions of the Coast Ranges, creating the Tertiary formations (Midpen 2014). Along the Pacific coastline, west of La Honda Fault, younger, Pliocene-age marine sandstone and siltstone of the Purisima Formation make up the western flanks of the Santa Cruz Mountains. West of the foothills of the Santa Cruz Mountains, broad, flat coastal terraces, which originated as ancient beaches uplifted during the Pleistocene, lie adjacent to Highway 1. Holocene landslide deposits can be seen sporadically throughout the younger marine sedimentary units, with alluvium deposited in valley drainages (California Department of Conservation [DOC] 2019). Many of the soils within this region formed from weathered sandstone and shale, granitic rocks, quartz diorite, or marine sediments and consist primarily of gravelly loam, sandy loam, fine loam, and silt loam surface layers over silty clay and silty clay loam subsoils (Natural Resource Conservation Service [NRCS] 2019). Barnabe and Scarper soils underlie the hills and steep coastal upland slopes of the northern end of the Program area. Baywood soils are old sand dunes located along the coast that underlie the area from Moss Beach to Año Nuevo State Park. Colma, Ben Lomond, and Alambique soils underlie the foothills and mountainous upland areas of the Santa Cruz Mountains. Montara soils are weathered from serpentinite rocks and are located on rounded ridgetops and uplands near the La Honda area. Francisquito soils are located in southeastern San Mateo County, on the eastern side of the Santa Cruz Mountains on stream terraces (NRCS 2020). Boulders and cobbles derived from a conglomerate in the underlying geologic section are also present. Soils in the small coastal valleys along the major drainages are deep and moderately well drained and have developed on low terraces and alluvial fans along the stream channels (Midpen 2002). The Santa Cruz Mountains can experience extensive levels of precipitation and cause clay soils to expand when saturated.

3.3.2 Foothill Region

Similar to the Skyline Region, movement along faults in the region, including the San Andreas, Monte Vista, Berrocal, Sargent, and unnamed thrust faults that parallel the San Andreas, have shaped the geology and topography of the region. This region is primarily composed of Franciscan Complex marine sandstone, shale, chert, limestone and conglomerate with intertwined fingers of Eocene-aged marine sedimentary rock units and esozoic volcanic and

metavolcanics rock units. A few small areas of ultramafic, serpentine rock underlie the area near Edgewood County Park and in Sierra Azul Open Space Preserve (DOC 2019).

The eastern side of the Santa Cruz Mountains is more urbanized than the coastal Skyline Region. Many of the soils in this region also consist of loamy soils weathered from sedimentary rocks or sandstone (NRCS 2019). The undeveloped shoreline areas, salt marshes, and sloughs consist of Novato soils from mixed sources and consist of very poorly drained, fine clays that exhibit low to moderately susceptibility to erosion by water (NRCS 2019). Obispo soils located near Edgewood County Park are weathered from serpentinite rock adjacent to steep areas and are typically associated with rock outcrops. Fagan soils are located in small upland areas near the town of Woodside, while Francisquito and Ben Lomond soils underlie a large portion of the eastern side of the Santa Cruz Mountains and foothills. Botella soils underlie a majority of the eastern portion of the Foothill Region in valley bottoms and alluvial fans ranging from the city of Menlo Park to south of the town of Saratoga. Gaviota soils underlie the hills and mountainous area south of the town of Los Gatos and are commonly associated with rock outcrops (NRCS 2020).

3.4 Hydrologic and Geomorphic Conditions

The Program area exhibits a Mediterranean climate with mild, wet winters and warm, dry summers. Regional climatic conditions are moderated by a cooler, moist marine layer from the Pacific Ocean. The Santa Cruz Mountains influence the occurrence of frequent extreme storms with heavy precipitation that can be responsible for periodic flooding. Rainfall occurs mostly between November and April with seasonal rainfall totals varying depending upon topography, exposure, and elevation. The greatest rainfall quantities occur along the west facing slopes of the Santa Cruz Mountains near the summit of the mountain range where totals reach up to 40 to 50 inches per year. Typical average rainfall ranges from 20 to 30 inches per year (Midpen 2014). Many small creeks and streams are intermittent, which reflect the seasonal distribution of rainfall. Winter flows are higher, especially during and immediately following storms (Midpen 2014). Due to the open spaces and undeveloped lands within the Program area, rain is able to mostly percolate into the ground rather than rapidly run off the surface. As shown on **Figure 3-3**, approximately 280,000 acres of the Program area consists of less than 10% impervious surfaces, which indicates that a majority of the Program area consists of pervious surfaces.

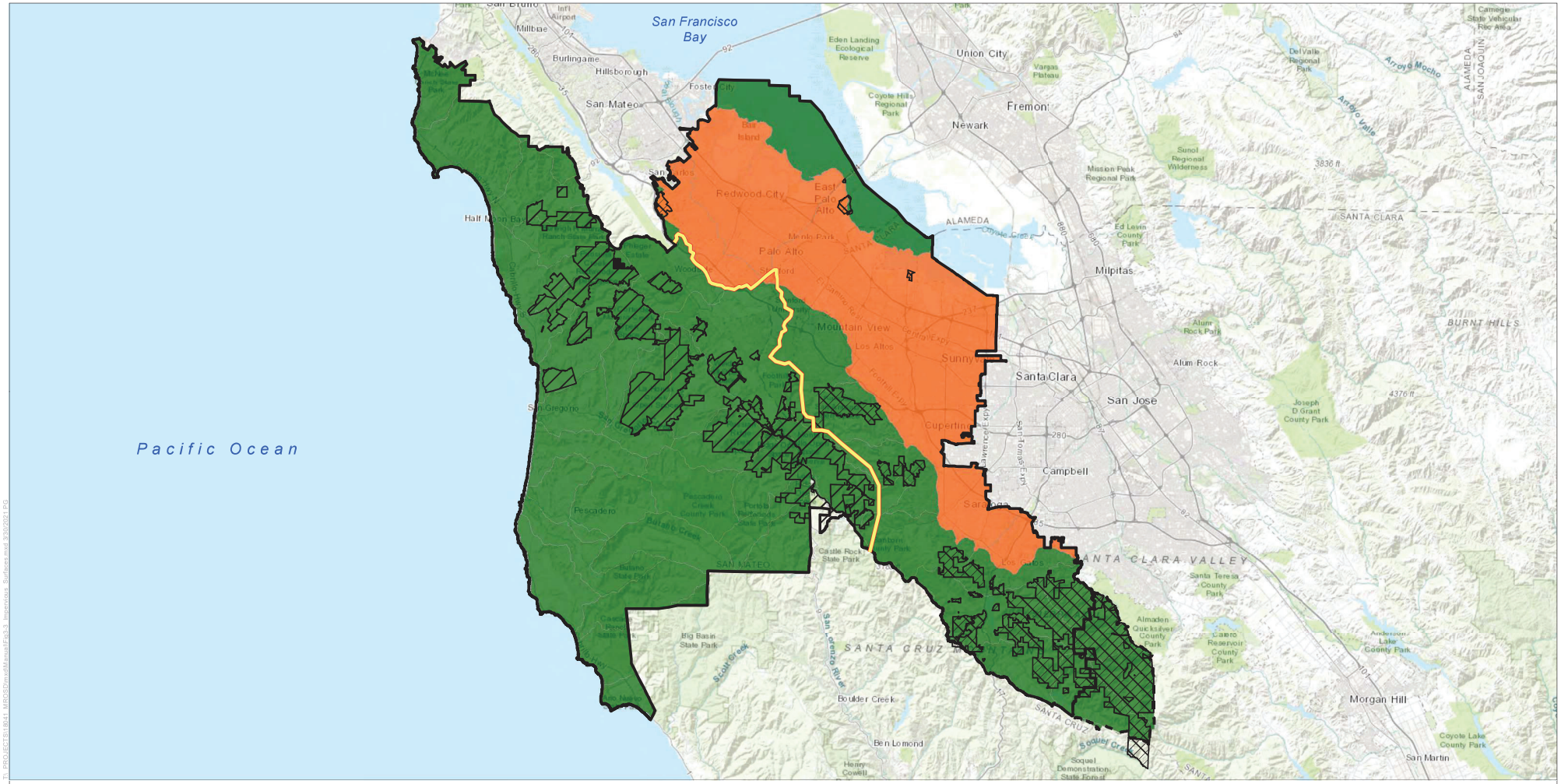

Figure 3-3
Impervious Surfaces in the Program Area

Open Space Maintenance and Restoration Program Manual

Horizon WATER and ENVIRONMENT

Data Source: ESRI 2020; MROSD 2020

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Several physical and biological conditions influence watershed processes, including geologic structure, tectonism, and properties; topography and slope; climate and precipitation; soils and vegetation; and the hydrologic conditions of infiltration, runoff, and streamflow. A range of sedimentary processes naturally occur as materials move from higher to lower elevations in individual watersheds. Sediments can be stored in place, eroded (i.e., mobilized into movement downslope or downstream), transported, or deposited. In general, sediment source areas are more typically found in upslope and watershed headwater areas. In addition to these physical influences, land modifications and intense historic land uses further influence erosion and sediment processes. The intensification of land uses through agricultural cultivation, grazing, logging, fire management, recreation, or roads by Midpen and other private and public property owners may significantly increase erosion. The conditions of the upper area of a watershed can influence the conditions of the land and water downstream.

In general, most of Midpen's lands are located in the upper watershed headwater areas in the Santa Cruz Mountains, some of which were once covered with old-growth conifer forests. As the population of the Bay Area grew, there was a high demand for lumber as a building material and most of the old-growth trees were felled. Past timber harvesting of these redwood-covered slopes in the upper watershed areas and construction of old logging roads has resulted in severe erosion and sediment loading to downstream surface waters. Changes to vegetative cover and removal of root structures that use to hold the soil in place has led to shallow landslides, slumps, gullying, gulching, and increased surface erosion from the flow of water draining down hillsides. Additionally, the old network of logging roads has altered the local drainage patterns; destabilized steep hillslopes; increased the rate or volume of runoff; intercepted and redirected groundwater to surface features, thereby increasing runoff volume; and created unstable fill or roadway surfaces. Erosion can be traced to undersized or failing culverts at the intersection of roads and streams resulting in overtopping or diversion of flows. Sedimentation in creeks impacts spawning habitat for fish species, such as Coho salmon (*Oncorhynchus kisutch*) and steelhead trout (*Oncorhynchus mykiss irideus*). This Program aims to reduce sedimentation issues by properly maintaining and sizing roadside culverts; addressing deteriorated culverts in a timely manner; retaining large woody debris where possible in channels to promote salmonid spawning habitat; and replacing invasive vegetation with native plants to promote deeper root structures to hold soil in place. These activities are described in detail through Chapters 5 through 9 of this Manual. In addition to the Program, Midpen collaborates with many partners for ongoing stewardship of local watersheds. One of the longest-running watershed protection programs is at El Corte Madera Preserve in the San Gregorio Creek Watershed, which provides critical habitat for steelhead trout and Coho salmon. In order to reduce sedimentation issues and improve overall watershed health, Midpen is constructing bridges, repairing failing culverts, removing problematic trails (e.g., Steam Donkey Trail), and converting old roads to single-track trails or returning them to a natural state along 24 miles of roads and trails in the Preserve (Midpen 2019). Midpen's watershed protection programs balance the protection and restoration of watersheds' ecological integrity while providing public access opportunities for visitors. For

the San Gregorio Creek Watershed, less sediment has been entering streams and downstream fish habitat has improved through implementation of the watershed protection program.

3.5 Water Quality

This section presents an overview of water quality conditions within the Program area. Water quality information presented in this section is derived from the following sources: the Regional Water Quality Control Board (RWQCB) Water Quality Control Plan (Basin Plan) for the San Francisco Bay Basin (San Francisco Bay RWQCB] 2017); Water Quality Control Plan (Basin Plan) for the Central Coast Basin (Central Coast RWQCB 2019); the State Water Resources Control Board (SWRCB) Clean Water Act (CWA) Section 303(d) List (SWRCB 2019a); and RWQCB Total Maximum Daily Load (TMDL) Program.

Surface water quality is not uniformly distributed throughout all streams. Some reaches of some streams, especially, though not exclusively, in the upper undeveloped areas of the watersheds, have retained characteristics supporting fish and high-quality riparian habitat.

3.5.1 Beneficial Uses of Surface Waters

The Porter–Cologne Water Quality Control Act (known as the Porter–Cologne Act) established the SWRCB and divided the state into nine regions, each overseen by its own RWQCB. The SWRCB is the primary state agency responsible for protecting the quality of the state's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs. In general, the SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.

The Porter–Cologne Act requires that the RWQCB develop water quality control plans (also known as basin plans) that designate beneficial uses of California's major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, Basin Plans must be updated every three years.

The Program area is primarily located in the San Francisco Bay RWQCB's jurisdiction, though the area from Gazos Creek south is within the Central Coast RWQCB's jurisdiction. The Basin Plans for the San Francisco Bay and Central Coast lists beneficial uses for major waterbodies in the Program area as provided in **Table 3-3**.

Table 3-3. Designated Beneficial Uses of Surface Waters Potentially Affected by Activities

Creek	AGR	MUN	FRSH	IND	COMM	SHELL	COLD	EST	MAR	MIGR	RARE	SPAWN	WARM	WILD	REC-1	REC-2	NAV	BIOL	GWR
Skyline Region																			
Pacific Ocean (San Mateo County)				E	E	E			E	E	E	E		E	E[1]	E	E		
San Pedro Creek		E					E			E	E	E	E	E	E	E			
Denniston Creek	E	E					E			E	E	E	E	E	E	E			
San Vicente Creek	E	E					E			E	E	E	E	E	E	E			
Frenchman's Creek	E						E			E	E	E	E	E	E	E			
Pilarcitos Creek	E	E					E			E	E	E	E	E	E	E			
Arroyo Leon Creek							E						E	E	E	E			
Mills Creek							E				E		E	E	E	E			
Pilarcitos Reservoir		E					E				E	E	E	E	E*	E			
Purisima Creek	E						E			E	E	E		E	E	E			
Lobitos Creek	E						E			E	E	E		E	E	E			
Tunitas Creek	E	E					E			E	E	E	E	E	E	E			
San Gregorio Creek	E						E			E	E	E	E	E	E	E			
La Honda Creek							E			E	E	E	E	E	E	E			
El Corte de Madera Creek							E			P	E	P	E	E	E	E			
Mindego Creek							E				E	E	E	E	E	E			
Alpine Creek							E			E	E	E	E	E	E	E			
Pomponio Creek	E						E			E	E	E	E	E	E	E			
Pescadero Creek	E	E					E			E	E	E	E	E	E	E			
Peters Creek							E				E	E	E	E	E	E			
Lambert Creek							E				E	E	E	E	E	E			
Slate Creek							E				E	E	E	E	E	E			

Creek	AGR	MUN	FRSH	IND	COMM	SHELL	COLD	EST	MAR	MIGR	RARE	SPAWN	WARM	WILD	REC-1	REC-2	NAV	BIOL	GWR
Butano Creek							E			E	E		E	E	E	E			
Gazos Creek	E	E	E		E		E			E		E	E	E	E	E			
Arroyo de Frijoles	E	E	E		E		E			E	E	E	E	E	E	E		E	E
Año Nuevo Creek	E	E	E		E		E	E		E	E	E		E	E	E		E	E
Waddell Creek	E	E	E	E	E		E			E	E	E		E	E	E		E	E
Berry Creek		E			E		E							E	E	E			E
San Francisquito Creek							E			E	E	E	E	E	E	E			
Los Trancos Creek							E			E	E	E	E	E	E	E			
Bear Creek							E			E	E	E	E	E	E	E			
West Union Creek							E			E	E	E	E	E	E	E			
Bear Gulch Creek		E					E			E	E	E	E	E	E	E			
Foothill Region																			
San Francisco South				E	E	E		E		E	E	E		E	E	E	E		
Cordilleras Creek													E	E	E	E			
Adobe Creek							E						E	E	E	E			
Barron Creek													E	E	E	E			
Matadero Creek							E			E	E	E	E	E	E	E			
Deer Creek							E				E		E	E	E	E			
Arastradero Creek							E				E		E	E	E	E			
Permanente Creek							E				E	E	E	E	E	E			E
Hale Creek							E						E	E	E	E			
Stevens Creek			E				E			E	E	E	E	E	E	E			E
Stevens Creek Reservoir		E			E		E			E		E	E	E	E	E			E
Swiss Creek			E				E						E	E	E	E			
Calabazas Creek	E						E						E	E	E	E			E
San Tomas Aquino Creek							E				E		E	E	E	E			

Creek	AGR	MUN	FRSH	IND	COMM	SHELL	COLD	EST	MAR	MIGR	RARE	SPAWN	WARM	WILD	REC-1	REC-2	NAV	BIOL	GWR
Saratoga Creek	E		E				E						E	E	E	E			E
Bonjetti Creek							E						E	E	E	E			
Los Gatos Creek		E	E				E			P	E	P	E	E	E	P			E
Vasona Reservoir		E			E		E					E	E	E	E	E			E
Lexington Reservoir		E			E		E					E	E	E	E	E			E
Soda Springs Creek			E				E						E	E	E	E			
Ross Creek													E	E	E	E			E
Guadalupe Creek			E				E			E	E	E	E	E	E	E			E
Pheasant Creek			E				E					E	E	E	E	E			
Guadalupe Reservoir		E					E					E	E	E	E	E			E
Los Capitancillos Creek			E				E						E	E	E	E			E
Rincon Creek			E				E			E	E		E	E	E	E			E
Alamitos Creek			E				E			E	E	E	E	E	E	E			E
Arroyo Calero			E				E			E	E	E	E	E	E	E			
Calero Reservoir		E										E	E	E	E*	E			E
Almaden Reservoir		E					E				E	E	E	E	E*	E			E
Herbert Creek			E				E						E	E	E	E			
Barrett Canyon Creek			E				E						E	E	E	E			

Notes:

E = Existing Beneficial Use: Indicates an existing beneficial use actually attained in the surface or ground water.

E*= Water quality objectives apply; water contact recreation is prohibited or limited to protect public health.

P= Potential Beneficial Use.

AGR = agricultural supply ; MUN= municipal and domestic water supply; FRSH = freshwater replenishment; IND = industrial service supply; COMM = commercial and sport fishing; SHELL = shellfish harvesting; COLD = cold freshwater habitat; EST = estuarine habitat; MAR = marine habitat; MIGR = fish migration; RARE = preservation of rare and endangered species; SPAWN = fish spawning; WARM = warm freshwater habitat; WILD = wildlife habitat; REC-1 = water contact recreation; REC-2= noncontact water recreation; NAV = navigation; GWR= groundwater recharge.

[1]REC-1 applies within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline. This distance is consistent with the applicability of water-contact standards in the Water Quality Plan for the Ocean Waters of California.

Source: San Francisco RWQCB 2017; Central Coast RWQCB 2019

3.5.2 Impaired Waterbodies

The CWA is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. Under CWA Section 303(d), states are required to identify "impaired water bodies" (those that do not meet established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for developing control plans to improve water quality. Impaired waterbodies in the Program area identified on the 2014-2016 CWA Section 303(d) list (SWRCB 2019a) are shown in **Table 3-4**.

Table 3-4. 2014-2016 Clean Water Act Section 303(d) List of Impaired Waterbodies in the Program Area

Waterbody	Pollutant	Total Maximum Daily Load (TMDL) Completed
South San Francisco Bay	Mercury	U.S. Environmental Protection Agency (USEPA) Approved 2008
	Selenium	Est. 2021
	Polychlorinated biphenyls (PCBs)	UESEPA Approved 2010
	Dioxins	Est. 2019
	Furans	Est. 2019
	Invasive Species	Est. 2019
	Dieldrin	Est. 2013
	Chlordane	Est. 2013
	Dichlorodiphenyltrichloroethane (DDT)	Est. 2013
Calabazas Creek	Diazinon	UESEPA Approved 2007
Alamitos Creek	Mercury	2010; Addressed under *Guadalupe River Watershed Mercury TMDL*
Saratoga Creek	Trash	Est. 2029
	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
	Toxicity	Est. 2019

Waterbody	Pollutant	Total Maximum Daily Load (TMDL) Completed
Stevens Creek	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
	Trash	Est. Attainment 2029
	Water temperature	Est. 2021
Stevens Creek Reservoir	Chlordane	Est. 2019
	Dieldrin	Est. 2019
	Mercury	Est. 2013
	PCBs	Est. 2019
Corte Madera Creek	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
Matadero Creek	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
	Trash	Est. Attainment 2029
Permanente Creek	Trash	Est. Attainment 2029
	Selenium	2021; *Addressed under Permanente Creek Selenium TMDL*
	Toxicity	Est. 2021
	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
Los Gatos Creek	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
Guadalupe Creek	Mercury	2010; Addressed under *Guadalupe River Watershed Mercury TMDL*
Guadalupe Reservoir	Mercury	2010; Addressed under *Guadalupe River Watershed Mercury TMDL*
Almaden Reservoir	Mercury	2010; Addressed under *Guadalupe River Watershed Mercury TMDL*
Lexington Reservoir	Mercury	Est. 2029
San Francisquito Creek	Sediment/Siltation	In progress; Est. 2013
	Diazinon	2007; Addressed under *Urban Creeks Pesticide Toxicity TMDL*
	Trash	2029; Addressed under NPDES MS4

Waterbody	Pollutant	Total Maximum Daily Load (TMDL) Completed
		permit
San Tomas Aquino	Trash	Est. Attainment 2029
San Gregorio Creek	Sediment/Siltation	In progress; Est. 2013
	Indicator Bacteria	Est. 2019
Pomponio Creek	Indicator Bacteria	Est. 2019
Pescadero Creek	Sediment/Siltation	In progress; Est.2019
Butano Creek	Sediment/Siltation	In progress; Est. 2019

Source: SWRCB 2019a

3.5.3 Total Maximum Daily Loads

A total maximum daily load (TMDL) is developed by states, territories, or authorized tribes for constituents on the CWA Section 303(d) List to restore the quality of the waterbody. TMDLs identify the sources of pollutants and identify actions to restore water quality. Applicable TMDLs of waterbodies in the Program area are discussed in more detail below.

Sediment/Siltation

San Francisquito Creek, San Gregorio Creek, Pescadero Creek, and Butano Creek are listed as impaired for excessive sediment (SWRCB 2019a). Sediment sources remain unidentified but frequent sources can often be attributed to agricultural practices (e.g., grazing, crop production, and dairies are the primary sources) and land development activities (including residential/commercial development resulting in hydromodification, stream channelization, and reduced floodplain connectivity). The San Francisco Bay RWQCB is currently developing a TMDL and implementation plan to address sediment impact in the affected watersheds. A TMDL for the Pescadero-Butano Watershed was adopted by the United States (U.S.) Environmental Protection Agency (USEPA) in June 2019. A draft TMDL and implementation plan that addresses sedimentation issues in San Francisquito Creek and San Gregorio Creek is currently in development and will be implemented by the San Francisquito Watershed Joint Powers Authority. The Program would help address sedimentation issues in the upper watershed areas and particularly help achieve sediment reduction targets in the Pescadero-Butano Watershed Sediment TMDL and similarly in the San Francisquito Creek and San Gregorio Creek watersheds.

Toxicity in Urban Creeks

Many urban creeks in the Bay Area, including Calabazas Creek, Corte Madera Creek, Matadero Creek, Permanente Creek, Stevens Creek, Los Gatos Creek, San Tomas Aquino Creek, Saratoga

Creek, Alamitos Creek and San Francisquito Creek are currently identified as exceeding water quality standards for aquatic toxicity (SWRCB 2019a). This is primarily due to use of the common insecticide diazinon that was widely used in the Bay Area to manage pests in the 1990's. Although the USEPA phased out the use of diazinon in 2004, other pesticides, such as pyrethroid pesticides, used as replacements to diazinon also impair water quality. Thus, a TMDL was developed to addresses general pesticide-related aquatic toxicity, including not just waters impaired by diazinon. This TMDL was approved as a Basin Plan amendment by the USEPA in May 2007 for 30 urban creeks in the Bay Area (SWRCB 2020). In addition, a TMDL is currently being developed for toxicity in Stevens Creek (SWRCB 2019b).

The SWRCB regulates stormwater discharges from urban stormwater runoff and Municipal Separate Storm Sewer System (MS4s) through its Municipal Storm Water Permitting Program. County-wide municipal stormwater permits are issued under Phase I MS4 permits (for medium or large population municipalities or for co-permittees within a metropolitan area). In November 2015, the San Francisco Bay RWQCB re-issued these county-wide municipal stormwater permits as one Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008) to regulate stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties, and the cities of Fairfield, Suisun City, and Vallejo. Under the Phase I MS4 permit, these Permittees effectively reduce toxicity and pesticides within surface waterbodies by adopting Integrated Pest Management policies, encouraging residents to avoid using pesticides, and sampling water and sediment for pesticide toxicity impairments (SWRCB 2020).

Selenium Impairment

Permanente Creek is listed as impaired for selenium, which is a micro-nutrient that is essential in maintaining cellular functions in trace amounts (SWRCB 2019a); however, at elevated concentrations, selenium is toxic to organisms, especially egg-laying aquatic organisms, such as fish and birds. The 13-mile long creek flows through a variety of land uses, including Midpen's Rancho San Antonio OSP, and has been highly modified over time to provide flood control functions. Recent data and studies found that discharges from the Lehigh Permanente Quarry located in the upper watershed area contribute most of the selenium to Permanente Creek. The RWQCB has required the quarry to evaluate selenium levels and degree of impairments to stormwater, groundwater, and the creek. This TMDL is currently under development by the San Francisco Bay RWQCB (SWRCB 2018).

Mercury in Guadalupe River Watershed

Waterbodies in the Guadalupe River Watershed including Guadalupe Creek, Guadalupe Reservoir, Almaden Reservoir, Lexington Reservoir, and Alamitos Creek are listed as impaired for mercury (SWRCB 2019a). High concentrations of mercury in fish tissue have been found to exceed USEPA human health levels and can pose a threat to wildlife, such as birds, amphibians,

and mammals. The main source of mercury in the watershed is the New Almaden Mining District, which is the largest-producing mercury mine in North America. Other sources of mercury include atmospheric deposition from global and local sources, soil erosion, urban stormwater runoff, seepage from landfills, and Central Valley water inputs to Calero Reservoir (SWRCB 2019c).

In June 2010, the USEPA approved the Basin Plan amendment adopted by the RWQCB to establish new water quality objectives and TMDLs and an implementation plan for mercury for waters in the Guadalupe River watershed. This TMDL is currently being implemented and includes implementation actions at mercury mine sites, including removing eroding mining waste; seismic strengthening of the Guadalupe Dam and Calero Dams; cleaning-up of mining waste features above Almaden and Guadalupe Reservoir; suppressing methylation of mercury in reservoirs and lakes through oxygenation; and monitoring of mercury loads. In 2014, Midpen and the San Francisco Estuary Partnership completed remediation of an eroding slope of mercury mining waste at Hicks Flat located in the Sierra Azul Open Space Preserve adjacent to Hicks Creek (SWRCB 2019c). Approximately 800 cubic yards of over-steepened mine waste was removed to prevent it from eroding into Hicks Creek (Timothy C. Best, CEG 2011). Currently, the Santa Clara Valley Water District (Valley Water) performs twice-monthly water quality monitoring of Almaden, Guadalupe, Calero, and Stevens Creek reservoirs as a responsible party in compliance with this TMDL. These TMDL implementation actions are also reducing the amount of mercury in the San Francisco Bay in accordance with the San Francisco Bay Mercury TMDL.

3.6 Groundwater Hydrology

A majority of the Skyline Region is not underlain by a groundwater basin as most of the area is within the Santa Cruz Mountains. In the Santa Cruz Mountains, groundwater conditions vary locally depending on geologic conditions. The occurrence of groundwater is dependent on the presence of porous, permeable rock capable of storing and transmitting water. Hard, fine-grained rock formations underlie most areas of the Santa Cruz Mountains; however, deep weathering, shearing and fracturing of the rock can create permeability and porosity in the rock units, allowing pockets of water to form. Groundwater can also occur locally in deep colluvial and landslide deposits (Midpen 2014). The primary source of groundwater recharge is infiltration of precipitation and streamflow. Smaller groundwater basins underlie the coastal portions of the region and from north to south include San Pedro Valley, Half Moon Bay Terrace, San Gregorio, Pescadero Valley, and Año Nuevo Area groundwater basins (California Department of Water Resources [DWR] 2020).

The Foothill Region is primarily located in the Santa Clara Valley Groundwater Basin. This groundwater basin is bounded on the west by the Santa Cruz Mountains and the San Andreas Fault, on the east by the Diablo Range and Franciscan Basement, on the north by the San Francisco Bay, and on the south by the Santa Clara Valley ground-water divide at Cochrane

Road in Morgan Hill. This ground-water divide separates the northerly flow of water toward the San Francisco Bay from the southerly flow of water towards Monterey Bay. Groundwater within this groundwater basin supplies approximately 50 percent of the potable water to residents in the Santa Clara Valley (Midpen 2014). Creeks and streams flow east from the Santa Cruz Mountains and naturally recharge the underlying basin (Midpen 2014).

Groundwater quality varies throughout the San Francisco Bay Peninsula; however, it is generally of high quality, particularly in deeper aquifer systems (Midpen 2014). The Priority Basin Project of the Groundwater Ambient Monitoring and Assessment (GAMA) study tested raw water samples for a variety of organic and inorganic constituents for the entire 620-square mile San Francisco Bay, including the Santa Clara Valley Groundwater Basin. Fourteen volatile organic compounds (VOCs) and six pesticides were detected in the wells sampled; however, all detections of VOCs and pesticides in study area wells were below established thresholds (Midpen 2014).

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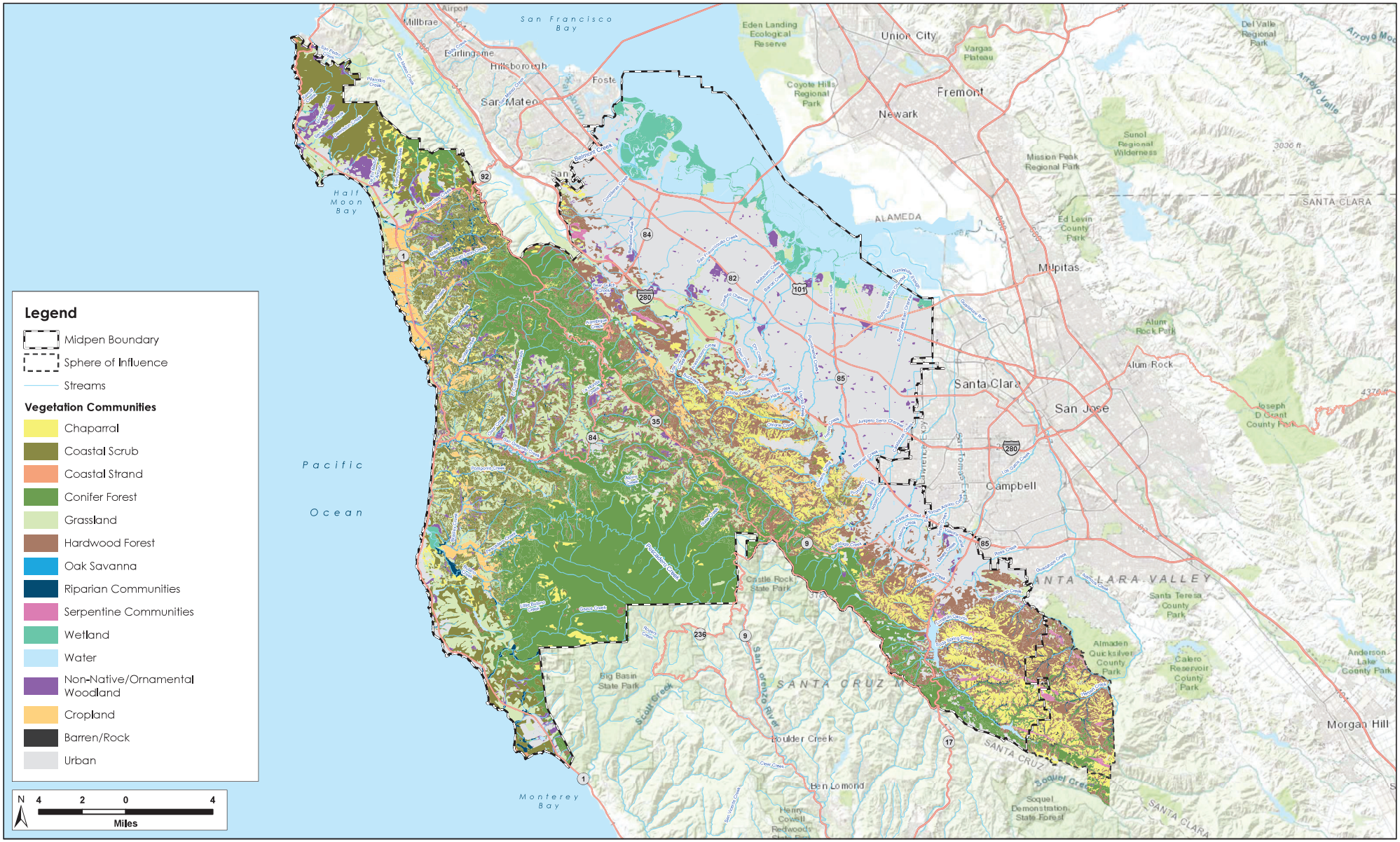
Chapter 4 Biological Resources

4.1 Natural Communities and Habitats

As described in Chapter 1, the Open Space Maintenance and Restoration Program (Program) area consists of approximately 64,000 acres of open space in the counties of San Mateo, Santa Clara, and Santa Cruz (refer to Figure 1-1 in Chapter 1) located in 26 open space preserves and a number of easements and/or areas of management agreement. However, the Ravenswood Open Space Preserve (OSP or Preserve) and Stevens Creek Nature Study Area, as well as similar areas along the edge of San Francisco Bay and along the immediate Pacific Ocean shoreline (e.g., west of Highway 1) are not included in the Program area. Biological resources unique to those areas are therefore not discussed further in this chapter. Otherwise, this chapter provides a regional and programmatic characterization of the Program area. Project-level analysis of biological resources present in the areas of specific maintenance activities cannot be conducted at this time because the Manual is designed for future covered activities that may occur in the Program area, rather than discrete maintenance sites.

Vegetation communities and habitats within the Program area are shaped by the ecological forces at work in the region. Precipitation, topography, soil, climate, the frequency of natural disturbance, and human management (including fire suppression) are all factors that affect the type and pattern of vegetation communities present. The topography encompassing the Midpeninsula Regional Open Space District (Midpen) boundary and Sphere of Influence is extremely varied, with elevations ranging from sea level to 3,476 feet above mean sea level atop Mt. Umunhum in Sierra Azul OSP. Overall, the Program area is characterized by dry, mild summers and moist, cool winters. Local temperatures are strongly influenced by the San Francisco Bay to the east, the Pacific Ocean to the west, and the Santa Cruz Mountains, which results in a variety of microclimates. The west side of the Santa Cruz Mountains experiences a marine climate, characterized by cool, foggy summers and relatively wet winters while the Bay side of the mountains is generally warmer and sunnier.

Vegetation communities within the Program area were mapped using Geographic Information System (GIS) vegetation data provided by Midpen, which is derived from Classification and Assessment with Landsat of Visible Ecological Groupings (CALVEG) data provided by the U.S. Forest Service (USFS) (U.S. Department of Agriculture [USDA] USFS 2004), and then further refined by vegetation mapping carried out by Midpen staff for individual projects. **Figure 4-1** shows the general vegetation mapping, as provided by Midpen. Nomenclature of general vegetation types was provided by Midpen and is based on, but not identical to, that of the CALVEG classification system. In general, this mapping has a minimum mapping unit of 2.5 acres and captures general habitat conditions at a map scale unit larger than what would be appropriate for individual project-level analysis, because habitat features smaller than 2.5 acres are not included. Field surveys would be necessary to accurately delineate habitats at a specific maintenance site. Midpen is currently in the midst of collaborative project led by the Golden Gate National Parks Conservancy (GGNPC) and including other regional open space partners, to produce a fine-scale (minimum mapping unit of 0.1 to 0.5 acre) vegetation map for San Mateo County. When those spatial data are available, they will be used to update the information provided in this section.



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Ecological Consultants

Figure 4-1: Vegetation Communities Map

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program
April 2021

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Vegetation data provided by Midpen include 15 general vegetation communities or land use types within the Midpen boundary and Sphere of Influence (see Figure 4-1): chaparral, coastal scrub, coastal strand, conifer forest, grassland, hardwood forest, oak savanna, riparian communities, serpentine communities (described below as a subset of "grassland"), wetland, water (described below as "aquatic"), non-native/ornamental woodland, cropland, barren, and urban. The general distribution and dominant plant and animal species composition of each habitat/land use type is described below. Descriptions of the plant and animal species typically occurring in each community focus primarily on common (i.e., non-special-status) species. The potential occurrence of special-status species in the Program area is described in detail in Section 4.3, *Special-Status Plant and Animal Species*. Vegetation descriptions below are based on the following resources: Holland's system of classification (Holland 1986), the *California Manual of Vegetation* (Sawyer et al. 2009), and the California Wildlife Habitat Relationship System (California Wildlife Habitat Relationship System [CWHR]; Meyer and Laudenslayer 1988).

While shown on Figure 4-1 and present within the larger Midpen boundary and Sphere of Influence, coastal strand, cropland, and barren areas occur in minimal quantities within the Program area on which this biological resources evaluation focuses. Therefore, these communities or land use types are not discussed further below.

4.1.1 Chaparral

Coastal chaparral and redwoods in Purisima Creek Redwoods OSP (Karl Gohl)

Chaparral is a shrub-dominated vegetation, with few to no trees, composed primarily of drought tolerant species. The vegetation structure and species composition of chaparral varies throughout the Program area, and therefore different chaparral types are largely a function of elevation, distance from the coast, slope, and aspect. In the Program area, chaparral vegetation has been mapped variously in the preserves as mixed chaparral, mesic chaparral, chamise chaparral, manzanita chaparral, ceanothus chaparral, leather oak chaparral, and black sage chaparral. Annual grasses and forbs, perennials, and/or short-lived shrubs can occur in young stands of chaparral, but are often crowded and shaded out by larger shrubs such as chamise (*Adenostoma fasciculatum*) as the vegetation matures. The short-lived shrubs that occur early on include species of buckwheat (*Eriogonum* spp.), deerweed (*Acmispon glaber*), and various species of ceanothus (*Ceanothus* spp.). In the Program area, chaparral occurs on slopes and ridges with thin soils and may occur on serpentine sites (see discussion of serpentine communities below).

Chaparral communities are typically dry and provide relatively low and homogeneous structure. However, a variety of animal species do occur. Mammals that use chaparral and coastal scrub habitats for cover include the coyote (*Canis latrans*), mountain lion (*Puma concolor*), black-tailed deer (*Odocoileus hemionus columbianus*), bobcat (*Lynx rufus*), and brush rabbit (*Sylvilagus bachmani*), among others. Nests of San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*) are often present in abundance in chaparral. The Santa Cruz kangaroo rat (*Dipodomys venustus venustus*) occurs in limited areas where silverleaf manzanita chaparral is present on sandy soils of the Franciscan sandstone formation. Such specialized habitat occurs in the Program area only in Sierra Azul OSP, where this kangaroo rat is known to be present, and at Pulgas Ridge OSP, where the species occurred historically but is no longer present. Bats such as the pallid bat (*Antrozous pallidus*) and canyon bat (*Parastrellus hesperus*) forage over these arid scrublands. Bird species that nest in these habitats include the California scrub-jay (*Aphelocoma californica*), blue-gray gnatcatcher (*Polioptila caerulea*), Bewick's wren (*Thryomanes bewickii*), California thrasher (*Toxostoma redivivum*), California towhee (*Melozone crissalis*), spotted towhee (*Pipilo maculatus*), California quail (*Callipepla californica*), wrentit (*Chamaea fasciata*), and both Allen's (*Selasphorus sasin*) and Anna's hummingbirds (*Calypte anna*). Reptiles that occur here include the gopher snake (*Pituophis catenifer*), western rattlesnake (*Crotalus viridis*), southern alligator lizard (*Elgaria multicarinata*), and western fence lizard (*Sceloporus occidentalis*). Amphibians may be scarce due to the dry conditions, but during the wet season, amphibians such as California newt (*Taricha torosa*) disperse through chaparral.

San Francisco dusky-footed woodrats (Neotoma fuscipes annectens)

4.1.2 Coastal Scrub

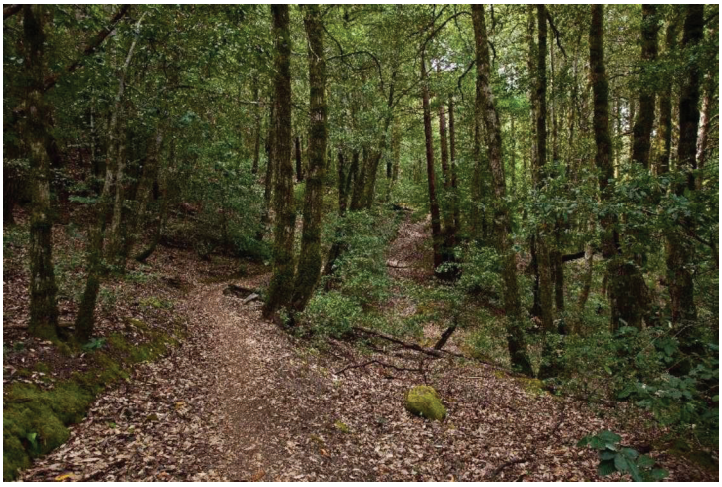
Coastal scrub is a shrub-dominated vegetation, typically composed of low growing to moderate sized shrubs that occur closer to the coast in the Program area. Although precipitation is often limited, this community rarely experiences drought stress typical of inland habitats with similar levels of rainfall because of the high humidity and moderate temperatures typical of the coastal environment in which it is found. Coastal scrub differs from chaparral vegetation in that many of the shrubs have softer leaves with flexible branches. Shrub structure within the community can differ, and often depends on the degree of coastal influence. Along the coast, shrubs may be prostrate while further inland they may be several feet tall. The habitat supports a shrub overstory and an herbaceous, grassy understory. Common shrub species in coastal scrub include

coyote brush (*Baccharis pilularis*), blue blossom ceanothus (*Ceanothus thyrsiflorus*), California sagebrush (*Artemisia californica*), California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), and wooly sunflower (*Eriophyllum lanatum*). In the herb understory, bracken fern (*Pteridium aquilinum*) and sword fern (*Polystichum munitum*) are dominant and other associates include cowparsnip (*Heracleum maximum*), Indian paintbrush (*Castilleja* spp.), yerba buena (*Clinopodium douglasii*), and California oatgrass (*Danthonia californica*).

Wildlife species found in coastal scrub communities are very similar those found in chaparral communities and provide habitat for a diverse assemblage of bird species.

4.1.3 Conifer Forest

In the Program area, conifer forest communities are represented by redwood forest, montane hardwood-conifer, and mixed Douglas-fir forests, which are differentiated by the dominance of one or another conifer species. Forested communities in the Program area are structurally similar and support dense stands of mature trees that form overlapping canopies. These conifer forest types are differentiated by the relative dominance of different tree species, which is largely controlled by moisture gradients and soil characteristics. Conifer forests dominate much of the Program area, particularly at higher elevations in, and along the less developed western slope of, the Santa Cruz Mountains.



Conifer forest in El Corte de Madera OSP (Karl Gohl)

Redwood forest is a composite habitat name for a variety of conifer species that grow in the coastal influence zone, but which tend to be dominated in the tallest overstory by coast redwood (*Sequoia sempervirens*). The majority of redwood forests are second growth (i.e., they were previously logged). Old growth redwood forest stands occur but are scarce in the Program area. Redwood forests are largely restricted to areas of coastal influence with relatively stable temperatures and summer coastal fog. Montane hardwood-conifer is a habitat type that contains both hardwoods and conifers in a closed canopy forest setting. Characteristically, this habitat contains a mixture of small stands, either pure conifer stands or small pure broadleaf tree stands. Common trees are redwood, Douglas-fir (*Pseudotsuga menziesii*), tanoak (*Notholithocarpus densiflorus*), Pacific madrone (*Arbutus menziesii*), coast live oak (*Quercus agrifolia*), big leaf maple (*Acer macrophyllum*), California bay (*Umbellularia californica*), and

incense cedar (*Calocedrus decurrens*). Douglas-fir forests are typically more strongly dominated by Douglas-fir and tend to grow more inland and at higher elevations within the Program area.

Wildlife species that occur in conifer forest communities of the Program area are generally similar among the various conifer forest types. In the Program area, conifer forests provide foraging and nesting habitat for many bird species, including the Pacific wren (*Troglodytes pacificus*), chestnut-backed chickadee (*Poecile rufuscens*), Pacific-slope flycatcher (*Empidonax difficilis)*, Steller's jay (*Cyanocitta stelleri*), acorn woodpecker (*Melanerpes formicivorus*), brown creeper (*Certhia americana*), band-tailed pigeon (*Patagioenas fasciata*), and hermit warbler (*Setophaga occidentalis*). Marbled murrelets (*Brachyramphus marmoratus*) nest in forests of mature, especially old-growth, redwood and Douglas-fir. Winter residents of these forests include Townsend's warbler (*Setophaga townsendi*) and varied thrush (*Ixoreus naevius*). Mammals using conifer forests in the Program area include bobcat, mountain lion, black-tailed deer, and western gray squirrel (*Sciurus griseus*). Hollow trees and logs provide denning sites and nesting sites for many species including the coyote and raccoon (*Procyon lotor*), while cavities in mature trees are used by cavity-dwelling species such as the acorn woodpecker, pileated woodpecker (*Dryocopus pileatus*), northern saw-whet owl (*Aegolius acadicus*), and western screech-owl (*Megascops kennicottii*), as well as bats such as the Yuma myotis (*Myotis yumanensis*) and Townsend's big-eared bat (*Corynorhinus townsendii*). Common amphibians and reptiles found in coniferous forests include the California newt, California slender salamander (*Batrachoseps attenuatus*), western fence lizard, southern alligator lizard and California giant salamander (*Dicamptodon ensatus*).

4.1.4 Grassland

Grassland communities are dominated by grasses and may also contain a diverse set of forbs. These communities provide many important environmental functions for soil stabilization, increasing water infiltrations, and nutrient cycling. In addition, grasslands serve as habitat for many special-status species. In the Program area, both annual and perennial grasslands occur. Annual grasslands are defined as those typically dominated by non-native grasses, whereas perennial grasslands are those in which a significant component of vegetative cover consists of native perennial bunchgrasses. Some of the perennial grassland habitat types in the Program area occur within areas mapped as "serpentine communities" shown on Figure 4-1.

Annual Grassland

Annual grassland habitat occurs on flat plains and rolling hills, and is an open community composed mainly of annual plant species. Grasses begin to grow during the cool late fall and early winter months and by summer much of the biomass, although standing, is dead. Introduced annual grasses are dominant and include wild oats (*Avena* spp.) and non-native brome species (*Bromus* spp.). The forb community includes many non-native species such as filarees (*Erodium* spp.), mustards (*Brassica* spp. and *Hirschfeldia* spp.), and thistles such yellow star-thistle (*Centaurea solstitialis*) and Italian thistle (*Carduus pycnocephalus*). Native

species can be a significant component of the composition, including native grass species such as bromes (*Bromus* spp.) and needlegrasses (*Stipa* spp.), and native forbs such as yarrow (*Achillea millefolium*), common fiddleneck (*Amsinckia intermedia*), clarkias (*Clarkia* spp.), blue-eyed grass (*Sisyrinchium bellum*), soap plant (*Chlorogalum pomeridianum*), and California poppy (*Eschscholzia californica*). Annual grasslands are found throughout the Program area, primarily in lower and middle elevations.

In the more highly urbanized portions of the Program area, especially east of the Santa Cruz Mountain ridges, wildlife use of grasslands is limited by human disturbance, extent of the habitat in a specific area, abundance of non-native and invasive species, and isolation of grassland habitat remnants from more extensive grasslands. In more rural areas, large expanses of grassy open areas provide higher-quality habitat for these grassland-associated wildlife species.

White-tailed kite (Elanus leucurus)

California ground squirrels (*Spermophilus beecheyi*), where they are present, are an important component of grassland communities, providing a prey base for diurnal raptors and terrestrial predators throughout the Program area. The burrows of California ground squirrels also provide refugia for wildlife species including fence lizards, garter (*Thamnophis* spp.) and gopher snakes, and wintering and migrant burrowing owls (*Athene cunicularia*). Other rodent species present in grassland habitats include the California vole (*Microtus californicus*), Botta's pocket gopher (*Thomomys bottae*), and deer mouse (*Peromyscus maniculatus*). Diurnal raptors such as red-tailed hawks (*Buteo jamaicensis*), northern harriers (*Circus hudsonius*), white-tailed kites (*Elanus leucurus*), and American kestrels (*Falco sparverius*) forage for small mammals over grasslands during the day, and at night nocturnal raptors, such as barn owls (*Tyto alba*) and great horned owls (*Bubo virginianus*), forage for nocturnal rodents such as deer mice. Some bird species, such as western meadowlarks (*Sturnella neglecta*) and grasshopper sparrows (*Ammodramus savannarum*), breed and forage in the Program area solely in grasslands. Mammals such as the coyote, American badger (*Taxidea taxus*), black-tailed jackrabbit (*Lepus californicus*), and striped skunk (*Mephitis mephitis*) utilize grassland habitats in the Program area for foraging. Open grassland habitat with bare ground is important foraging habitat for the pallid bat and Mexican free-tailed bat (*Tadarida brasiliensis*). Amphibians occur in extensive grasslands in low numbers due to the relative lack of cover and the generally dry and hot microclimate; however, more mobile amphibians such as California red-legged frog (*Rana draytonii*) can traverse grasslands during the wet season. Reptiles present include western fence lizard, southern alligator lizard, western skink (*Eumeces skiltonianus*), western terrestrial garter snake (*Thamnophis elegans*), gopher snake, western rattlesnake, California kingsnake, and in some local areas, San Francisco garter snakes (*Thamnophis sirtalis tetrataenia*).

Perennial Grassland

Perennial grasslands are typically dominated by native species including native, perennial bunchgrasses. Perennial grasslands of two main types occur in the Program area: coastal prairie and serpentine bunchgrass grassland. Coastal prairie is unmapped by CALVEG, and would be restricted in the Program area to preserves such as Tunitas Creek OSP, Miramontes Ridge OSP, or Purisima Creek Redwoods OSP that experience coastal influence. Serpentine bunchgrass grassland occurs in areas mapped as "serpentine communities" on Figure 4-1.

Coastal Prairie

Coastal prairies occur on marine terraces near the Pacific Coast and have a dense herbaceous layer with grasses as a significant portion of the vegetation, including Pacific reedgrass (*Calamagrostis nutkaensis*), California oatgrass, tufted hairgrass (*Deschampsia cespitosa*), and sedges (*Carex* spp.). Wildflowers and native forbs are a component and include goldfields (*Lasthenia* spp.), lupines (*Lupinus* spp.), and clovers (*Trifolium* spp.).

Perennial bunchgrasses can be found in this habitat as well and can include needlegrasses (*Stipa* spp.), California oatgrass, Idaho fescue (*Festuca idahoensis*), one-sided bluegrass (*Poa secunda*), California brome (*Bromus carinatus*), and melic grasses (*Melica* spp.). Relic coastal prairies will often have native perennial bunchgrasses as a significant portion of the vegetation.

San Francisco garter snake (Thamnophis sirtalis tetrataenia)

The general vegetation structure of coastal prairie habitat is similar to that of non-native grassland habitat, and wildlife species composition in the Program area is similar between perennial and annual grasslands. However, small mammal abundance may be greater in areas dominated by perennial bunchgrasses, if such areas provide greater cover, and raptors may be more abundant in areas dominated by perennial bunchgrasses as a result.

Serpentine Communities

Serpentine grass and wildflowers in Sierra Azul OSP (Karl Gohl)

In the Program area, serpentine communities are found in four Midpen preserves in the Program area: Pulgas Ridge OSP, St. Joseph's Hill OSP, El Sereno OSP, and Sierra Azul OSP. Serpentine habitats in these preserves consist of serpentine bunchgrass grasslands, serpentine wildflower fields, serpentine chaparral, serpentine seeps, and serpentine barrens. Serpentine grasslands are grasslands dominated by perennial bunchgrass such as needlegrasses and melic grasses. Notably, non-native annual grasses are less abundant in serpentine communities than in annual grassland communities. The soils of serpentine communities have extremely high levels of iron and magnesium, making them inhospitable for many species of plants. Serpentine soils can also contain other metals such as chromium, cobalt or nickel that can cause plant toxicity. In addition, the nitrogen and water-holding capacity of the soils may also be low, making the soils less fertile. However, a unique group of vascular plant species, which can tolerate the relatively low calcium to magnesium ratio, has evolved in response to these conditions. As a result, serpentine grasslands generally support native plant communities, including a number of special-status plants (discussed in Section 4.3.1, *Special-Status Plant Species* below). Serpentine wildflower fields occur where the vegetation is dominated by native forb cover consisting of species indicative of serpentine substrates. These communities occur in a matrix with serpentine grassland and serpentine barrens (e.g., serpentine rock outcrops or thin soils where vegetation is sparse and limited to small pockets of herbaceous vegetation). Serpentine chaparral consists of fire-adapted shrub vegetation found on serpentine soils. Serpentine chaparral is generally more open than other chaparral types and shrubs tend to be shorter. A common dominant shrub species on serpentine chaparral in the Program area is leather oak (*Quercus durata*). As with serpentine grassland, serpentine chaparral supports special status plants that are specially adapted and restricted to the unique soil conditions.

Several invertebrate species, including the federally threatened Bay checkerspot butterfly (*Euphydryas editha bayensis*), which was extirpated from the Program area but recently reintroduced to Edgewood County Park and San Bruno Mountain State and County Park, depend on serpentine grasslands because their host-food plants are found primarily in this habitat. Although serpentine grassland habitats in the Program area provide unique habitat structure that may be attractive to certain grassland bird species, the relatively small size and of these habitat patches and their relative isolation from the few other patches of serpentine habitat limit their attractiveness to grassland bird species. Within the Program area, serpentine grassland in general provides habitat for generalist species that do not require large tracts of

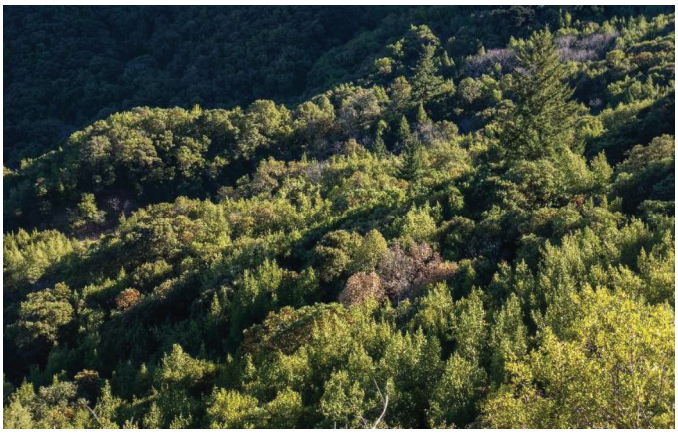
intact grassland, such as red-tailed hawks, American kestrels, savannah sparrows (*Passerculus sandwichensis*), grasshopper sparrows, and western meadowlarks.

Rock Outcrops

Rock outcrops are present in a variety of plant communities, including grasslands. These outcrops often support few plants due to the paucity of soil, but they provide unique habitat for some wildlife species. On large outcrops, white-throated swifts (*Aeronautes saxatilis*), common ravens (*Corvus corax*), barn owls, and other birds nest and roost in cavities or on ledges, and cliff swallows (*Petrochelidon pyrrhonota*) may attach mud nests under rock overhangs. Near-ground rock outcrops are used by western rattlesnake and other reptiles for thermoregulation. Outcrops may also provide roosting habitat for Pallid bat, big brown bat (*Eptesicus fuscus*), small-footed myotis (*Myotis ciliolabrum*), Yuma myotis, California myotis (Myotis californicus), little brown myotis (*Myotis lucifugus*), fringed myotis (*Myotis thysanodes*), long-legged myotis (*Myotis volans*), and canyon bat.

4.1.5 Hardwood Forest

In the Program area, hardwood forest communities are represented by closed-canopy forests dominated by hardwoods such as coast live oak or California bay. They generally occur in the transition zone between forests and woodland or scrub communities, and in the Program area occur in greatest abundance at somewhat lower elevations than much of the conifer forest. In the majority of the Program area, coast live oak tends to be the dominant canopy species in this forest type. Other co-occurring trees in the canopy include Pacific madrone, tanoak, and canyon live oak (*Quercus chrysolepis*). At drier sites, the co-occurring trees include valley oak (*Quercus lobata*), blue oak (*Quercus douglasii*), and gray pine (*Pinus sabiniana*). Depending on site moisture characteristics, the canopy tends to be closed on moister sites and open and widely spaced on drier sites. As with the overstory, the understory composition varies, including shade tolerant shrubs, ferns, and herbs. In the more open settings, grassland species typically occur. Where the hardwood forest intergrades with chaparral and coastal scrub, the understory may contain California sagebrush, sticky monkeyflower (*Diplacus aurantiacus*), or coyote brush.



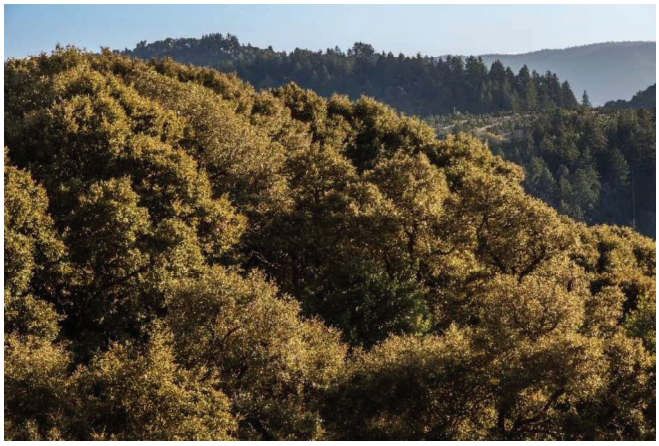
Hardwood forest in Sierra Azul OSP (Karl Gohl)

Hardwood forests and woodlands produce mast crops that are an important food source for many birds and mammals, including wild turkey (*Meleagris gallopavo*), oak titmouse (*Baeolophus inornatus*), Bewick's wren, Hutton's vireo (*Vireo huttoni*), California scrub-jay,

Steller's jay, acorn woodpecker, California quail, black-tailed deer, and San Francisco dusky-footed woodrat. Dusky-footed woodrats can be quite abundant in this habitat type, and the deer mouse and California mouse (*Peromyscus californicus*) also commonly occur. As with coniferous forests, hollow trees and logs, as well as cavities in older mature trees, provide important denning sites for coyotes, raccoons, striped skunks, and bobcats. Cavities in mature trees are also used by cavity-dwelling species such as the oak titmouse, acorn woodpecker, hairy woodpecker (*Dryobates villosus*), and chestnut-backed chickadee, as well as bats such as the Yuma myotis, California myotis, hoary bat (*Lasiurus cinereus*), big brown bat, long-eared myotis (*Myotis evotis*), and occasionally pallid bat. Common amphibians and reptiles found in hardwood forests and woodlands include the California slender salamander, western fence lizard, gopher snake, southern alligator lizard, and California kingsnake.

4.1.6 Oak Savanna

Oak savanna vegetation is mapped where the tree canopy is open and generally has an open grassland understory. Oak savanna habitats generally occur in the transition zone between forests and scrub or grassland communities, and oak savanna is much less extensive in the Program area than those adjacent communities. Oak savanna types include coast live oak woodland, California buckeye (*Aesculus californica*) woodland, gray pine woodland, and valley oak woodland. The herbaceous understory is typically composed of the one of the grassland types described above in Section 4.1.5, *Hardwood Forest*.



Oaks in Monte Bello OSP (Karl Gohl)

Wildlife using oak savanna includes many species that occur in hardwood forests, such as wild turkey, California scrub-jay, Steller's jay, as well as species that are associated primarily with open habitats, such as red-tailed hawk, American kestrel, lazuli bunting (*Passerina amoena*), western bluebird (*Sialia mexicana*), mourning dove (*Zenaida macroura*), and California towhee.

4.1.7 Riparian Communities

Riparian communities occur at the interfaces between terrestrial and aquatic communities, particularly along streams. In California, riparian habitats generally support exceptionally rich animal communities even though they occupy a limited amount of the land cover. The importance of riparian areas in the Program area far exceeds their minor proportion of the total acreage because of their prominent location within the landscape and the intricate linkages between terrestrial and aquatic communities (Gregory et al. 1991). The presence of at least

seasonal (and often year-round) water and abundant invertebrates provide foraging opportunities for many species, and the diverse habitat structure provides cover and nesting opportunities. In the Program area, riparian communities are classified by habitat subcategories as riparian woodland or riparian shrubland, depending on whether a tree canopy is present or not.

Riparian woodland habitats are forest and woodland communities dominated by trees such as red willow (*Salix laevigata*), Fremont's cottonwood (*Populus fremontii*), western sycamore (*Platanus racemosa*), and valley oak in the tallest canopy layer. A lower subcanopy can occur that includes tree species such as white alder (*Alnus rhombifolia*), boxelder (*Acer negundo*), and black walnut (*Juglans hindsii*). Below the tree canopy is a shrub layer that can include native shrubs such as wild rose (*Rosa californica*), California blackberry, poison oak, and coyote brush. Understory herbs include grasses, miner's lettuce (*Claytonia perfoliata*), Douglas' sagewort (*Artemisia douglasiana*), poison hemlock (*Conium maculatum*), hoary nettle (*Urtica dioica*), rushes (*Juncus* spp.), and sedges (*Carex* spp. and *Cyperus* spp.). This habitat occurs along stream courses and rivers throughout the Program area.

Yellow warbler (Setophaga petechia)

Riparian shrubland habitats are those dominated by shrubs such as sandbar willow (*Salix exigua*), arroyo willow (*Salix lasiolepis*), dogwood (*Cornus sericea*), coast twinberry (*Lonicera involucrata*), and California wax myrtle (*Morella californica*), and in some areas currant (*Ribes* spp.). This habitat type often represents pioneer vegetation, which will colonize recently established sand or gravel bars within floodplains. Tall shrub vegetation may establish on gravel banks and terraces adjacent to the more active channels that are either open water or streambeds devoid of vegetation. If not cleared by either human or natural disturbance, this vegetation would, in many settings, develop into a tree-dominated riparian vegetation such as that described above. In some areas, particularly on channel banks and higher floodplain terraces, this vegetation consists of stands of coyote brush.

The maturity and structural diversity of the riparian habitats in the Program area support a high diversity and density of vertebrate species, particularly birds. The wider, more mature riparian corridors provide suitable foraging and breeding habitat for several functional groups of birds including insectivores (e.g., warblers, flycatchers), seed-eaters (e.g., finches), raptors, and cavity-nesters (e.g., swallows and woodpeckers) in addition to a variety of common amphibians, reptiles, and mammals. Among the numerous species of birds that use the riparian habitats for breeding are the Pacific-slope flycatcher, black-headed grosbeak (*Pheucticus melanocephalus*), warbling vireo (*Vireo gilvus*), and Wilson's warbler (*Cardellina pusilla*). The yellow warbler

(*Setophaga petechia*) may breed in small numbers at a few locations, but is a much more abundant spring and fall migrant. Raptors such as red-shouldered hawk (*Buteo lineatus*) and Cooper's hawk (*Accipiter cooperii*) nest within riparian corridors and forage in adjacent habitats. Riparian habitats are also used heavily by migrants, including many passerine species, such as western tanagers (*Piranga ludoviciana*) and western wood-pewees (*Contopus sordidulus*) as well as wintering birds. Silver-haired bat (*Lasionycteris noctivagans*), western red bat (*Lasiurus blossevillii*), and hoary bat are all foliage-roosting species that may roost in riparian trees.

A number of species of reptiles and amphibians occur in riparian corridors within the Midpen lands. Leaf litter, downed tree branches, and fallen logs provide cover for the arboreal salamander (*Aneides lugubris*), California newt, and Sierran chorus frog (*Pseudacris sierra*) among others. Several lizards may also occur here, including the western fence lizard, western skink, and southern alligator lizard. Mammals such as the ornate shrew (*Sorex ornatus*), California vole, Audubon's cottontail (*Sylvilagus audubonii*), San Francisco dusky-footed woodrat, and raccoon also use riparian habitats.

4.1.8 Aquatic and Wetland Communities

Aquatic and wetland communities are those which are periodically to perennially saturated or inundated. These communities provide many important environmental functions, such as recycling nutrients, purifying water, attenuating floods, and recharging groundwater. In addition, they serve as habitat for many aquatic species. Aquatic and wetland communities present in the Program area include lacustrine habitats (shown as "water" on Figure 4-1), wetlands, and streams.

Lacustrine habitats contain standing water in areas that are flooded year-round or for the majority of the year. These habitats form from depressions where small ponds may form (man-made in the case of stock ponds), or from dammed stream and river channels. Ponds, lakes, and reservoirs are all examples of lacustrine habitats.

Alpine Pond in Skyline Ridge OSP (Karl Gohl)

Wetlands are communities vegetated with herbaceous plants and occurring in soils that are inundated or saturated either temporarily or permanently. Freshwater emergent wetlands in the Program area consist of emergent, herbaceous vegetation occurring in portions of drainages where the water source is perennial and slow-moving throughout most of the year, or in depressions where the groundwater table may be high.

Freshwater emergent wetlands in the Program area typically occur as dense growth of perennial, obligate wetland species such as cattail (*Typha* spp.), bulrush (*Schoenoplectus* spp.), sedges, water smartweeds (*Persicaria* spp.), and watercress (*Nasturtium officinale*). The exact composition of any wetland is variable and dependent on the hydrology of the landscape. Seasonal wetlands are dominated by hydrophytes (i.e., wetland-adapted plants) that will persist in channels or depressions that are only seasonally moist. These include ruderal, non-native species such as bristly ox tongue (*Helminthotheca echioides*), curly dock (*Rumex crispus*), Italian thistle (*Carduus pycnocephalus*), sheep sorrel (*Rumex acetosella*), rabbit's foot grass (*Polypogon monspeliensis*), Italian ryegrass (*Festuca perennis*), and cocklebur (*Xanthium strumarium*) and natives such as umbrella sedge (*Cyperus eragrostis*) and California mugwort (*Artemisia douglasiana*).

Streams are shown on Figure 4-1 as blue-line features and include perennial and intermittent drainages throughout the Program area. Streams within the Program area often have some riparian, described as a separate vegetation community above, natural communities associated with them. These aquatic features also commonly support wetland vegetation, and lacustrine features may also be associated with streams, particularly when channels are impounded. Vegetation in stream habitats is more likely associated with the adjacent wetlands and riparian communities than the streams themselves. Aquatic vegetation such as algae may grow on stream beds, and in slower moving waters duckweed (*Lemna* spp.) and other floating and submerged aquatic species may be present.

Aquatic and wetland habitats provide important habitat for a variety of wildlife species. Reservoirs and lakes, such as Lexington Reservoir, Howell Reservoir, and Lake Elsman, as well as other smaller lakes and bodies of water located throughout the Program area, provide habitat for waterbirds such as the double-crested cormorant (*Phalacrocorax auritus*), great blue heron (*Ardea herodias*), great egret (*Ardea alba*), Canada goose (*Branta canadensis*), and mallard (*Anas platyrhynchos*). Wintering ducks, such as bufflehead (*Bucephala clangula*) and ring-necked duck (*Aythya collaris*), also use reservoirs, lakes, and small ponds throughout the Program area. Small numbers of some species of shorebirds, such as the spotted sandpiper (*Actitis macularius*), forage and roost at the edges of small ponds and lakes during migration and winter. Bald eagles (*Haliaeetus leucocephalus*), ospreys (*Pandion haliaetus*) and terns (*Sterna* spp.) forage at larger reservoirs and lakes, such as at Lexington reservoir.

Aquatic and wetland habitats provide important foraging habitat for bats. Yuma myotis forage over open water habitat, almost exclusively. Silver-haired bats also forage over open water, while little brown myotis and western red bat often forage over woodland streams.

Amphibian species that breed in ponds and lakes throughout the Program area include the native Sierran chorus frog and western toad (*Anaxyrus boreas*) and the non-native American bullfrog (*Lithobates catesbeianus*). The California red-legged frog is a widespread breeder in ponds, streams with suitable egg mass attachment sites, and wetlands that support deeper water. Western pond turtles (*Actinemys marmorata*) are also present in some ponds and lakes.

California red-legged frog (Rana draytonii)

Despite the limited amount of freshwater marsh habitat available in the Program area, small numbers of sora (*Porzana carolina*) and Virginia rail (*Rallus limicola*) forage in freshwater marshes in the Program area during migration and in winter. American coots (*Fulica americana*), common gallinules (*Gallinula chloropus*), pied-billed grebes (*Podilymbus podiceps*), and several species of ducks breed in freshwater wetlands, channels, and ponds in and around emergent vegetation. Passerine species that breed in freshwater marshes include the marsh wren (*Cistothorus palustris*), song sparrow (*Melospiza melodia*), common yellowthroat (*Geothlypis trichas*), and red-winged blackbird (*Agelaius phoeniceus*).

Fish species present in aquatic habitats in the region are discussed below in Section 4.2, *Fish Resources*.

4.1.9 Non-Native/Ornamental Woodland

The ornamental woodland cover type in the Program area consists of vegetation that is dominated by one or more species of non-native, often planted, trees. The most common expression of this habitat type in the Program area is that of eucalyptus (*Eucalyptus globulus*) groves, some of which are remnant plantations, and some of which have established on their own. Other common tree species constituting ornamental woodland in the Program area include blackwood acacia (*Acacia melanoxylon*), cultivated Douglas-fir, non-native Monterey pine (*Pinus radiata*), and Monterey cypress (*Hesperocyparis macrocarpa*).

These trees may provide nesting habitat for birds, but generally the habitat value of homogenous stands of trees is lower than native forest communities described above due to the lower diversity of structural and food resources of monotypic stands and the paucity of understory vegetation and ground cover below dense canopies of species such as eucalyptus and cypress. However, certain eucalyptus species can provide foraging and nesting habitat for breeding, wintering, and migrant birds. Bird species that often frequent eucalyptus trees include the Anna's hummingbird, yellow-rumped warbler (*Setophaga coronata*), and migrant yellow warbler. Red-shouldered hawks, red-tailed hawks, and white-tailed kites often nest in mature eucalyptus trees.

Eucalyptus trees also provide roosting habitat for several bat species. The exfoliating bark provides roosting habitat for Yuma myotis and California myotis, while the foliage provides roosting habitat for silver-haired bat, western red bat, and hoary bat.

4.1.10 Urban

The urban land cover type as depicted in Figure 4-1 can be described as a "developed" habitat. Within the Program area, urban land uses consist primarily of urban and suburban areas; within preserves, urban land uses would include paved roads, parking lots, office and maintenance buildings, and maintenance yards and gravel lots associated with those areas, as well as landscaped areas around historical buildings and visitors' centers. Vegetation within urban land uses is dominated by turf grass, ornamental, non-native plants associated with landscaping and irrigation, or ruderal non-native species such as Italian thistle, yellow star thistle (*Centaurea solstitialis*), and upright veldt grass (*Ehrharta erecta*).

Urban habitats typically support a suite of relatively common wildlife species that are tolerant of periodic human disturbance. Some of the most abundant species in developed habitats, such as the Brewer's blackbird (*Euphagus cyanocephalus*), American crow (*Corvus brachyrhynchos*), Eurasian collared-dove (*Streptopelia decaocto*), European starling (*Sturnus vulgaris*), rock pigeon (*Columba livia*), Virginia opossum (*Didelphis virginiana*), house mouse (*Mus musculus*), eastern gray squirrel (*Sciurus carolinensis*), fox squirrel (*Sciurus niger*), Norway rat (*Rattus norvegicus*), and black rat (*Rattus rattus*), are non-native species that are well adapted to the cover, nesting/denning, and foraging conditions provided by developed areas. In addition, a number of native species have adapted to these conditions. Native bird species commonly found in urban habitats in the Program area include the black phoebe (*Sayornis nigricans*), house finch (*Carpodacus mexicanus*), northern mockingbird (*Mimus polyglottos*), Anna's hummingbird, and California towhee. Native mammals such as the deer mouse, raccoon, and striped skunk utilize these developed areas heavily as well.

Many bridges and other structures, such as old barns, sheds, and other buildings in the Program area, including those on Midpen preserves, provide important nesting and roosting sites for some species of birds and bats. Bats such as the Yuma myotis, California myotis, Mexican free-tailed bat, Townsend's big-eared bat, pallid bat, and big brown bat may roost in bridges, structures, unoccupied buildings, and/or large trees throughout the Program area, including other structures on Midpen preserves. Caves and abandoned mines, although not common on Midpen properties, also provide roosting habitat for Townsend's big-eared bat, pallid bat, small-footed myotis, little brown myotis, fringed myotis, long-legged myotis, and Mexican free-tailed bat. Birds such as the black phoebe, cliff swallow, barn swallow (*Hirundo rustica*), northern rough-winged swallow (*Stelgidopteryx serripennis*), and white-throated swift also use bridges and other structures in the Program area for nesting.

4.2 Fish Resources

Aquatic features in the Program area, including streams, sloughs, ponds, and lakes, provide habitat for both native and non-native fish species. Rivers, creeks, and streams within the Program area located on the west side of the crest of the Santa Cruz Mountains flow downstream to the Pacific Ocean, while those located on the east side of the crest of the Santa Cruz Mountains flow downstream to the San Francisco Bay. Perennial streams in the Program area support fish resources year-round, especially where wetland and riparian vegetation are present to provide cover, shade, and foraging opportunities. Intermittent drainages can provide habitat for fish species during wet periods, if fish are able to access these drainages from perennially wet areas, but typically dry out in the summer.

Native fish that inhabit waterbodies in the Program area include the Pacific lamprey (*Entosphenus tridentata*), threespine stickleback (*Gasterosteus aculeatus*), prickly sculpin (*Cottus asper*), staghorn sculpin (*Leptocottus armatus*), and coastrange sculpin (*Cottus aleuticus*) (Leidy 2007). Rainbow trout (*Oncorhynchus mykiss*) in the Program area include both resident individuals present in Program area streams throughout their lifetimes (including trout in stream reaches that are separated from marine and estuarine habitats by barriers such as dams) and anadromous Central California Coast steelhead that spawn in freshwater streams and forage as adults in marine habitats before returning to their natal streams to breed (Leidy et al. 2005). Central California Coast Coho salmon (*Oncorhynchus kisutch*) is another anadromous fish that spawns in limited coastal streams in the Program area. In addition, a number of non-native fishes have been introduced to the Program area, including the yellowfin goby (*Acanthogobius flavimanus*), common carp (*Cyprinus carpio*), white crappie (*Pomoxis annularis*), brown bullhead (*Ameiurus nebulosus*), mosquitofish (*Gambusia affinis*), largemouth bass (*Micropterus salmoides*), and bluegill (*Lepomis macrochirus*) (California Fish Website 2019, Leidy 2007).

4.3 Special-Status Plant and Animal Species

For the purpose of this Manual, special-status species have been defined as described below. Impacts on these species are regulated by some of the federal, state, and local laws and ordinances described in Chapter 2, *Regulatory Framework*.

"Special-status" plants are considered plant species that are:

- Listed under the Federal Endangered Species Act (FESA) as threatened, endangered, proposed threatened, proposed endangered, or a candidate species;
- Listed under the California Endangered Species Act (CESA) as threatened, endangered, rare, or a candidate species;
- Listed by the California Native Plant Society (CNPS) as California Rare Plant Rank (CRPR) 1A, 1B, 2A, 2B, 3, or 4; and

- Considered sensitive or locally rare by qualified botanists, and/or tracked and given special consideration by Midpen. Examples include (but are not limited to) Nature Serve ranked species and International Union for Conservation of Nature listed species.

The CNPS, a non-governmental conservation organization, has developed CRPRs for plant species of concern in California in the CNPS Inventory of Rare and Endangered Plants. The CRPRs include lichens, vascular, and non-vascular plants, and are defined as follows:

- CRPR 1A Plants considered extinct.
- CRPR 1B Plants rare, threatened, or endangered in California and elsewhere.
- CRPR 2A Plants considered extinct in California but more common elsewhere.
- CRPR 2B Plants rare, threatened, or endangered in California but more common elsewhere.
- CRPR 3 Plants about which more information is needed - review list.
- CRPR 4 Plants of limited distribution-watch list.

The CRPRs are further described by the following threat code extensions:

- .1—seriously endangered in California;
- .2—fairly endangered in California;
- .3—not very endangered in California.

"Special-status" animals, for the purposes of this document, are considered animal species that have been given one or more of the status designations below by the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), or National Marine Fisheries Service (NMFS).

- Listed under the FESA as threatened, endangered, proposed threatened, proposed endangered, or a candidate species
- Listed under the CESA as threatened, endangered, or a candidate threatened or endangered species
- Designated by CDFW as a California species of special concern
- Listed in the California Fish and Game Code (F&G Code) as a fully protected species (birds at Section 3511, mammals at Section 4700, reptiles and amphibians at Section 5050, and fish at Section 5515).

In addition, Midpen maintains its own lists of sensitive plant and animal species, which include a number of species that do not necessarily meet the "special-status" definitions below. These additional species include, but are not limited to, species classified or listed under designations such as USFWS Birds of Management Concern or CDFW Watchlist species. These additional sensitive species also include species such as the Santa Cruz kangaroo rat, which is very scarce and local and is being considered by CDFW for addition to its list of mammal species of special concern. Midpen takes those species into consideration during planning and implementation of

maintenance activities and may analyze impacts to these additional species under CEQA even if not strictly required or done by common practice. Therefore, Midpen may consider impacts of maintenance activities to selected sensitive plants and animals in addition to those listed in Tables 4-1 and 4-2.

4.1.11 Special-Status Plants

A list of special-status plant species known to occur, or thought to have potential for occurrence, in the Program area was compiled using CNPS lists (CNPS 2019a); California Natural Diversity Database (CNDDB) records (CDFW 2019a) for San Mateo, Santa Clara, and Santa Cruz counties; data from CalFlora (CNPS 2019b) and the Consortium of California Herbaria (CCH) Portal 1 (CCH 2019); and occurrence records based on surveys by Midpen biologists. Special-status plant records from CNDDB and Midpen surveys are mapped on **Figure 4-2**.

Although the CNPS is not a regulatory agency, and the CNPS's CRPR designations confer no formal regulatory protection, plants appearing as CRPR 1B or 2 are, in general, considered to meet CEQA's Section 15380 criteria, and adverse effects on these species may be considered significant. Impacts on plants that are listed by the CNPS as CRPR 3 or 4 are also considered during CEQA review, although because these species are typically not as rare as CRPR 1B or 2, impacts on them are less frequently considered significant.

Table 4-1 identifies the 97 special-status plant species known to occur, or thought to have potential for occurrence, in the Program area and describes their distribution, legal status, general habitat requirements, and known occurrences in the Program area. Special-status plants that are restricted to coastal dune, coastal strand, and/or coastal or bay salt marsh habitats are not included in Table 4-1 or discussed further, as the Program area does not include these areas and habitat types.

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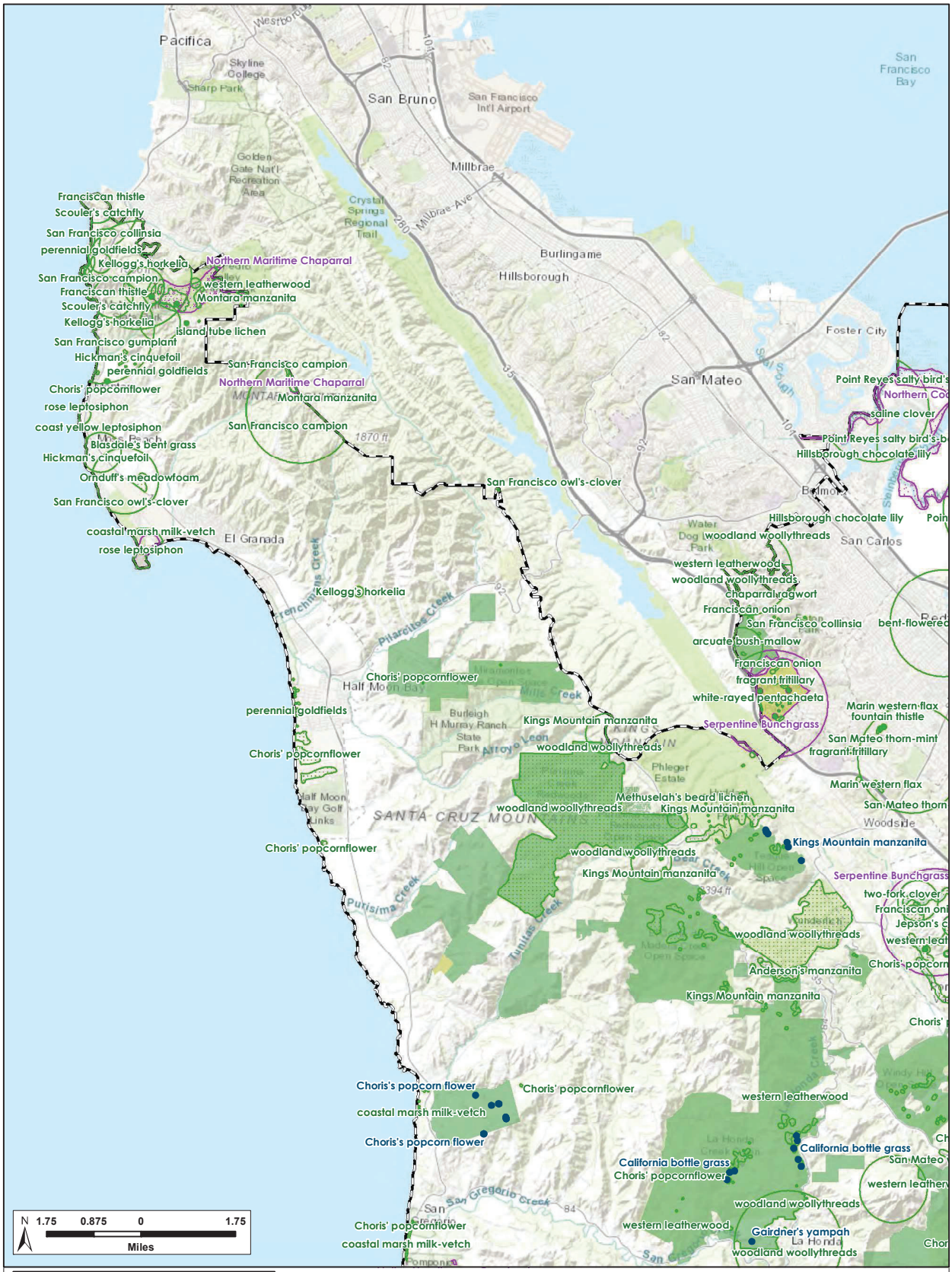

H. T. HARVEY & ASSOCIATES
Ecological Consultants

Figure 4-2. Special-Status Plants Map

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program

April 2021

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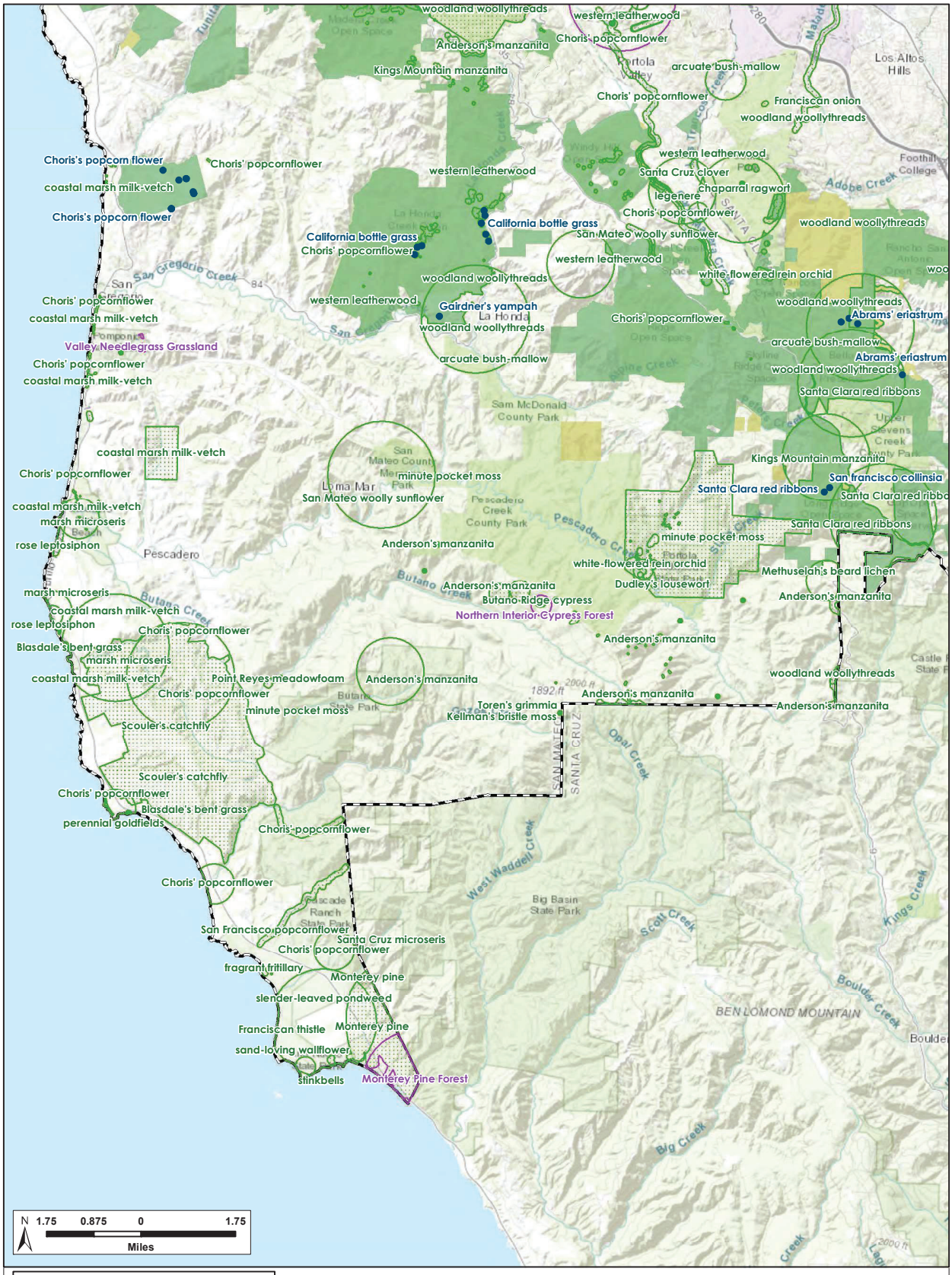

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Figure 4-2. Special-Status Plants Map

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program

April 2021

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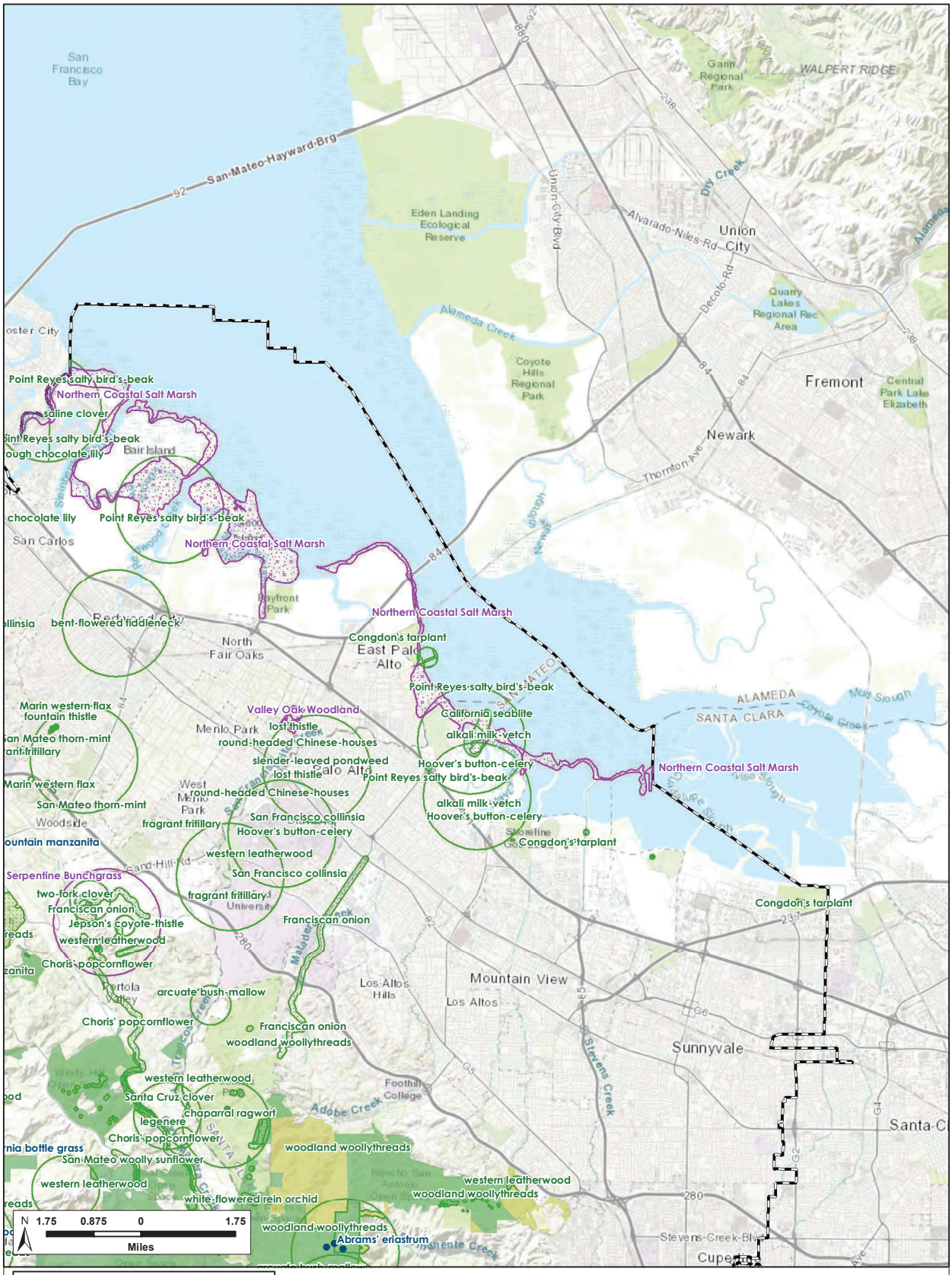

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Figure 4-2. Special-Status Plants Map

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program

April 2021

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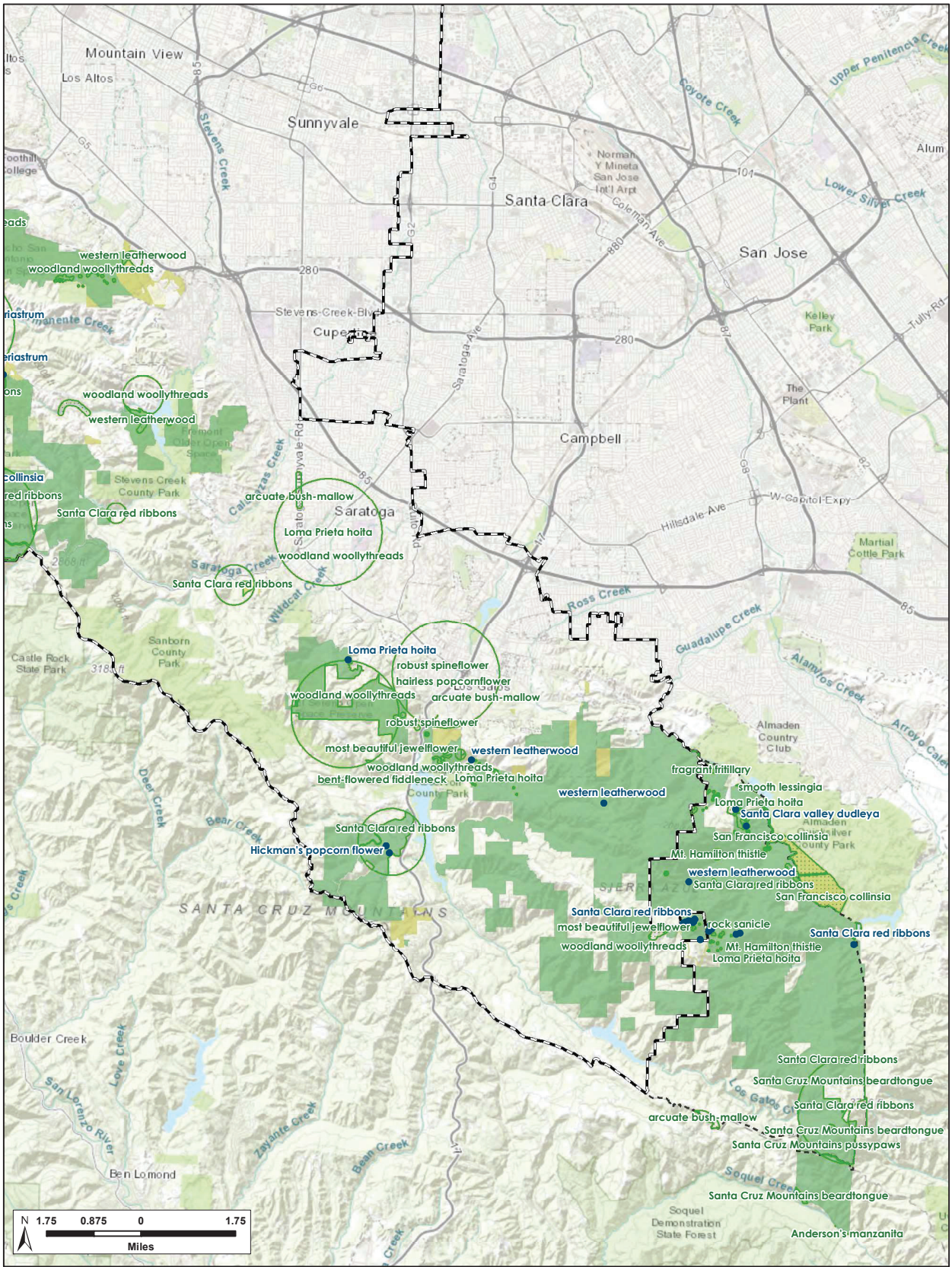

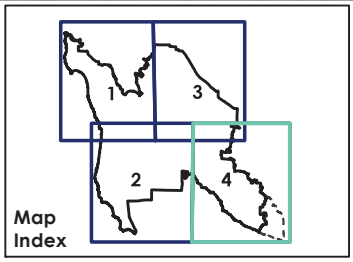

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

Midpen Records (Calflora)

- Plant Observation

CNDDB Records

- Specific Location
- Approximate Location
- General Area

Terrestrial Communities

- General Area

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Figure 4-2. Special-Status Plants Map

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program

April 2021

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Table 4-1. Special-Status Plant Species with Potential to Occur in the Program Area.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Federally Listed or State-listed Endangered and Threatened Plant Species			
San Mateo thorn-mint (*Acanthomintha duttonii*)	FE, SE, CRPR 1B.1	Serpentine in grassland or chaparral.	**May be Present.** Suitable habitat for this species is present in preserves with serpentine grassland and/or chaparral, such as Pulgas Ridge OSP and Sierra Azul OSP. The closest known population is in Edgewood County Park just south of Pulgas Ridge OSP (CDFW 2019a).
San Bruno Mountain manzanita (*Arctostaphylos imbricata*)	SE, CRPR 1B.1	Rocky sites in chaparral or coastal scrub.	**Not Likely to be Present.** The range of this species is restricted to San Bruno Mountain (CDFW 2019a), which is outside the Program area.
Pacific manzanita (*Arctostaphylos pacifica*)	SE, CRPR 1B.2	Chaparral, coastal scrub.	**Not Likely to be Present.** The range of this species is restricted to San Bruno Mountain (CDFW 2019a), which is outside the Program area.
Marsh sandwort (*Arenaria paludicola*)	FE, SE, CRPR 1B.1	Sandy soils and opening in freshwater or brackish swamps and marsh.	**May be Present.** Though once much more widespread along the California coast, only one naturally-occurring population of this species is known to remain in California (in San Luis Obispo County). Marsh sandwort has also been re-introduced to sites in San Luis Obispo County, Santa Cruz County, and Marin County with mixed success. Midpen is in communication with USFWS about plans to attempt re-introducing this species in the Program area.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Robust spineflower (*Chorizanthe robusta* var. *robusta*)	FE, CRPR 1B.1	Sandy or gravelly areas in coastal chaparral, openings in woodlands, coastal scrub, coastal grassland.	**May be present.** A historical occurrence is known from CNDDB records, with the location information listed as the "general vicinity of Los Gatos (CDFW 2019a). The current known range of this species is centered on the Monterey Bay in Santa Cruz and Santa Cruz Counties. Suitable habitat is present for this species in preserves in the southern portion of the Program area such as El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP, where the species could occur in microhabitats such as sandy openings, or gravelly barrens where competition from non-native plants is low.
Crystal Springs fountain thistle (*Cirsium fontinale* var. *fontinale*)	FE, SE, CRPR 1B.1	Serpentine seeps.	**Present.** The species is known to occur in Sierra Azul OSP. Suitable habitat is potentially present in other preserves with serpentine soils, such as El Sereno OSP and St. Joseph's Hill, if seeps are present.
Santa Clara Valley dudleya (*Dudleya abramsii* ssp. *setchellii*)	FE, CRPR 1B.1	Cismontane woodland, valley and foothill grassland on serpentine; rocky/serpentine outcrop.	**Present.** The species is known to occur in the Program area only in Sierra Azul OSP, where small numbers are present within approximately one mile south and west/southwest of Guadalupe Dam. Suitable habitat is potentially present in other preserves in the southern portion of the Program area with serpentine soils, such as St. Joseph's Hill OSP and El Sereno OSP.
San Mateo woolly sunflower (*Eriophyllum latilobum*)	FE, SE, CRPR 1B.1	Often on serpentine in montane hardwood, oak woodlands.	**Present.** The species is known to occur in Coal Creek OSP and Russian Ridge OSP. This species has potential to occur in other nearby preserves with suitable habitat such as Monte Bello OSP, Russian Ridge OSP and Windy Hill OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Butano Ridge cypress (*Hesperocyparis abramsiana* var. *butanoensis*)	FE, SE, CRPR 1B.2	Sandstone derived soils in closed cone conifer, Montane hardwood.	**Not Likely to be Present.** The species is restricted to a few locations in the Santa Cruz Mountains on specialized sandstone-derived microhabitats that do not occur in the Program area.
Marin western flax (*Hesperolinon congestum*)	FT, ST, CRPR 1B.1	Serpentine in grassland or chaparral.	**May be Present.** This species has a limited range and is known primarily from serpentine outcrops in San Mateo and Marin Counties. The closest known existing population to preserves in the Program area is in Edgewood County Park just south of Pulgas Ridge OSP (CDFW 2019a). Suitable habitat for this species is present in other preserves with serpentine grassland and/or chaparral, such as El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP, though these preserves would be south of known range of this species.
San Francisco lessingia (*Lessingia germanorum*)	FE, SE, CRPR 1B.1	Remnant dunes in coastal scrub.	**Not Likely to be Present.** The known present range of this species is outside the Program area. It is known from one location at Hillside Park in Daly City, and from several populations at the Presidio of San Francisco (CDFW 2020).
Coast yellow leptosiphon (*Leptosiphon croceus*)	SC, CRPR 1B.1	Coastal scrub on bluffs, coastal grassland.	**May be Present.** Suitable habitat for this species is potentially present in Tunitas Creek OSP. The closest recently recorded population of this species is in coastal prairie on bluffs near the town of Moss Landing (CDFW 2019a).

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Point Reyes meadowfoam (*Limnanthes douglasii* ssp. *sulphurea*)	SE, CRPR 1B.2	Coastal grassland, freshwater wetlands, vernal pools.	**Not Likely to be Present.** This species is primarily restricted to Marin County (Pt. Reyes peninsula); the only population recorded in San Mateo County was mapped in a wet meadow along Butano Creek approximately 4 air miles inland from the coast in the 1980s, but it was likely subsequently extirpated (CDFW 2019a). Due to the limited range of this species and lack of collections in the County, it is not likely to occur within the Program area.
Dudley's lousewort (*Pedicularis dudleyi*)	SR, CRPR 1B.2	Coastal chaparral, montane hardwood, montane hardwood conifer, oak woodlands, grassland. Found in deep, shady redwood forest.	**May be Present.** While it is known to occur from San Mateo County to San Louis Obispo County, recorded observations of this species are scarce. Where it has been found in the vicinity of the Program area (in Portola Redwoods State Park) it is known to occur in deep, shaded redwood forests (CDFW 2019a). This species has potential to occur in nearby preserves with similar habitat such as Purisima Creek Redwoods OSP, La Honda Ridge OSP, and Russian Ridge OSP.
White-rayed pentachaeta (*Pentachaeta bellidiflora*)	FE, SE, CRPR 1B.1	Oak woodlands, montane hardwood, often on serpentine in grassland.	**May be Present.** The closest known population of this species is in Edgewood County Park just south of Pulgas Ridge OSP (CDFW 2019a). Suitable habitat for this species is present in preserves with serpentine grassland and/or chaparral, such as Pulgas Ridge OSP, El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
San Francisco popcorn-flower (*Plagiobothrys diffusus*)	SE, CRPR 1B.1	Coastal grassland.	**May be Present.** Suitable habitat for this species is potentially present in Tunitas Creek OSP. The closest recently recorded population of this species is present within the coastal zone in grassland just north of Año Nuevo (CDFW 2019a).

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Hickman's cinquefoil (*Potentilla hickmanii*)	FE, SE, CRPR 1B.1	Coastal bluff scrub, closed-cone conifer forest, freshwater wetlands, wet meadows.	**May be Present.** Suitable habitat for this species is potentially present in Tunitas Creek OSP and in Purisima Creek Redwoods OSP. Known population of this species are present on Montara mountain just to the north of Miramontes Ridge OSP (CNPS 2019c).
Metcalf Canyon jewel-flower (Streptanthus albidus ssp. albidus)	FE, CRPR 1B.1	Valley and foothill grassland (serpentinite)/serpentine bunchgrass grassland.	**May be Present.** The species is known to occur in Sierra Azul OSP. Suitable habitat for this species is potentially present in other preserves in the southern portion of the Program area with serpentine soils, such as St. Joseph's Hill and El Sereno OSP.
Two-fork clover (*Trifolium amoenum*)	SE, CRPR 1B.1	Bluffs in coastal scrub and sometimes on serpentine in coastal prairie (weak affinity to serpentine soils).	**May be Present.** The range of known extant populations is Marin and Sonoma counties. All populations in San Mateo are historical, with one population with a general locality of Colma on the south side of San Bruno Mountain being over 100 years old, and a record from the general area identified as "San Francisquito Creek near Searsville Lake" from 1950 (CDFW 2019a). Nevertheless, suitable habitat for this species is present in preserves with coastal chaparral or coastal scrub such as Tunitas Creek OSP or Miramontes Ridge OSP.
CNPS-Listed Plant Species (CRPR 1 and 2)			
Blasdale's bent grass (*Agrostis blasdalei*)	CRPR 1B.2	Bluffs in coastal scrub and coastal grassland.	**May be Present.** Suitable habitat for this species is present in preserves with coastal chaparral or coastal scrub such as Tunitas Creek OSP and Miramontes Ridge OSP. The nearest known population of this species to Midpen preserves is Bean Hollow State Beach to the south of Tunitas Creek OSP where it occurs in coastal bluff scrub (CDFW 2019a).

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Franciscan onion (*Allium peninsulare* var. *franciscanum*)	CRPR 1B.2	Volcanic or clay soils, often on serpentine, in grassland, oak woodlands, or montane hardwood woodlands.	**Present.** The species is known to occur in Pulgas Ridge OSP. This species has the potential to occur in other preserves throughout the Program area with serpentine habitats such as El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
Bent-flowered fiddleneck (*Amsinckia lunaris*)	CRPR 1B.2	Grassland, bluffs in coastal scrub, montane hardwood, oak woodlands.	**May be Present.** This species has a wide geographic range, from Glenn to Monterey Counties, but is not abundant where it is found (CNPS 2019c). Throughout this range it occurs in wide variety of habitat types. Populations of this species are known to occur around Crystal Spring Reservoir just to the northeast of Pulgas Ridge OSP where it occurs in open grasslands as well in the deep shade of north-facing woodlands (CNPS 2019c, CCH 2019). Suitable habitat for this species is present in preserves with grasslands and woodlands.
Anderson's manzanita (*Arctostaphylos andersonii*)	CRPR 1B.2	Openings or edges in redwood, chaparral, montane hardwood.	**Present.** The species is known to occur in Saratoga Gap OSP, Long Ridge OSP, and Purisima Creek Redwoods OSP. Suitable habitat for this species is present in many of the preserves throughout the Program area, particularly those along the ridgetop of the Santa Cruz Mountains in San Mateo County.
Montara manzanita (*Arctostaphylos montaraensis*)	CRPR 1B.2	Coastal chaparral or coastal scrub.	**May be Present.** The known range of this species is restricted to Montara Mountain, which is north of the Program area (CDFW 2019a). However, suitable habitat for this species is present in preserves with coastal chaparral or coastal scrub near Montara Mountain such as Tunitas Creek OSP, Miramontes Ridge OSP, or Purisima Creek Redwoods OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Kings Mountain manzanita (Arctostaphylos regismontana)	CRPR 1B.2	Granitic or sandstone derived soils in montane hardwood, chaparral, redwood.	**Present.** The species is known to occur in Pulgas Ridge OSP, Teague Hill OSP, Thornewood OSP, El Corte de Madera Creek OSP, and La Honda Creek OSP. Suitable habitat for this species is present in many of the preserves throughout the Program area, particularly those along the ridgetop of the Santa Cruz Mountains in San Mateo County.
Coastal marsh milk-vetch (*Astragalus pycnostachyus* var. *pycnostachyus*)	CRPR 1B.2	Salt marsh, coastal scrub, coastal grassland, saline wetlands.	**May be Present.** Suitable habitat for this species is present in Tunitas Creek OSP, and the species is known from just outside of the preserve (CDFW 2019a).
Big-scale balsamroot (Balsamorhiza macrolepis var. macrolepis)	CRPR 1B.2,	Chaparral, cismontane woodland, valley and foothill grassland sometimes in serpentinite/serpentine bunchgrass grassland, mixed serpentine chaparral, and oak woodland.	**May be Present.** The geographic range of this species is to the east of the Program area in the inner coast ranges (Diablo Range) as well as Sierra Nevada foothills (CNPS 2019c). The closest known populations of this species occur on Coyote Ridge to the southeast of Sierra Azul OSP (CNPS 2019c). However, this species has the potential to occur in preserves in the southern portion of the Program area with serpentine habitats, such as El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
Santa Cruz Mountains pussypaws (*Calyptridium parryi* var. *hesseae*)	CRPR 1B.1	Sandy or gravelly soils, often in openings, in chaparral and cismontane woodland.	**May be Present.** The closest known populations of this species are historical populations in the Santa Cruz mountains near Eagle Rock approximately 4 miles south of Long Ridge OSP (CDFW 2019a). This species has the potential to occur in preserves along the ridgetop of the Santa Cruz Mountains with suitable microhabitats such as sandy openings, or gravelly barrens where competition from non-native plants is low.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*)	CRPR 1B.1	California annual grassland habitat on alkaline soils, occasionally disturbed soils.	**Not Likely to be Present.** The species is known to occur in Stevens Creek Natural Study area and in the vicinity of Ravenswood OSP (though recent surveys of the Ravenswood population found only the common species), neither of which are included in the Program area. This species generally grows at a lower elevation and nearer to the Bay margin and is not expected to occur in preserves higher up in the Santa Cruz Mountains.
Pappose tarplant (*Centromadia parryi* ssp. *parryi*)	CRPR 1B.2	Coastal scrub, coastal grassland, bay margin, saline wetlands.	**May be Present.** Suitable habitat for this species is present in preserves with coastal chaparral or coastal scrub such as Tunitas Creek OSP and Miramontes Ridge OSP. Populations of this species are known to occur to the north of these preserves in the vicinity of Mori Point in San Mateo County (CDFW 2019a).
San Francisco Bay spineflower (*Chorizanthe cuspidata* var. *cuspidata*)	CRPR 1B.2	Sandy areas in coastal scrub, coastal grassland.	**May be Present.** The geographic range and precise habitat requirements of this species are not well known due to the limited, and mostly historical collections of this species (CNPS 2019c). All collections in the Program area are historical (CDFW 2019a). The closest occurrences records to the north in San Francisco County are also largely historical, though recent collections have been made on San Bruno Mountain and near Pacifica (CNPS 2019c). This species has potential to occur in suitable habitat coastal scrub habitat in Tunitas Creek OSP and Miramontes Ridge OSP.
Franciscan thistle (*Cirsium andrewsii*)	CRPR 1B.2	Sometimes on serpentine in coastal scrub, coastal grassland, montane.	**May be Present.** Suitable habitat for this species is present in preserves with serpentine grassland and/or chaparral, such as Pulgas Ridge OSP, El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
San Francisco collinsia (*Collinsia multicolor*)	CRPR 1B.2	Sometimes on serpentine in closed cone coniferous forest, coastal scrub.	**Present.** The species is known to occur in Sierra Azul OSP and Long Ridge OSP. Suitable habitat for this species is present in preserves serpentine soils such as Pulgas Ridge OSP, St. Joseph's Hill OSP and El Sereno OSP.
Western leatherwood (*Dirca occidentalis*)	CRPR 1B.2	Moist areas in closed cone pine, chaparral, oak woodland, montane hardwood, riparian forest, redwood.	**Present.** The species is known to occur in Windy Hill OSP, Rancho San Antonio OSP, Coal Creek OSP, Fremont Older OSP, La Honda Creek OSP, Pulgas Ridge OSP, and Los Trancos OSP. This species could occur in other nearby preserves with similar habitat, particularly those with more mesic, steep, brushy, north-facing slopes (CDFW 2019a).
Sand-loving wallflower (*Erysimum ammophilum*)	CRPR 1B.2	Sandy and openings in coastal chaparral or coastal scrub.	**May be Present.** The majority of recorded occurrences of this species are center around the Monterey Peninsula, though there is a recent CNDDB record from the Ano Nuevo Ranch State Park vicinity (CDFW 2019a). Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP.
Minute pocket moss (*Fissidens pauperculus*)	CRPR 1B.2	Damp coastal soil in redwood forest.	**May be Present.** The geographic range and precise habitat requirements of this species are not well known due to limit collections. The closest known population is in Portola Redwoods State Park just west of Long Ridge OSP (CDFW 2019a). Suitable habitat for this species is present in preserves with redwood forest.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Hillsborough chocolate lily (*Fritillaria biflora* var. *ineziana*)	CRPR 1B.1	Serpentine in grassland and oak woodland.	**May be Present.** The closest known population to preserves within the Program area is on SFPUC lands to the north of Pulgas Ridge OSP (CDFW 2019a). Suitable habitat for this species is present in preserves with serpentine grassland such as Pulgas Ridge OSP, El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
Fragrant fritillary (*Fritillaria liliacea*)	CRPR 1B.2	Often serpentine in grassland, coastal scrub, oak woodland, montane hardwood.	**Present.** The species is known to occur in Sierra Azul OSP. Suitable habitat for this species is present in preserves with serpentine grassland and/or oak woodland such as Pulgas Ridge OSP, El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
Toren's grimmia (*Grimmia torenii*)	CRPR 1B.3	On rocky, boulder and rock walls, carbonate, volcanic substrates in chaparral, cismontane woodland and lower montane coniferous forest.	**May be Present.** The closest known population of this species is Big Basin Redwoods State Park to the south Midpen preserves (CDFW 2019a). Suitable habitat for this species is present in preserves with suitable carbonate rock outcrops in oak woodland and forest, such as may occur in Bear Creek Redwoods OSP, Russian Ridge OSP, Skyline Ridge and La Honda Creek OSP.
Diablo helianthella (*Helianthella castanea*)	CRPR 1B.2	Montane hardwood, chaparral, oak woodland, coastal scrub, grassland.	**May be Present.** This species is primarily known from Contra Costa and Alameda counties around Mt. Diablo (CNPS 2019c). The closest known population is on San Bruno Mountain where it occurs in grassland (CDFW 2019a). Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Short-leaved evax (*Hesperevax sparsiflora* var. *brevifolia*)	CRPR 1B.2	Coastal grassland, sandy areas in coastal scrub.	**May be Present.** The closest known populations to Midpen preserves are historical collections from the vicinity of Big Basin Redwoods State Park that have not been re-observed in over forty years (CDFW 2019b). Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP.
Loma Prieta hoita (*Hoita strobilina*)	CRPR 1B.1	Usually on serpentine soils in chaparral, cismontane woodland, and riparian woodland.	**Present.** The species is known to occur in El Sereno OSP, Sierra Azul OSP, and St. Joseph's Hill OSP. The range of this species is generally restricted to the southern end of the Santa Cruz Mountains, and it is therefore not expected to occur in other preserves.
Point Reyes horkelia (*Horkelia marinensis*)	CRPR 1B.2	Sandy areas in coastal scrub or coastal grasslands.	**May be Present.** Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP. The closest known populations are located along the coast near Davenport and on Ben Lomond Mountain in Santa Cruz County (CDFW 2019a). Historical populations are known from Montara Mountain and San Bruno Mountain to the north of the Program area (CDFW 2019a).
Perennial goldfields (*Lasthenia californica* ssp. *macrantha*)	CRPR 1B.2	Coastal scrub on bluffs.	**May be Present.** Populations are known from coastal bluffs near Bean Hollow State Beach (CDFW 2019a). Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Legenere (*Legenere limosa*)	CRPR 1B.1	Vernal pools in grassland.	**May be Present.** The geographic range of this species is widespread from Tehama to Santa Clara County, though populations are small and rare in the regions where they do occur (CNPS 2019c). A historical population is known from a pond edge near Coal Mine Ridge in between Coal Creek OSP and Las Trancos OSP (CDFW 2019a). Suitable habitat for this species is present in preserves with vernal pools and seasonal wetlands around stock ponds, reservoirs or lakes.
Rose Leptosiphon (*Leptosiphon rosaceus*)	CRPR 1B.1	Coastal scrub on bluffs.	**May be Present.** The nearest known population of this species is present at Pillar Point bluff to the north of Tunitas Creek OSP. Suitable habitat for this species is present on coastal bluffs in Tunitas Creek OSP.
Crystal Springs lessingia (*Lessingia arachnoidea*)	CRPR 1B.2	Serpentine in oak woodland, coastal scrub, grassland.	**May be Present.** The range of this species is restricted to the serpentine outcrops in San Mateo County. Populations of this species occur in Edgewood County Park to the south of Pulgas Ridge OSP and in serpentine grasslands on San Francisco Public Utilities Commission lands to the north (CDFW 2019a). This species has potential to occur in Pulgas Ridge OSP. Given the restricted range of this species, however, it is not expected to occur in other preserves to the south.
Smooth lessingia (*Lessingia micradenia* var. *glabrata*)	CRPR 1B.2	Chaparral, cismontane woodland- on serpentinite, often roadsides/mixed serpentine chaparral and oak woodland.	**Present.** The species is known to occur in Sierra Azul OSP. Suitable habitat for this species is present in other preserves in the southern portion of the Program area with serpentine soils such as St. Joseph's Hill and El Sereno OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Coast lily (*Lilium maritimum*)	CRPR 1B.1	Montane hardwood, closed cone conifer forest, coastal grassland, coastal scrub, freshwater wetlands, redwood.	**Not Likely to be Present.** The known range of this species is the north coast of California, from Marin County north to the Oregon border (CNPS 2019c). This species is presumed to be extinct in San Mateo County (CNPS 2019c).
Ornduff's meadowfoam (*Limnanthes douglasii* ssp. *ornduffii*)	CRPR 1B.1	Wet meadows in cropland.	**May be Present.** The geographic distribution and habitat preferences of this species are not well-known due to the limited number of collections. Populations are known from coastal areas to the north and south of the coastal Midpen preserves in San Mateo County (CDFW 2019a). This species has potential to occur in Tunitas Creek OSP and Miramontes Ridge OSP if suitable wet meadow habitat near the coast was present in those preserves.
Indian Valley bush-mallow (*Malacothamnus aboriginum*)	CRPR 1B.2	Rocky areas in chaparral, oak woodland.	**May be Present.** The range of this species is centered on the inner coast range to the south of the Program area; however, historical populations are known from areas just to the north of Foothills OSP and Windy Hill OSP (CCH 2019; CDFW 2019a). This species tends to occur in rocky granitic soils in chaparral, particularly after burns. It has the potential to occur in preserves with this microhabitat type, particularly those in the central and southern portions of the Program area with large areas of chaparral.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Arcuate bush-mallow (*Malacothamnus arcuatus*)	CRPR 1B.2	Chaparral, oak woodland.	**Present.** The species is known to occur in Skyline Ridge OSP, Pulgas Ridge OSP, and Rancho San Antonio OSP. Historical populations are known from near La Honda Creek OSP and Los Trancos Woods OSP. Like other special-status *Malacothamnus* species, this species tends to establish following fires, and its limited range and abundance is likely due to altered fire regimes (CNPS 2019c). This species has the potential to occur in other preserves throughout the Program area, particularly those along the ridgetop of the Santa Cruz Mountains in San Mateo County with chaparral habitats that have recently burned.
Davidson's bush-mallow (*Malacothamnus davidsonii*)	CRPR 1B.2	Chaparral, oak woodland, coastal scrub, riparian woodland.	**May be Present.** The range of this species based on current occurrences is well to the south of the Program area in Monterey County and south (CNPS 2019c). Historical populations are known from the hills just to the east of Pulgas Ridge OSP, as well as near Foothills OSP and Rancho San Antonio OSP (CDFW 2019a). As with the other special-status *Malacothamnus* species, this species has the potential to occur in preserves with chaparral habitats that have recently burned.
Hall's bush-mallow (*Malacothamnus hallii*)	CRPR 1B.2	Chaparral, coastal scrub.	**May be Present.** The range of this species based on current occurrences is centered in the Diablo Range in Santa Clara County to the south of the Program area (CDFW 2019a). A historical population is known from near Los Trancos Woods OSP and Monte Bello OSP (CDFW 2019a). As with the other special-status *Malacothamnus* species, this species has the potential to occur in preserves with chaparral habitats that have recently burned.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Marsh Microseris (*Microseris paludosa*)	CRPR 1B.2	Closed-cone pine, oak woodland, coastal scrub, grassland.	**May be Present.** This species occurs in the coastal zone from Mendocino to San Louis Obispo Counties. Extant populations are known from grassy opening in coastal scrub to the south of Tunitas Creek in the vicinity of Pescadero marsh (CDFW 2019a). Suitable habitat for this species is present in Tunitas Creek OSP.
Woodland woollythreads (*Monolopia gracilens*)	CRPR 1B.2	Serpentine areas in montane hardwood openings, chaparral openings, oak woodland, redwood openings, grassland.	**Present.** The species is known to occur in Los Trancos OSP, Rancho San Antonio OSP, Sierra Azul OSP, and St. Joseph's Hill OSP. The species has potential to occur in other preserves with serpentine soils including El Sereno OSP and Pulgas Ridge OSP.
Kellman's bristle moss (*Orthotrichum kellmanii*)	CRPR 1B.2	Sandstone or carbonate substrates in chaparral, oak woodland.	**May be Present.** Suitable habitat for this species is present in preserves with suitable sandstone or carbonate substrates in chaparral and oak woodland. The closest known population is in Big Basin Redwoods State Park to the south of the Program area (CDFW 2019a).
Santa Cruz Mountains beardtongue (Penstemon rattanii var. kleei)	CRPR 1B.2	Chaparral, lower montane coniferous forest, North Coast coniferous forest.	**Present.** The species is known to occur in Sierra Azul OSP. This species has potential to occur in other preserves in the southern portion of the Program area with suitable habitat such as El Sereno OSP, St. Joseph's Hill OSP and Bear Creek Redwoods OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Monterey pine (*Pinus radiata*)	CRPR 1B.1	Closed cone pine, montane hardwood conifer, native populations restricted to three locations at Cambria (San Luis Obispo County), the Monterey Peninsula (Monterey County) and Año Nuevo (San Mateo and Santa Cruz Counties).	**Not Likely to be Present.** Native stands of Monterey pine are not known to occur within the Program area, the closest being at Año Nuevo (CNPS 2019c, CDFW 2019a).
White-flowered rein orchid (*Piperia candida*)	CRPR 1B.2	Sometimes on serpentine in montane hardwood conifer, redwood, montane hardwood.	**Present.** The species is known to occur in Los Trancos OSP. This species has potential to occur in other surrounding and nearby preserves such as Russian Ridge OSP, Coal Creek OSP and Skyline Ridge OSP.
Choris' popcorn-flower (*Plagiobothrys chorisianus* var. *chorisianus*)	CRPR 1B.2	Moist areas in chaparral, coastal grassland, coastal scrub.	**Present.** The species is known to occur in Russian Ridge OSP, Tunitas Creek OSP, La Honda Creek OSP, and Miramontes Ridge OSP (CDFW 2019a, CNPS 2019c). Many occurrences in San Mateo County are known only from herbarium collections over 50 years old and are known or presumed extirpated (CDFW 2019a). This species tends to occur along the coast, but many of the occurrences (including known occurrences in preserves within the Program area) are inland. This species has the potential to occur in other preserves where vernally-wet swales, vernal pools, and other seasonal wetlands are present.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Hairless popcornflower (*Plagiobothrys glaber*)	CRPR 1A	Alkali meadows and seeps, coastal salt marshes and swamps; 45 – 590 ft.	**May be Present.** The species was recorded in El Sereno OSP and St. Joseph's Hill OSP according to Midpen records, though all verified collections of this species in the California Consortium of Herbaria are historical (CCH 2019) and the species is still presumed to be extinct, or possibly just a variety of the more common *Plagiobothrys stipitatus* (CNPS 2019c; CDFW 2019a).
Chaparral ragwort (*Senecio aphanactis*)	CRPR 2B.2	Alkaline soils in chaparral, cismontane woodland, coastal scrub.	**May be Present.** The geographic range of this species is broad from the San Francisco Bay to Baja California, though the species is rare where it is found (CNPS 2019c). Historical populations of this species are known from Foothills Park (City of Palo Alto) and just outside of Pulgas Ridge OSP (CDFW 2019a) where it had been observed in recently burned chaparral. This species has potential to occur in preserves with chaparral that has recently burned.
Scouler's catchfly (*Silene scouleri* ssp. *scouleri*)	CRPR 2B.2	Coastal bluff scrub, Coastal prairie, Valley and foothill grassland.	**May be Present.** Suitable habitat for this species is present in Tunitas Creek OSP. Populations are known from coastal scrub to the south of Tunitas Creek in the Pescadero marsh area (CDFW 2019a).
San Francisco campion (*Silene verecunda* ssp. *verecunda*)	CRPR 1B.2	Sandy areas in coastal scrub, grassland, chaparral.	**May be Present.** Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP. Populations are known from coastal scrub and chaparral to north of these preserves on Montara Mountain (CDFW 2019a).

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Most beautiful jewel-flower (Streptanthus albidus ssp. peramoenus)	CRPR 1B.2	Chaparral, cismontane woodland, valley and foothill grassland in serpentinite/ serpentine bunchgrass grassland, mixed serpentine chaparral.	**Present.** The species is known to occur in Sierra Azul OSP and St. Joseph's Hill OSP (CDFW 2019a). This species has potential to occur in other preserves in the southern portion of the Program area with serpentine soils such as El Sereno OSP.
Slender-leaved pondweed (*Stuckenia filiformis* ssp. *alpina*)	CRPR 2B.2	Freshwater wetlands, shallow water on pond edges or in riparian zones.	**May be Present.** This species has a wide geographic range, which includes the Modoc plateau and high elevation areas of the Sierra Nevada (CNPS 2019c). The limited number of CNDDB occurrences in San Mateo, Santa Cruz and Santa Clara counties are all historical and have not been recently re-collected (CDFW 2019a). The collection from Ano Nuevo State Reserve was from a pond on a bluff (CDFW 2019a). Precise information on exact kinds of freshwater marshes or open water areas where this species could be found within the Program area is lacking due to the limited number of collections of this species.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Santa Cruz clover (*Trifolium buckwestiorum*)	CRPR 1B.1	Moist grassland, and/or gravelly margins in coastal prairie and mixed evergreen forest.	**May be Present.** The range of the species extends from Mendocino to Monterey County, where it is primarily found in areas with coastal influence (i.e. the outer coast ranges) (CNPS 2019c). An unspecified collection is known from an area long Skyline Boulevard near the convergence of Coal Creek OSP, Russian Ridge OSP, Los Trancos Ridge OSP and Skyline Ridge OSP, and there is no specific ecological information associated with this collection (CNPS 2019b, CDFW 2019a). The majority of the recent collections from Santa Cruz County occur closer to the coast. There is potential for this species to occur in preserves with more coastal influences such as Miramontes Ridge OSP, Purisima Creek Redwoods OSP, La Honda Creek OSP, and Tunitas Creek OSP.
Coastal triquetrella (*Triquetrella californica*)	CRPR 1B.2	Bluffs in coastal scrub.	**May be Present.** Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP. One population is known from coastal scrub to north of these preserves on Montara Mountain (CDFW 2019a).
CNPS-Listed Plant Species (CRPR 3 and 4) and Midpen Sensitive species			
California androsace (*Androsace elongata* ssp. *acuta*)	CRPR 4.2	Openings in chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland; sometimes in meadows and seeps.	**May be Present.** This is a widespread species ranging from the Oregon border to San Diego County, though it tends to occur more inland than the Santa Cruz Mountains (CNPS 2019c). Historical populations of this species are known from the hills just to the north and east of Foothills OSP, Los Trancos OSP, and Rancho San Antonio OSP. This species has the potential to occur in these preserves and others along the ridgeline of the Santa Cruz Mountains in openings where cover of other species (particularly dense, non-native annual grasses) is low.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Brewer's calandrinia (*Calandrinia breweri*)	CRPR 4.2	Sandy or loamy, disturbed sites and burns in chaparral and coastal scrub.	**May be Present.** This is a widespread species ranging from Shasta County to the border with Mexico and into Baja California (CNPS 2019c). Historical populations are present in the vicinity of Teague Hill OSP where it grew in recently burned chaparral (CDFW 2019a). This species has potential to occur in preserves with chaparral that have recently burned or in sandy openings on edges of chaparral and/or coastal scrub.
Oakland star-tulip (*Calochortus umbellatus*)	CRPR 4.2	Often on serpentine substrates in broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, and valley and foothill grassland.	**May be Present.** Suitable habitat for this species is present in preserves with serpentine soils. A historical population of this species is recorded from the ridge in between Purisima Creek Redwoods OSP and Teague Hill OSP along State Route 35 (CDFW 2019a).
Pink star-tulip (*Calochortus uniflorus*)	CRPR 4.2	Coastal prairie, coastal scrub, meadows and seeps, North Coast coniferous forest.	**May be Present.** Most populations of this species occur to the north of the San Francisco Bay or around the Monterey Bay (CNPS 2019c). Extant populations of this species are present on the east slopes of Montara mountain to the north of preserves in the Program area as well as in mixed conifer forest in Santa Cruz county to the south and west of preserves such as Sierra Azul OSP and Bear Creek Redwoods OSP (CNPS 2019b; CCH 2019).
Johnny-nip (*Castilleja ambigua* var. *ambigua*)	CRPR 4.2	Vernal pool margins in coastal bluff scrub, coastal prairie, coastal scrub, valley and foothill grassland.	**May be Present.** Populations are known from seasonal wetlands on coastal prairies to the south of Tunitas Creek OSP in the Pescadero area (CCH 2019). Suitable habitat for this species is present in Tunitas Creek OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Seaside paintbrush (*Castilleja latifolia*)	CRPR 4.3	Sandy soils in closed-cone coniferous forest and cismontane woodland; coastal dunes and coastal scrub.	**May be Present.** Historical populations are known from the vicinity of Tunitas Creek OSP, but have not been observed in over one hundred years (CCH 2019; CNPS 2019b). Suitable habitat for this species is present in Tunitas Creek OSP and Miramontes Ridge OSP.
Clustered lady's-slipper (*Cypripedium fasciculatum*)	CRPR 4.2	Usually serpentine seeps and streambanks in lower montane coniferous forest, North Coast coniferous forest.	**May be Present.** Historical records are known from Purisima Creek Redwoods OSP and Monte Bello OSP, but these populations have not been encountered in over 100 years (CCH 2019). Suitable habitat is present in preserves with mature conifer forest, such as Bear Creek Redwoods OSP, La Honda Creek OSP and Russian Ridge OSP.
Mountain lady's-slipper (*Cypripedium montanum*)	CRPR 4.2	Broadleafed upland forest, cismontane woodland, lower montane coniferous forest, North Coast coniferous forest.	**May be Present.** Historical records are known from Purisima Creek Redwoods OSP and near Sierra Azul OSP, St. Joseph's Hill OSP and El Sereno OSP, but these populations have not been encountered in over 100 years (CCH 2019). Suitable habitat is present in preserves with mature conifer forest, such as Bear Creek Redwoods OSP, La Honda Creek OSP and Russian Ridge OSP.
California bottle-brush grass (*Elymus californicus*)	CRPR 4.3	Broadleafed upland forest, cismontane woodland, North Coast coniferous forest, riparian woodland. Occurs in seasonally wet areas in openings in the forest.	**Present.** This species is known to occur in La Honda Creek OSP. In addition, a historical population occurs just outside Russian Ridge OSP (CCH 2019). This current extent, range and abundance of this species is possibly limited by fire suppression (CNPS 2019c). This species has potential to occur in preserves that have suitable forest openings.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Abrams' woollystar (*Eriastrum abramsii*)	Midpen	Chaparral.	**Present.** The species is known to occur in Monte Bello OSP and Rancho San Antonio OSP. This species has the potential to occur in other preserves along the Santa Cruz Mountain ridgetop with chaparral habitat.
Jepson's woolly sunflower (Eriophyllum jepsonii)	CRPR 4.3	Chaparral, cismontane woodland, and coastal scrub, sometimes serpentinite.	**May be Present.** The closest known population occurs to the east of Sierra Azul OSP in Henry Coe State Park (CNPS 2019b). Suitable habitat for this species is present in preserves in the southern portion of the Program area with serpentine soils such as El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
San Francisco wallflower (*Erysimum franciscanum*)	CRPR 4.2	Chaparral, coastal dunes, coastal scrub, Valley and foothill grassland (often serpentinite or granitic, sometimes roadsides).	**May be Present.** The known distribution of this species is not well known (CNPS 2019c). Populations are known to occur on SFPUC watershed lands just to the north of Miramontes Ridge OSP (CCH 2019; CNPS 2019b). Suitable habitat is present in preserves with chaparral, coastal scrub, rocky cliffs, and grassland particularly in the northern half of the program area such as Miramontes Ridge OSP and Purisima Creek Redwoods OSP.
Small leaved monkeyflower (*Erythranthe microphylla*)	Midpen	Seeps, streambanks, wet meadows in chaparral.	**May be Present.** Suitable habitat is present in preserves containing chaparral with seep, wet meadow, or streambank microhabitat.
Stinkbells (*Fritillaria agrestis*)	CRPR 4.2	Clay, sometimes serpentinite substrates in chaparral, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland.	**May be Present.** This species occurs on a wide variety of habitats, including on and off of serpentine substrates (CNPS 2019c). Suitable habitat for this species is present in many preserves. A known population of this species occurs near Año Nuevo in similar habitat to that in Tunitas Creek OSP (CNPS 2019b).

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
San Francisco gumplant (*Grindelia hirsutula* var. *maritima*)	CRPR 3.2	Sandy or serpentine substrates in coastal bluff scrub, coastal scrub, and valley and foothill grassland.	**May be Present.** The taxonomic certainty of this species is in flux, as is it distribution and range (CNPS 2019c). This species is generally considered to occur in the coastal zone (CNPS 2019c). Suitable habitat for this species is present in the Tunitas Creek OSP.
Harlequin lotus (*Hosackia gracilis*)	CRPR 4.2	In wetlands and roadsides within broadleafed upland forest, Coastal bluff scrub, closed-cone coniferous forest, cismontane woodland, coastal prairie, coastal scrub, meadows and seeps, marshes and swamps, North Coast coniferous forest, valley and foothill grassland.	**May be Present.** Suitable habitat for this species is present in many Midpen preserves. Historical populations of this species are present in coastal bluff scrub and grassland habitats just south of Tunitas Creek OSP in the Pescadero area, and just west of Miramontes Ridge OSP in the Half Moon Bay area (CNPS 2019b).
Coast iris (*Iris longipetala*)	CRPR 4.2	Mesic sites (meadows and seeps) in coastal prairie and lower montane coniferous forest.	**May be Present.** Historical populations of this species are present just outside of Thornewood OSP and just to the west of Miramontes Ridge OSP in the Half Moon Bay area (CNPS 2019b). Suitable habitat for this species is present in preserves with more coastal influences such as Miramontes Ridge OSP, Purisima Creek Redwoods OSP, and Tunitas Creek OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Bristly leptosiphon (*Leptosiphon acicularis*)	CRPR 4.2	Chaparral, cismontane woodland, coastal prairie, valley and foothill grassland.	**May be Present.** The current geographic range of this species is predominantly north of the Program area in the North Coast Ranges or in the East Bay area. Historical populations of this species occurred just outside of Windy Hill OSP and Coal Creek OSP where the species had been recorded in grassland (CNPS 2019b). Suitable habitat for this species is present in preserves in the central portion of the Program area with grasslands.
Serpentine leptosiphon (*Leptosiphon ambiguus*)	CRPR 4.2	Usually serpentine substrates in montane woodland, coastal scrub, valley and foothill grassland.	**Present.** Known to occur in Sierra Azul OSP. Suitable habitat for this species is present in other preserves in the Program area with serpentine substrates such as Pulgas Ridge OSP, El Sereno OSP and St. Joseph's Hill OSP.
Large-flowered leptosiphon (*Leptosiphon grandiflorus*)	CRPR 4.2	Usually sandy substrates in coastal bluff scrub, closed-cone coniferous forest, cismontane woodland, coastal dunes, coastal prairie, coastal scrub, valley and foothill grassland.	**Present.** Known to occur in Sierra Azul OSP. Suitable habitat for this species is present in other preserves in the Program area with serpentine substrates such as Pulgas Ridge OSP, El Sereno OSP and St. Joseph's Hill OSP.
Woolly-headed lessingia (*Lessingia hololeuca*)	CRPR 3	Clay or serpentine substrates in broadleafed upland forest, coastal scrub, lower montane coniferous forest, valley and foothill grassland.	**May be Present.** Historical populations of this species are present just outside of El Sereno OSP (CNPS 2019b). Suitable habitat for this species is present in preserves with serpentine soils such as El Sereno OSP, Sierra Azul OSP, and St. Joseph's Hill OSP.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
San Mateo tree lupine (*Lupinus arboreus* var. *eximius*)	CRPR 3.2	Chaparral and coastal scrub.	**May be Present.** Many recently recorded populations of this species are present just to the north of Miramontes Ridge OSP on Montara Mountain (CNPS 2019b). Identification of this species is considered to be very difficult, and further study on its taxonomic status is needed (CNPS 2019c). This species has the potential to occur in preserves with coastal scrub habitats such as Tunitas Creek OSP and Miramontes Ridge OSP.
Elongate copper moss (*Mielichhoferia elongata*)	CRPR 4.3	Metamorphic rock, usually acidic, usually vernally mesic, and often on roadsides (sometimes carbonate) in broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, and subalpine coniferous forest.	**May be Present.** Suitable habitat for this species is present in preserves with the appropriate acidic metamorphic rock substrates. The closest known populations of this species are in the vicinity of Big Basin Redwoods State Park (CNPS 2019b).
Gairdner's yampah (*Perideridia gairdneri* ssp. *gairdneri*)	CRPR 4.2	Vernal pools and vernally mesic sites in broadleafed upland forest, chaparral, coastal prairie, and valley and foothill grassland.	**Present.** The species is known to occur in St. Joseph's Hill OSP and at Teague Hill OSP. Suitable habitat is present in other preserves with seasonal wetlands and/or vernal pools.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Michael's rein orchid (*Piperia michaelii*)	CRPR 4.2	Coastal bluff scrub, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub, and lower montane coniferous forest.	**May be Present.** The geographic range of this species is widespread occurring in both the coast ranges from Marin to Ventura County, as well as the Sierra Nevada foothills (CNPS 2019c). A historical population is known from Purisima Creek Redwoods OSP but has not been observed since 1907 (CCH 2019). Suitable habitat for this species is present in Tunitas Creek OSP, Miramontes Ridge OSP, Purisima Creek Redwoods OSP, La Honda Creek OSP and Russian Ridge OSP.
Hickman's popcornflower (*Plagiobothrys chorisianus* var. *hickmanii*)	CRPR 4.2	Vernal pools, marshes and swamps in closed-cone coniferous forest, chaparral, and coastal scrub.	**Present.** The species is known to occur in Bear Creek Redwoods OSP. Suitable habitat is present in other preserves with seasonal wetlands and/or vernal pools.
Lobb's aquatic buttercup (*Ranunculus lobbii*)	CRPR 4.2	Vernal pools and other mesic sites in cismontane woodland, North Coast coniferous forest, and valley and foothill grassland.	**May be Present.** Most of populations of this species in San Mateo and Santa Cruz Counties are historical and from collections that are over 100 years old (CNPS 2019b). Historical populations are known from the vicinity of Skyline Ridge OSP, Russian Ridge OSP, Monte Bello OSP, Coal Creek Preserve, and Windy Hill OSP where this species occurred on seasonally moist margins of stock ponds and reservoirs, or in wet meadows (CNPS 2019b). This species has the potential to occur in preserves with seasonal wetlands and/or vernal pool habitats.

Common Name (*Scientific Name*)	Status[1]	Habitat Association	Potential to Occur on Current/Future Midpen Lands
Hoffmann's sanicle (*Sanicula hoffmannii*)	CRPR 4.3	Often serpentine or clay soils in broadleafed upland forest, coastal bluff scrub, chaparral, cismontane woodland, coastal scrub, and lower montane coniferous forest.	**May be Present.** Suitable habitat is present in many preserves, as this species is not restricted to serpentine soils. Known populations are present in Butano State Park in similar habitats to those present in La Honda Creek OSP to the north (CNPS 2019b).
Marsh Zigadenus (*Toxicoscordion fontanum*)	CRPR 4.2	Vernally mesic, often serpentine meadows, seeps, marshes, or swamps in chaparral, cismontane woodland, lower montane coniferous forest.	**May be Present.** The known geographic range of this species is broad, ranging from Mendocino to San Louis Obispo Counties. A known population occurs just outside of to the west (CCH 2019). Records within the Program area are limited to a single record from San Mateo County from just outside of Pulgas Ridge OSP, and a single record from Santa Cruz County on Empire Grade Road (CCH 2019). This species has potential to occur in preserves with serpentine soils such as Pulgas Ridge OSP, El Sereno OSP, St. Joseph's Hill OSP, and Sierra Azul OSP.
Methuselah's beard lichen (*Usnea longissima*)	CRPR 4.2	Growing on tree branches; usually on old growth hardwoods and conifers in broadleafed upland forest and north coast coniferous forest.	**Present.** The species is known to occur in Purisima Creek Redwoods OSP. The range and specific habitat requirements of this species is not well-known due to the limited number of collections. This species has potential to occur in preserves with mature conifer forest, and likely those with greater coastal influence.

Notes: [1]Status Codes:

Federal

FE Listed as endangered under the Endangered Species Act

FT Listed as threatened under the Endangered Species Act

State

SE Listed as endangered under the California Endangered Species Act

ST Listed as threatened under the California Endangered Species Act

SC Candidate for listing under the California Endangered Species Act

SR Listed as rare under the Native Plant Protection Act

CRPR = California Rare Plant Rank

1A Plants presumed extirpated in California and either rare or extinct elsewhere

1B Plants rare, threatened, or endangered in California and elsewhere

2B Plants rare, threatened, or endangered in California, but more common elsewhere

3 Plants about which information is needed-a review list

4 Plants of limited distribution-a watch list

_.1 seriously endangered in California

_.2 fairly endangered in California

_.3 not very endangered in California

Midpen = Considered sensitive by Midpen

4.1.12 Special-Status Animals

Table 4-2 identifies 52 special-status animal species that are listed, proposed, or candidate species under the state or federal Endangered Species Act, designated as California species of special concern by CDFW, or listed as fully protected by the California F&G Code and that are known to occur or may occur within the Program area, and characterizes their potential to occur within Midpen preserves. Their distribution, legal status, general habitat requirements, and known occurrences within Midpen preserves are also provided. Known occurrence locations of special-status animals, based on CNDDB (CDFW 2019a) and observations by Midpen staff, are provided in **Figure 4-3**. Designated critical habitat of federally-listed species within the vicinity of the Program area and Sphere of Influence is shown in **Figure 4-4**.

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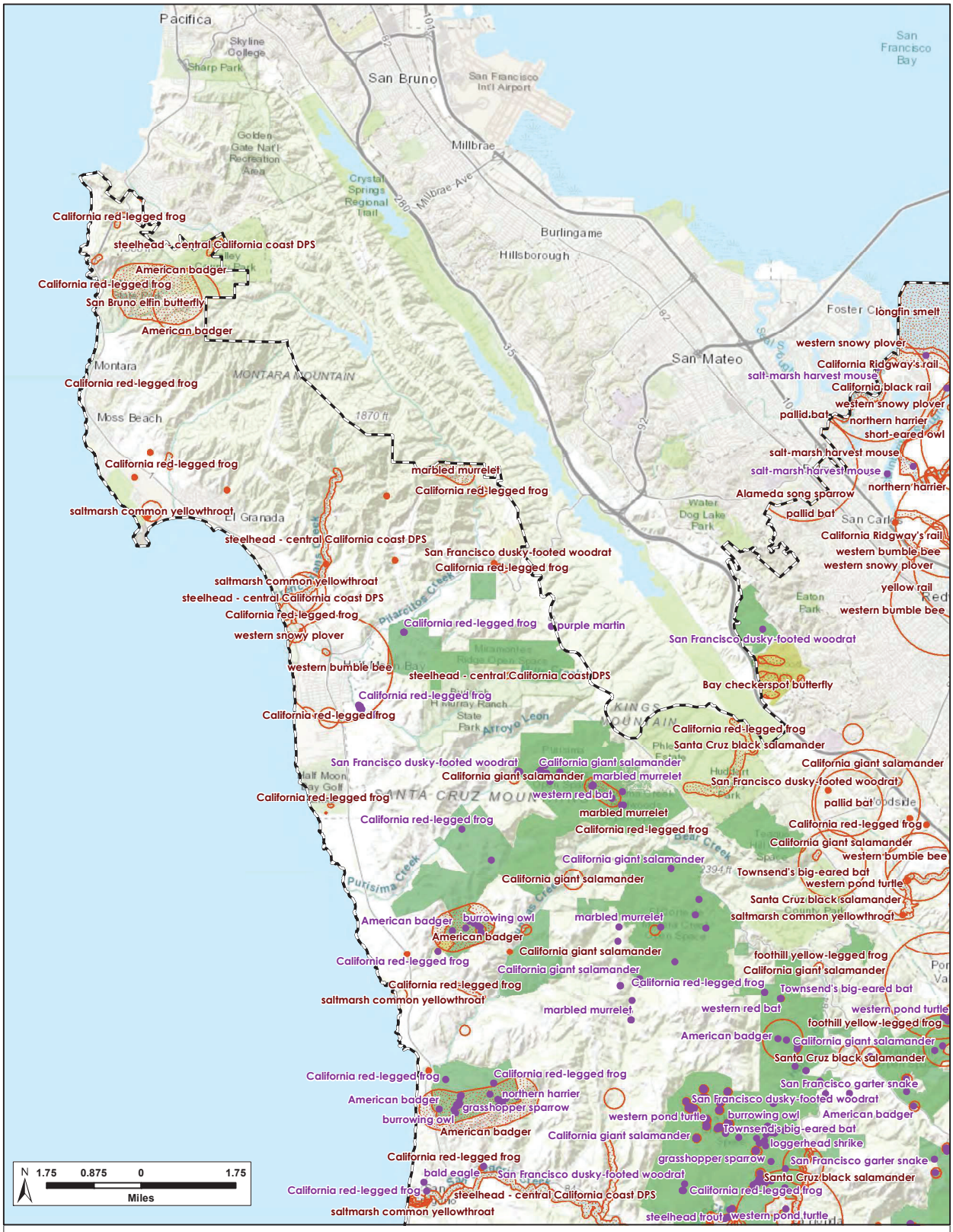

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Figure 4-3. Special-Status Animals Map
Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program
April 2021

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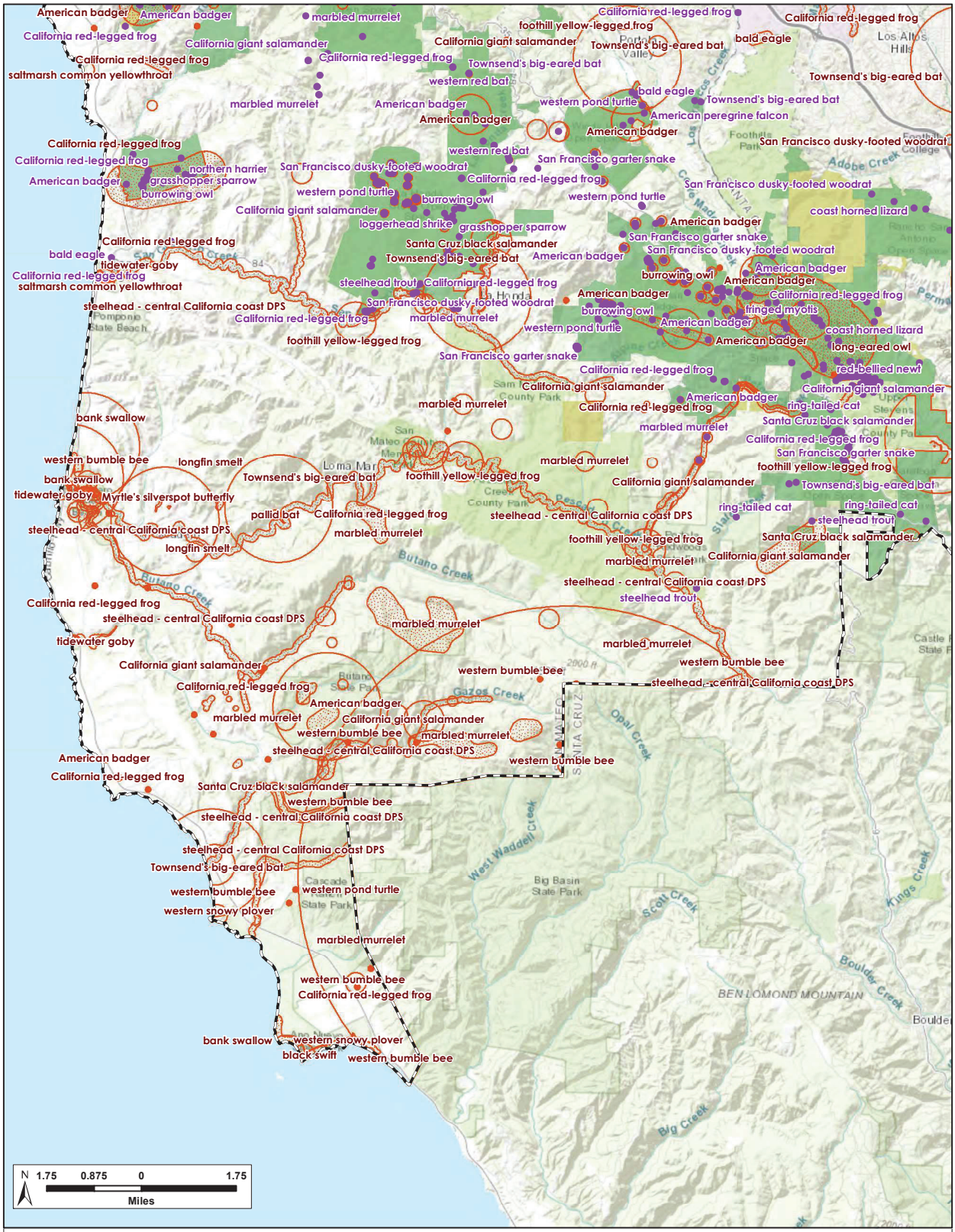

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Figure 4-3. Special-Status Animals Map
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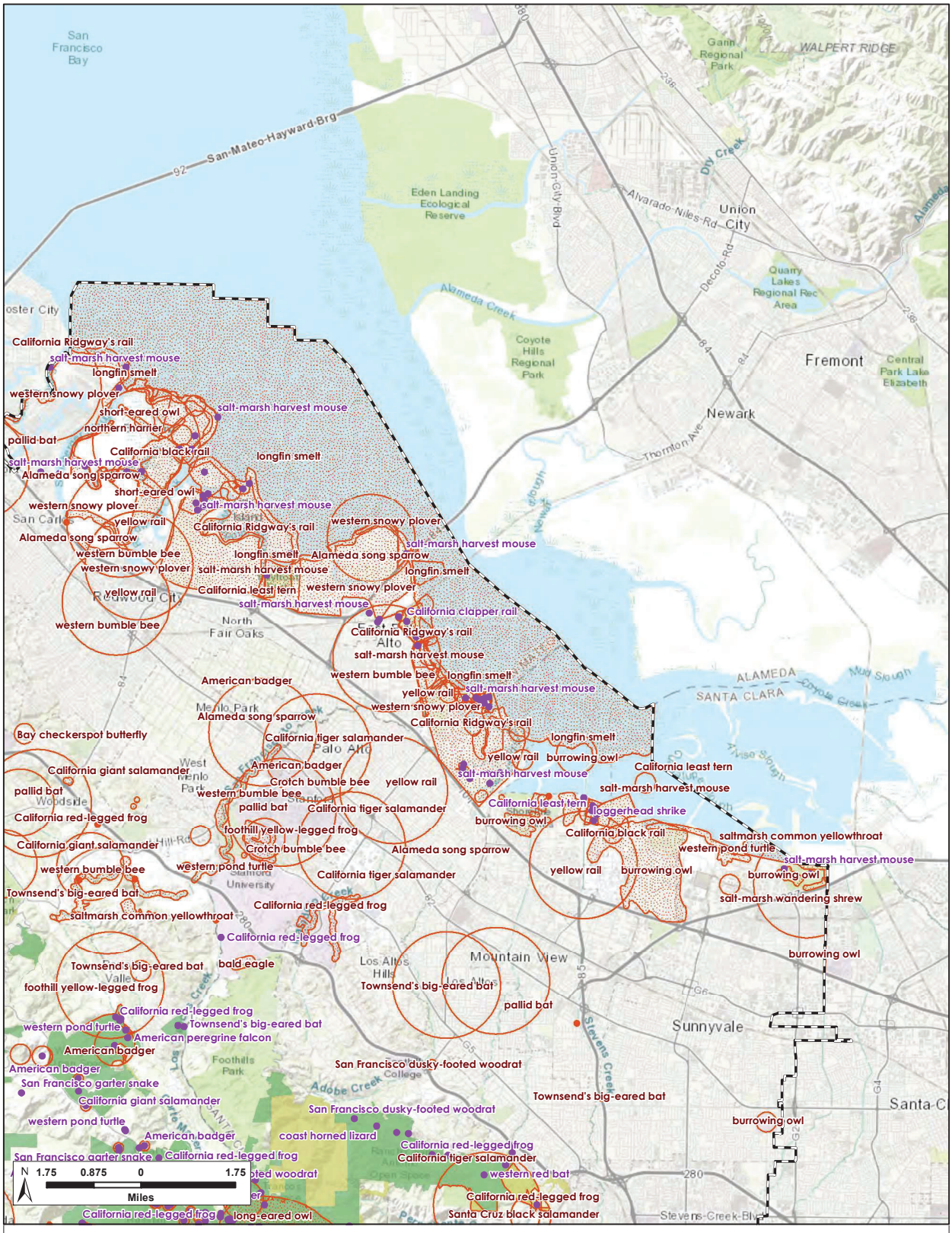

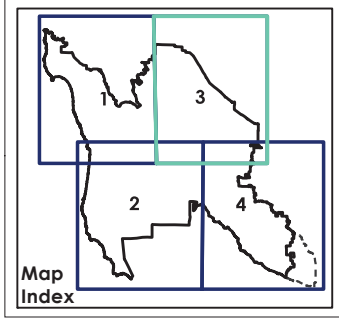

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

Midpen Records

- Wildlife Observations

CNDDB Records

- Specific Location
- Approximate Location
- General Area

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Figure 4-3. Special-Status Animals Map
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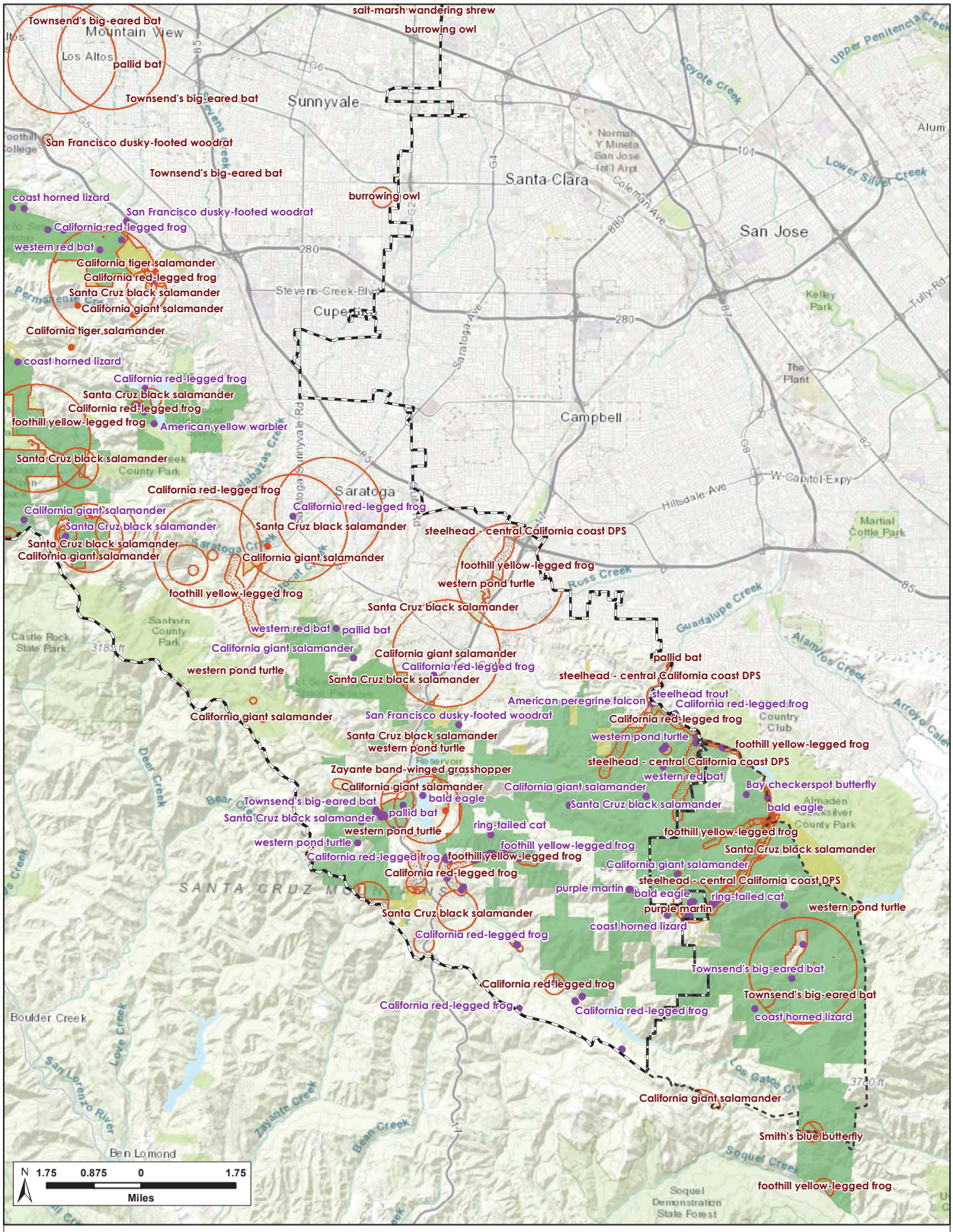

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Figure 4-3. Special-Status Animals Map
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April 2021

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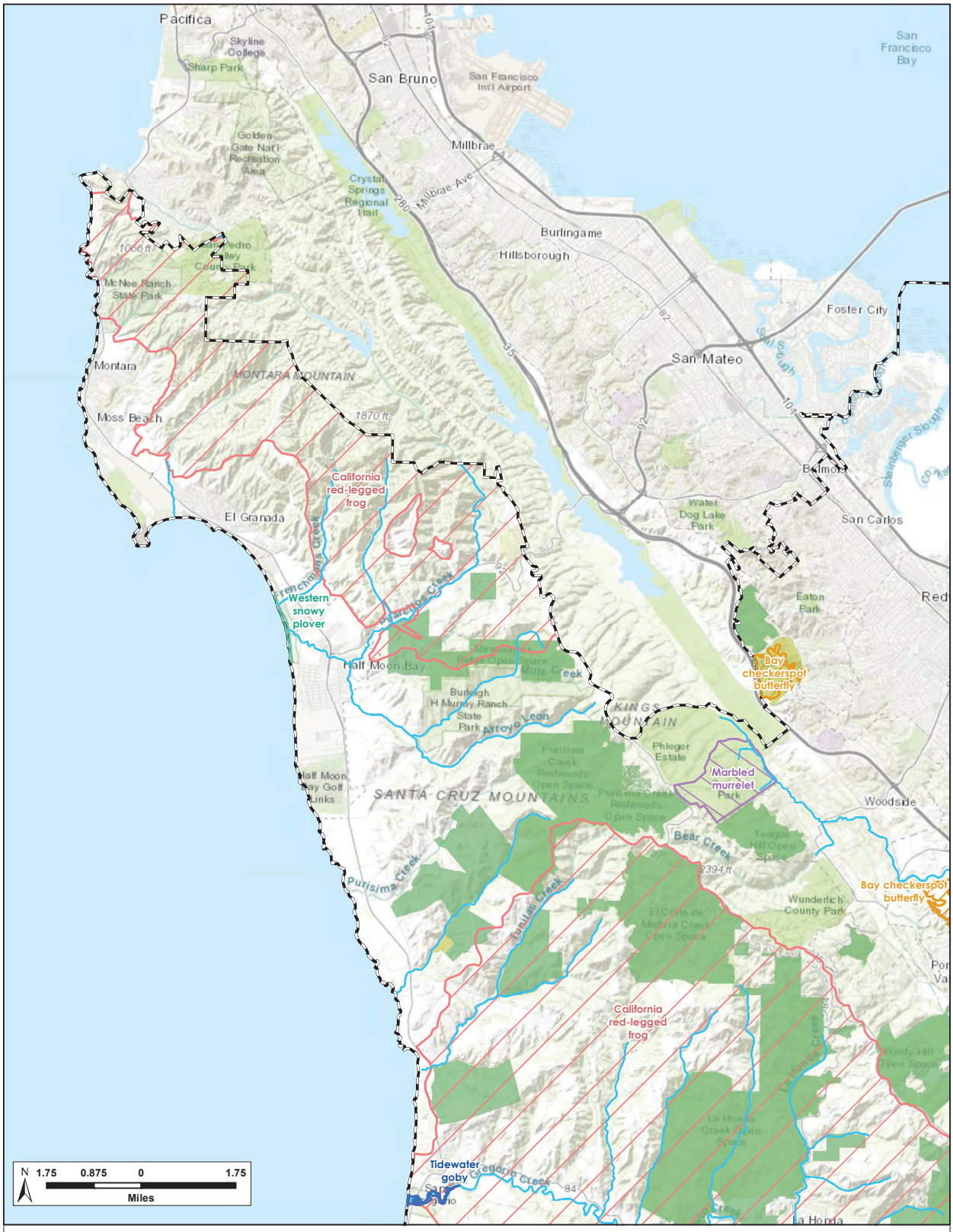

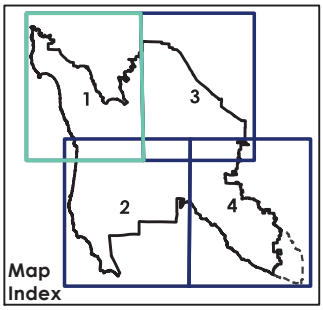

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

Designated Critical Habitat*

- Bay checkerspot butterfly
- California red-legged frog
- Marbled murrelet
- Tidewater goby
- Western snowy plover
- Steelhead

**Spatial data not available for the Central California Coast ESU of coho salmon but designated Critical Habitat encompasses accessible reaches of all rivers between Punta Gorda and the San Lorenzo River (NMFS 1999).*

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Figure 4-4. Designated Critical Habitat

Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program

April 2021

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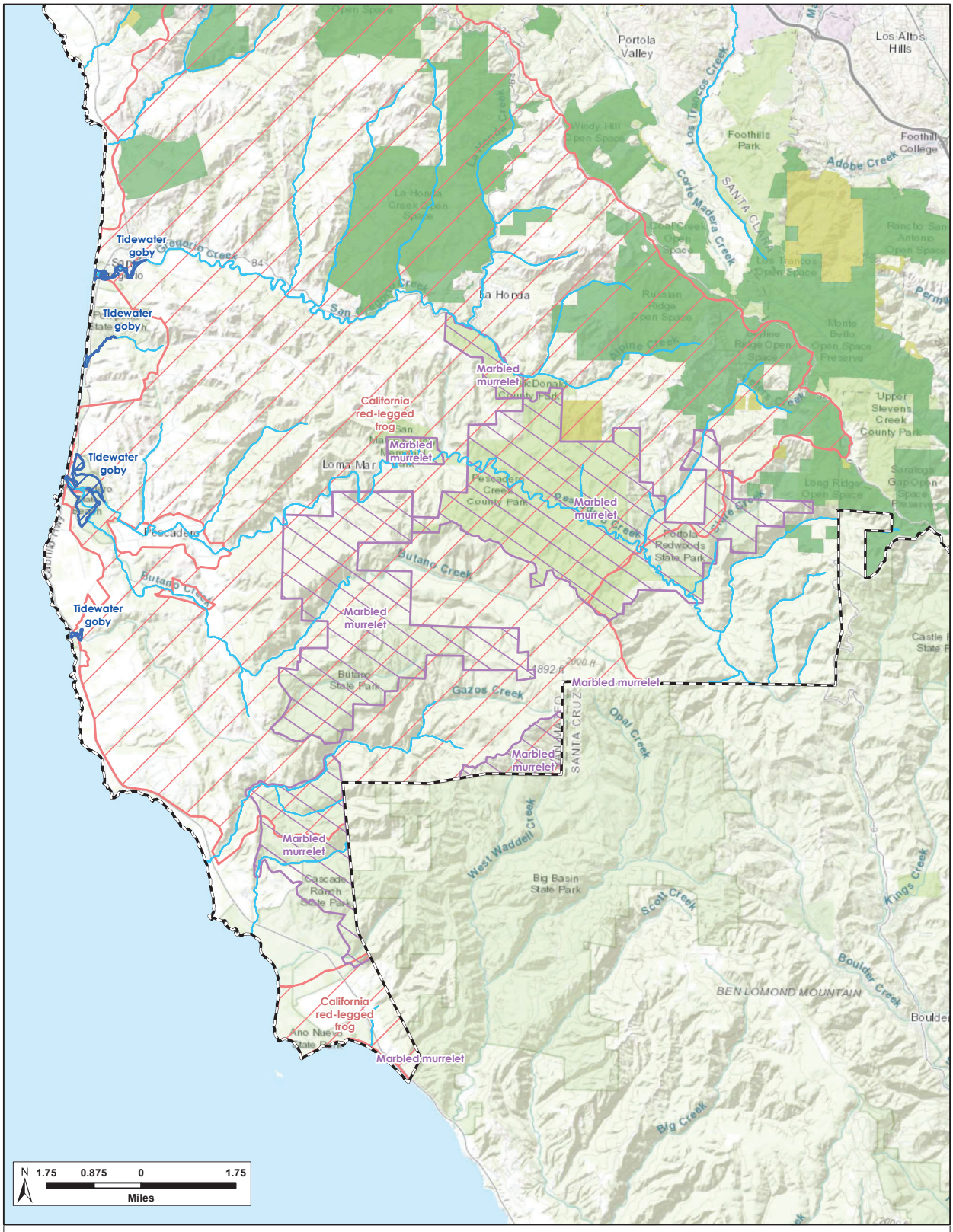

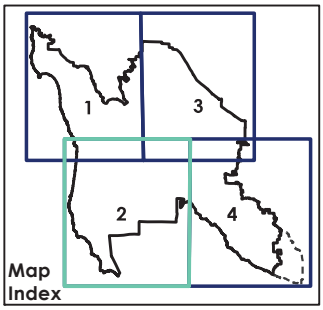

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

USFWS Critical Habitat*

- Bay checkerspot butterfly
- California red-legged frog
- Marbled murrelet
- Tidewater goby
- Steelhead

**Spatial data not available for the Central California Coast ESU of coho salmon but Designated Critical Habitat encompasses accessible reaches of all rivers between Punta Gorda and the San Lorenzo River (NMFS 1999).*

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Figure 4-4. Designated Critical Habitat
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April 2021

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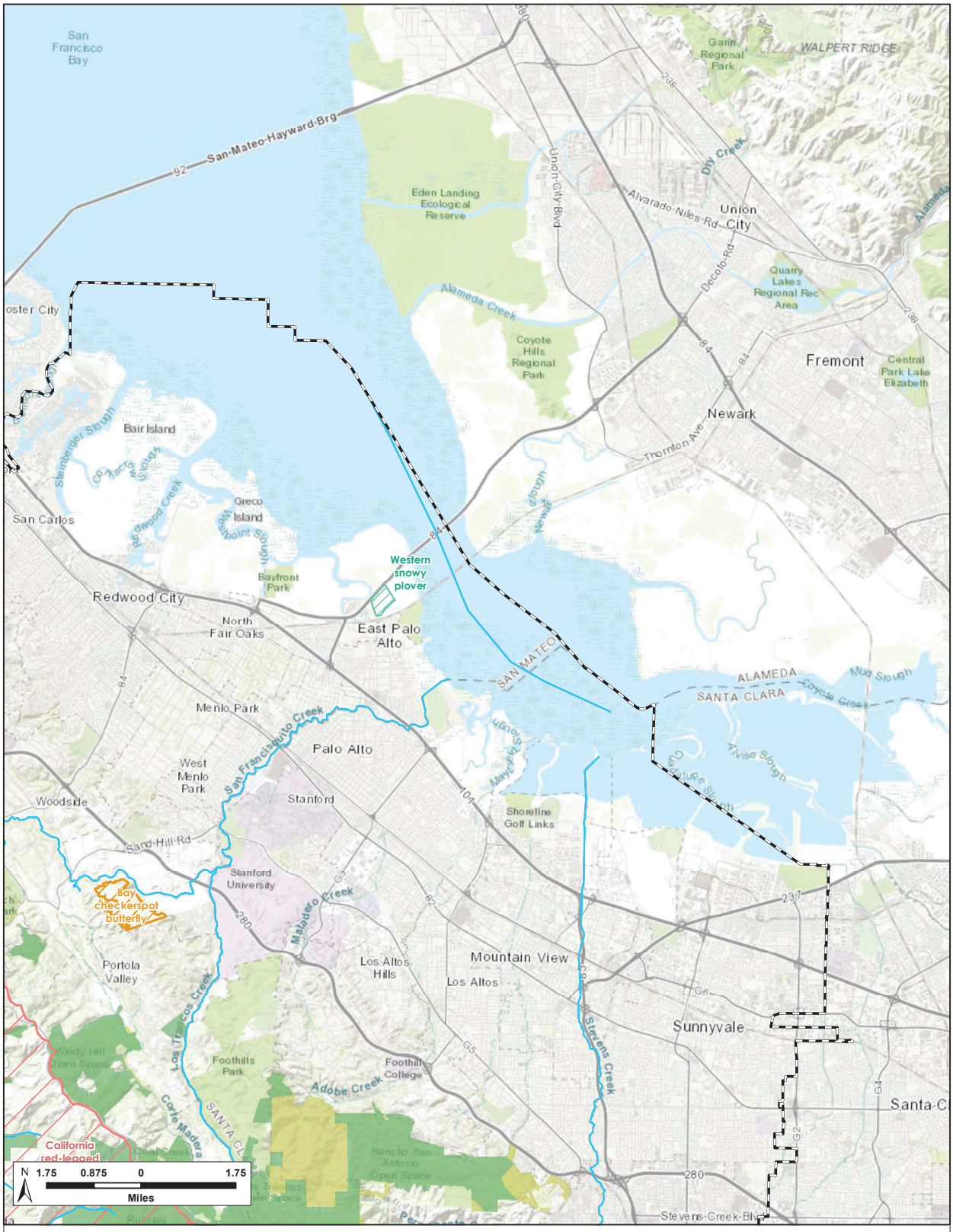

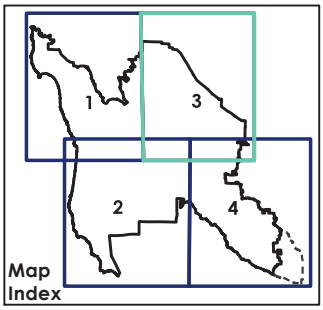

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

USFWS Critical Habitat*

- Bay checkerspot butterfly
- California red-legged frog
- Western snowy plover
- Steelhead

**Spatial data not available for the Central California Coast ESU of coho salmon but Designated Critical Habitat encompasses accessible reaches of all rivers between Punta Gorda and the San Lorenzo River (NMFS 1999).*

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Figure 4-4. Designated Critical Habitat
Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program
April 2021

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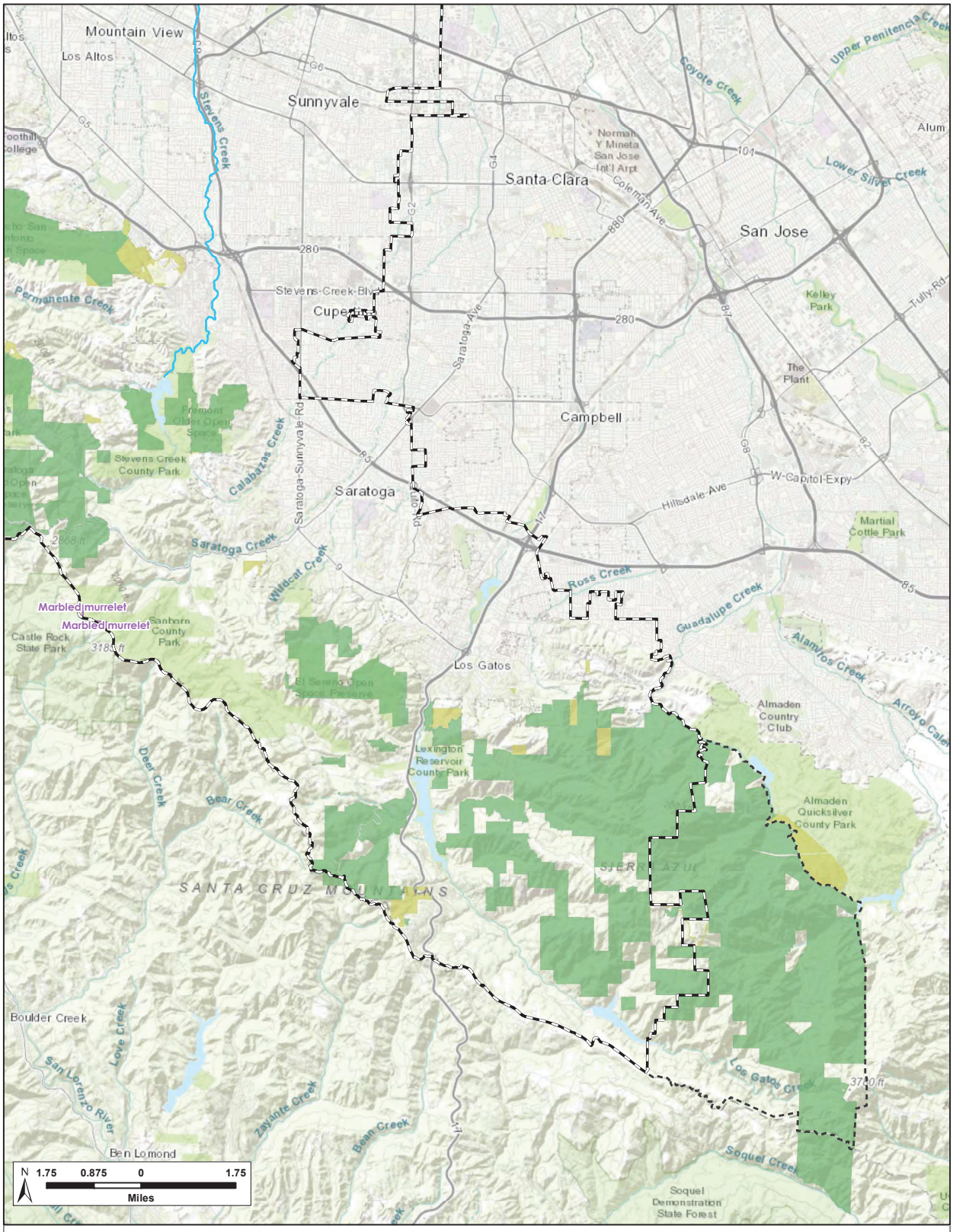

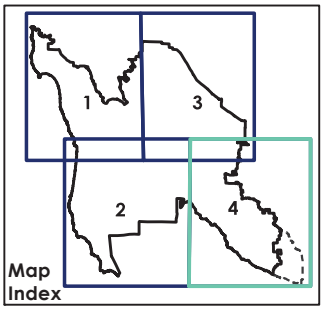

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

USFWS Critical Habitat*

- Marbled murrelet
- Steelhead

**Spatial data not available for the Central California Coast ESU of coho salmon but Designated Critical Habitat encompasses accessible reaches of all rivers between Punta Gorda and the San Lorenzo River (NMFS 1999).*

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Figure 4-4. Designated Critical Habitat
Midpeninsula Regional Open Space District - Open Space Maintenance and Restoration Program
April 2021

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Table 4-2. Special-Status Animal Species with Potential to Occur in the Program Area.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Federal or State Endangered, Threatened, Proposed, or Candidate Species			
Mission blue butterfly (*Icaricia icarioides missionensis*)	FE	Found in coastal chaparral and coastal grasslands. Adults fly from late March to early July and feed on the nectar of hairy false goldenaster (*Heterotheca villosa*), bluedicks (*Dichelostemma capitatum*), and seaside buckwheat (*Eriogonum latifolium*) (Black and Vaughn 2005a). Larval host plants consist of three lupines – silver lupine (*Lupinus albifrons*), summer lupine (*Lupinus formosus*), and manycolored lupine (*Lupinus versicolor*), which grow in poor soils with little grass, on rocky outcrops, and in recently disturbed areas, such as road cuts and landslides (County of San Mateo 1982).	**Absent.** Remaining populations of the Mission blue butterfly are found in only a few locations around the San Francisco Bay area. Known populations are present on the ridgetops just east of Pacifica, including Milagra Ridge. These locations are just north of the Midpen Program area. Host plants for the Mission blue are present at some Midpen preserves, but the species is not known to occur on Midpen lands.

[1] Special-status species are listed in the following order: state or federally listed, proposed, or candidate species first, followed by California species of special concern, then species classified as fully protected. Within each of those groups, species are listed in the following order: invertebrates, fish, amphibians, reptiles, birds, then mammals.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Callippe silverspot butterfly (*Speyeria callippe callippe*)	FE	Native grasslands containing Johnny jump-ups (*Viola pedunculata*). Males seek hilltops and hillsides of native grasslands for mates. Females lay their eggs in the dead or dying larval food plant, *V. pedunculata*, or in nearby woody debris (Black and Vaughan 2005b).	**Absent.** Historically, the callippe silverspot butterfly occupied grasslands in much of the San Francisco Bay region. However, all known locations are currently restricted to San Francisco and San Mateo Counties, where several populations are known from San Bruno Mountain, Milagra Ridge, the San Francisco Peninsula Watershed, and Montara Mountain. Adults have one flight period, which is typically from mid-May to July (Black and Vaughan 2005b). Critical habitat has not been designated for this species (USFWS 2007). The host plant is in portions of the Program area (CNPS 2019c), but high-quality habitat containing large numbers of the host plant is absent, and there is no evidence that this species is extant in the Program area.

[2] Status Codes: FE = Federally Endangered; FT = Federally Threatened; FC = Candidate for Federal Listing; SE = State Endangered; ST = State Threatened; SC = Candidate for State Listing; CSSC = California Species of Special Concern; SP = State listed as Fully Protected

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*)	FE	The Myrtle's silverspot butterfly was listed as endangered by the USFWS June 1992 (USFWS 1992). This species is found in coastal dune, prairie, coastal bluff scrub, and associated grasslands in areas protected from wind (Steiner et al. 1994, USFWS 1998a). Adults feed on nectar from gumplant (*Grindelia* spp.), sand verbena (*Abronia latifolia*), mints (*Mondardella* spp.), bull thistle (*Cirsium vulgare*), and seaside daisy (*Erigeron glaucus*). Females lay their eggs in debris and the dried stems of violets, typically hookedspur violets (*Viola adunca*), the larvae's host plant (Black and Vaughn 2005c, USFWS 2007).	**Absent.** No myrtle silverspot populations are currently present in existing Midpen preserves, and none are expected to occur given the fact that the species is not known to have occurred in San Mateo County in 70 years (CDFW 2019b). Although there are historical records from the vicinity of Pescadero and from Pigeon Point, this species has been extirpated south of the Golden Gate Bridge and is now restricted to 4 populations in northwestern Marin County and southern Sonoma County (Steiner et al. 1994, Black and Vaughn 2005c, USFWS 2007, CDFW 2019b, iNaturalist 2019). This species is found in association with host plants that occur in coastal dune, prairie, coastal bluff scrub, and associated grasslands, in areas protected from wind (Steiner et al. 1994, USFWS 1998a). Potentially suitable habitat for this species may be present at Tunitas Creek OSP and Miramontes Ridge OSP.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Bay checkerspot butterfly (*Euphydryas editha bayensis*)	FT	Native grasslands on serpentine soils. Larval host plants are *Plantago erecta* and/or *Castilleja* spp. High-quality habitat consists of extensive serpentine grassland in areas with variable slope aspects to sustain populations during periods of variable precipitation (USFWS 1998b, Black and Vaughan 2005d).	**May be Present.** No Bay checkerspot populations are currently present in existing Midpen preserves. However, the species was historically observed in the Sierra Azul OSP and has been reintroduced to Edgewood County Park (Friends of Edgewood 2015), located just south of Midpen's Pulgas Ridge OSP. There is some potential for very small numbers of individuals to occasionally disperse to Pulgas Ridge, though the species is not expected to breed there due to the absence of high-quality habitat. Designated critical habitat Unit 3 (Edgewood Park/Triangle) is present immediately adjacent to Midpen lands, and Midpen holds an easement over Edgewood Park. However, no critical habitat has been designated on existing Midpen preserves, and suitable habitat is not present at any other Midpen preserve.
Smith's blue butterfly (*Euphilotes enoptes smithi*)	FE	Coastal sand dunes and coastal sage scrub where sea cliff buckwheat (*Eriogonum parvifolium*) and coast buckwheat (*Eriogonum latifolium*) are present (Center for Biological Diversity 2019).	**Absent.** No Smith's blue butterfly populations are currently present in or very close to existing Midpen preserves. The species was historically reported from Loma Prieta Road in the Sierra Azul OSP, although the details associated within the record suggest that the identification was uncertain (CDFW 2019a). Moreover, the host plants that Smith's blue is associated with and dependent on, sea cliff buckwheat (*Eriogonum parvifolium*) and coast buckwheat (*Eriogonum latifolium*), are not present at the location (CNPS 2019c) where the butterflies were observed. This species is not expected to occur on current or future Midpen lands.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Zayante band-winged grasshopper (*Trimerotropis infantilis*)	FE	Restricted to the Zayante sandhills ecosystem – sand parkland found on ridges and hills, characterized by scattered ponderosa pines (USFWS 1998c).	**Absent**. No Zayante band-winged grasshopper populations are currently present in or near existing Midpen preserves. The species historically occurred, but is now locally extinct, in the area surrounding Lexington Reservoir near Bear Creek Redwoods and Sierra Azul OSPs. Designated critical habitat is located south of the Program area in the sandhills of the Santa Cruz Mountains (USFWS 1998c). This species is not expected to occur on current or future Midpen lands.
Western bumble bee (*Bombus occidentalis occidentalis*)	SC	Meadows and grasslands with abundant floral resources.	**Absent.** This species was historically found throughout much of central and northern California, including the Program area. For example, historical records include a 1953 record from Miramontes Ridge OSP (CDFW 2019b) as well as records from Johnston Ranch. However, this species is not expected to currently occur within the Program area due to recent range contractions. Its current range is believed to be restricted to northeastern California (iNaturalist 2019, Hatfield et al. 2019).
Crotch's bumble bee (*Bombus crotchii*)	SC	Open grassland and scrub habitats.	**Absent.** Although the historical distribution of this species included much of the Bay Area, it is not expected to occur in the Program area due to recent range contractions. Despite a recent observation at Santa Teresa County Park, approximately 4.0 miles from Sierra Azul OSP, this species' current range is believed to be restricted primarily to southern California (iNaturalist 2019; Hatfield et al. 2019). In the Program area, this species is considered absent and extirpated.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Monarch butterfly (*Danaus plexippus plexippus*)	FC	Overwinters along the Pacific coastline of California and move inland in the spring to reproduce. During the breeding season, require milkweed (*Asclepias* spp.) plants upon which to rear their larvae.	**Present.** Along the Peninsula and throughout the Program area, monarch butterflies occur primarily as migrating individuals in the fall and spring (CDFW 2019a). Wintering sites are mostly coastal or near the edge of San Francisco Bay. Purisima Uplands property within Purisima Creek OSP and perhaps Tunitas Creek OSP contain wintering habitat. There are also records of this species from Midpen preserves such as Foothills OSP and Rancho San Antonio OSP (iNaturalist 2019), and this species is expected to occur in small numbers at other preserves.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Central California Coast Coho salmon (*Oncorhynchus kisutch*)	FE, SE	Open ocean, estuaries, and rivers. Spawning habitat in medium to small coastal streams in heavily forested watersheds characterized by perennially-flowing reaches of cool, high-quality water; dense riparian canopy; deep pools with abundant overhead cover; instream cover consisting of large, stable woody debris and undercut banks; and gravel or cobble substrates (NFMS 2016). Juveniles rear in freshwater for one year, seeking out cool, deep (>3.2 feet) water with substantial overhead cover and instream cover such as woody debris (Moyle 2002). Juveniles do not persist in streams where summer temperatures reach 72.7 °F for extended periods of time (Moyle 2002).	**May be Present.** Central California Coast Coho salmon have recently been recorded spawning in the southwestern portion of the Program area in Pescadero Creek (Peninsula Open Space Trust [POST] 2019), and the species spawns in San Gregorio Creek, Pescadero Creek, and Gazos Creek, although it has not been recorded in Gazos Creek during annual monitoring since 2008 (Smith 2013 as cited in CDFW 2015, Midpen 2017). The species was historically collected from San Mateo Creek (Leidy 2007) and may have been present in the San Francisquito Creek watershed (Leidy et al. 2005). However, it has been extirpated from all San Mateo County streams flowing to the Bay (Leidy 2007). Designated critical habitat occurs in the Program area and includes all accessible reaches of all rivers including estuarine areas and tributaries between Punta Gorda and the San Lorenzo River (inclusive) in California. Designated critical habitat is present in or immediately adjacent to La Honda Creek OSP (NMFS 1999).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Central California Coast steelhead (*Oncorhynchus mykiss*)	FT	Cool streams with suitable spawning habitat and conditions allowing migration between spawning and marine habitats.	**Present.** In the Program area, steelhead are known to occur in a number of coastal streams, as well as in a few streams entering San Francisco Bay, such as Stevens Creek, Guadalupe River/Creek, and San Francisquito Creek (including Los Trancos Creek) (Spence et al. 2008, CEMAR 2008). Designated critical habitat includes all river reaches and estuarine areas accessible to listed steelhead in coastal river basins from the Russian River to Aptos Creek, California (inclusive), and the drainages of San Francisco and San Pablo Bays (NMFS 2000, 2005). Designated critical habitat is present in or immediately adjacent to the following Midpen preserves: Tunitas Creek, La Honda Creek, Russian Ridge, Miramontes Ridge, Skyline Ridge, Long Ridge, Purisima Creek Redwoods, Fremont Older, Los Trancos, and Sierra Azul OSPs. Steelhead could therefore use those creek reaches for spawning, rearing, and/or migration.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Tidewater goby (*Eucyclogobius newberryi*)	FE, CSSC	Brackish water habitats along coast, fairly still but not stagnant water and high oxygen levels.	**Absent**. The species has been recorded in the lower mouths of creeks along the southern portion of the San Mateo County coast north to San Gregorio Creek, including San Gregorio Creek, Pescadero Creek, and Arroyo De Los Frijoles and Lake Lucerne at Bean Hollow State Beach (CDFW 2019a). However, an apparently natural gap in the species' distribution along the California coast occurs north of San Gregorio Creek to the San Francisco Bay (USFWS 2005). Four designated critical habitat units occur in the Program area. However, although the tidewater goby occurs in the Program area, it is not known or expected to occur on current or future Midpen lands due to the absence of suitable habitat.
California red-legged frog (*Rana draytonii*)	FT, CSSC	Uses streams, freshwater pools, and ponds with emergent or overhanging vegetation as breeding and nonbreeding aquatic habitat. It can disperse through a variety of habitats, such as grassland or woodland, particularly during the wet season.	**Present.** California red-legged frogs are fairly widespread in suitable habitat within the Program area, and occur in a number of Midpen preserves including Tunitas Creek OSP, La Honda Creek OSP, La Purisima Creek Redwoods OSP, Rancho San Antonio OSP, Pichetti Ranch OSP, Coal Creek OSP, Russian Ridge OSP, Long Ridge OSP, Monte Bello OSP, Skyline Ridge OSP, Bear Creek Redwoods OSP, and Sierra Azul OSP. California red-legged frog designated critical habitat units SNM-1 (Cahill Ridge) and SNM-2 (Pescadero) are located in the Program area, and El Corte de Madera Creek OSP, La Honda Creek OSP, Long Ridge OSP, Russian Ridge OSP, Miramontes Ridge OSP, and Skyline Ridge OSP, all contain designated critical habitat.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Foothill yellow-legged frog (*Rana boylii*)	SC, CSSC	Occurs in a variety of habitats in coast ranges, but all contain partially shaded shallow streams and riffles with a rocky substrate.	**Present.** Suitable habitat for the foothill yellow-legged frog is present at multiple locations in the Program area, but the species has essentially been extirpated throughout much of San Mateo County, at least east of the crest of the Santa Cruz Mountains, as there are no records from that area since 1960 (CDFW 2019a). Single records west of the crest of the Santa Cruz Mountains within the past 25 years, from Pescadero Creek County Park and Portola Redwoods State Park, suggest the species may persist west of the crest. In Santa Clara County, east of State Route 17, the species is extant in suitable habitat, including in creeks in Sierra Azul OSP – the only Midpen preserve where the species is likely to occur.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
California tiger salamander (*Ambystoma californiense*)	FT, ST	An endemic member of the California grassland community, the California tiger salamander's preferred breeding habitat consists of temporary ponded environments free of predators including exotic fishes, crayfish, and bullfrogs, surrounded by uplands that support small mammal burrows which provide refugia for juvenile and adult salamanders during the dry season. Adults are terrestrial, and spend most of their lives in widely dispersed, underground retreats.	**May be Present.** Southeastern San Mateo County represents the northernmost limit of the species' range on the San Francisco Peninsula. The last recorded occurrence in San Mateo County was located in the Palo Alto, California U.S. Geological Survey 7.5-minute quadrangle just west of San Francisquito Creek in 2002 (CDFW 2019a). This species occurs more widely in Santa Clara County, but it is not known to occur in any existing Midpen preserves. If the species occurs on Midpen lands, it is most likely to occur along the northeastern edge of Sierra Azul OSP, where some potentially suitable (nonbreeding) habitat exists, and due to the species' known occurrence in the nearby Santa Teresa Hills (Midpen 2017). Potentially suitable habitat also exists in Almaden Quicksilver County Park, immediately adjacent to Sierra Azul OSP. The closest known population to Sierra Azul is located at Calero County Park; designated critical habitat is also located at Calero County Park (CDFW 2019a), but not within any Midpen preserves.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
San Francisco garter snake (*Thamnophis sirtalis tetrataenia*)	FE, SP	Prefer freshwater habitats with dense herbaceous vegetation. May use upland burrows for aestivation, and uses grassland for dispersal and aestivation. Often suns itself in, or immediately adjacent to, dense vegetation along the edges of freshwater ponds.	**Present.** The San Francisco garter snake occurs on the San Francisco Peninsula from just north of the San Francisco–San Mateo County line south to approximately the San Mateo–Santa Cruz County line. An intergrade zone composed of hybrids between the San Francisco garter snake and red-sided garter snake (*Thamnophis sirtalis sirtalis*) occurs from Palo Alto north to the Pulgas region near Upper Crystal Springs Reservoir (Barry 1994). San Francisco garter snake have been historically documented in four Midpen preserves – Tunitas Creek, Russian Ridge, Skyline Ridge, and Long Ridge (USFWS 2016). The only Preserve with confirmed presence at this time is Russian Ridge. Midpen has implemented a San Francisco garter snake habitat management plan for the 1,047-acre Mindego Ranch (part of Russian Ridge OSP) to encourage the recovery of the species by improving habitat conditions for San Francisco garter snake and California red-legged frog, a primary food source for San Francisco garter snake. SFGS are also found in the Cloverdale property, currently owned by POST, but which Midpen intends to purchase in the coming years.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Marbled murrelet (*Brachyramphus marmoratus*)	FT, SE (nesting)	Requires dense, mature forests of redwood and Douglas-fir (especially old-growth) for breeding. Forages entirely in nearshore oceanic waters.	**Present.** In San Mateo County, the marbled murrelet is restricted to old-growth redwood forests and isolated patches of late-seral forest, where it breeds, and to coastal waters, where it forages (Sequoia Audubon Society [SAS] 2001, Cornell Lab of Ornithology 2019). This species is known to occur in at least one Midpen preserve, Purisima Creek Redwoods OSP, and it may occur in or near other preserves if old-growth redwood forests or late seral forest are present, such as in El Corte de Madera Creek OSP. However, most known breeding areas are further downslope from the crest of the Santa Cruz Mountains, and are centered in the area bounded by San Mateo County Memorial Park, Sam McDonald County Park, Pescadero Creek County Park, Portola Redwoods State Park, Butano State Park, and in adjacent Santa Cruz County, Big Basin State Park (CDFW 2019a). Four marbled murrelet designated critical habitat units are present in San Mateo County (CA-12, CA-13, CA14a, and CA14b), and a portion of the Long Ridge preserve is designated as critical habitat. Designated critical habitat is also located in Huddart County Park, immediately adjacent to Purisima Creek Redwoods OSP and Teague Hill OSP (CDFW 2019a).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Bald eagle (*Haliaeetus leucocephalus*)	SE, SP	Occurs mainly along seacoasts, rivers, and lakes; nests in tall trees or in cliffs, occasionally on electrical towers. Feeds mostly on fish, but will also feed on large carcasses. Mature tall trees are used for roosting.	**Absent as Breeder.** In the Program area, the bald eagle occurs primarily as a migrant and winter visitor and is rare during the summer months (Cornell Lab of Ornithology 2019). Although there are no known nesting records from any Midpen preserve, this species has nested east of Lexington Reservoir, just north of Bear Creek Redwoods OSP, in recent years, and it has also nested at Crystal Springs Reservoir, from 2013 through 2015. Potentially suitable nesting habitat is present at Guadalupe Reservoir, immediately adjacent to Sierra Azul OSP. This species is currently known to occur in Midpen preserves only as a nonbreeding forager, but it could potentially nest in preserves, particularly those close to lakes, such as Bear Creek Redwoods, El Sereno, and Sierra Azul OSPs.
Willow flycatcher (*Empidonax trailli brewsteri*)	SE	Nests in dense willow thickets in riparian woodlands.	**Absent as breeder.** This species occurs in the Program area, but only during spring and fall migration. Although this species historically bred in the Program area, it was extirpated from the entire San Francisco Bay Area and central coast decades ago. Small numbers of birds from more northerly populations occur in the Program area (including Midpen lands) during spring and fall migration.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Swainson's hawk (*Buteo swainsoni*)	ST (nesting)	Swainson's hawks in California are strongly associated with riparian habitats, though they are also found in oak woodlands and other open habitats. Swainson's hawks build sturdy stick nests in low willows, box elders, oaks, or other trees. They forage in a variety of open habitats, such as grasslands and wetlands.	**Absent as Breeder.** This species occurs in the Program area only as a rare migrant (Cornell Lab of Ornithology 2019). The closest nesting pair(s) are located in Coyote Valley, approximately 4 mi from the Program area. Swainson's hawks could occur as a migrant at any Midpen preserve, although they are not expected to do so on a regular basis, and when they do occur, they are most likely to occur only as flyovers, rather than using the habitat within the preserve. This species has been observed at Sierra Azul OSP and on Tunitas Creek Road, not far from Tunitas Creek OSP (Cornell Lab of Ornithology 2019).
Bank swallow (*Riparia riparia*)	ST (nesting)	Colonial nester on vertical banks or cliffs with fine-textured soils near water.	**Absent as Breeder.** Bank swallows occur as rare migrants along the coast and South Bay, although they could potentially occur anywhere in the Program area. As breeders, they are very rare in the Program area, with the only known only known extant breeding colony occurring at Anõ Nuevo State Park (CDFW 2019a; Cornell Lab of Ornithology 2019); however, suitable habitat may also be present at Tunitas Creek Beach, located across State Route 1 from Midpen's Tunitas Creek property. There is a historical nesting record (1896) from Pescadero Beach (CDFW 2019a). This species is likely to occur on current or future Midpen lands only as a transient or nonbreeding forager, and then only in small numbers.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Tricolored blackbird (*Agelaius tricolor*)	ST (nesting colony)	Nests most commonly near fresh water in dense emergent vegetation, but also in grain fields, fallow fields, and extensive thickets of blackberry. Highly colonial in its nesting habits and forms dense breeding colonies that, in some parts of the Central Valley, may consist of up to tens of thousands of pairs.	**May be Present.** In the Program area, the tricolored blackbird occurs primarily along the coastal lowlands and in the San Francisco Bay lowlands. It occurs less frequently along the ridgeline of the Santa Cruz Mountains. It is an uncommon to common migrant and wintering visitor and a very rare breeder (SAS 2001, Cornell Lab of Ornithology 2019). Tricolored blackbirds form large, often multi-species flocks during the non-breeding period and range more widely than during the breeding season. Suitable breeding habitat for this species is absent from most Midpen preserves, and it is most likely to occur in preserves as a nonbreeding forager. However, potential nesting habitat may be present in ponds at some preserves, such as at Tunitas Creek OSP.
Mountain lion (*Puma concolor*)	SC (petitioned for state listing)[3]	Occurs in a wide variety of habitats, including woodland, forest, chaparral, and grassland, as long as rock outcrops or areas of dense vegetation providing cover are present.	**Present.** Mountain lions are present in low densities throughout much of the Santa Cruz Mountains. Although they typically tend to avoid areas of high human activity, they occasionally venture into suburban areas. Mountain lions have been recorded in numerous Midpen preserves and could potentially occur in any preserve within the Program area.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
California Species of Special Concern			
California giant salamander (*Dicamptodon ensatus*)	CSSC	Typically found in moist forests and riparian zones in or near clear, cold streams or seeps. Found under logs and debris, and occasionally in trees and shrubs near water. Breeds in clear, cold rivers, creeks, and ponds.	**Present.** Suitable habitat for the California giant salamander is present in the Program area, and the species has been observed at many Midpen preserves, including Tunitas Creek OSP, Skyline Ridge OSP, Sierra Azul OSP, Saratoga Gap OSP, Purisima Creek Redwoods OSP, Monte Bello OSP, Long Ridge OSP, La Honda Creek OSP, El Sereno OSP, El Corte de Madera Creek OSP, and Bear Creek Redwoods OSP (Midpen 2019, CDFW 2019a). It is most likely to occur near streams, but dispersing individuals could occur in nearby upland habitats.
Santa Cruz black salamander (*Aneides flavipunctatus niger*)	CSSC	Moist forests and riparian zones in or near clear, cold streams or seeps. This subspecies is mostly terrestrial, staying underground during dry periods and foraging for small invertebrates aboveground at night during wet weather.	**Present.** The Santa Cruz black salamander is endemic to California and is found in moist streamside habitats in woodlands and forests in the Santa Cruz Mountains in western Santa Clara, northern Santa Cruz, and southernmost San Mateo Counties. This species is found in moist forests and riparian zones in or near streams or seeps. This species has been observed at Sierra Azul OSP, as well as from Bear Creek Redwoods OSP, Long Ridge OSP, Monte Bello OSP, Russian Ridge OSP, and Saratoga Gap OSP (Midpen 2019, CDFW 2019a), and it likely occurs in suitable habitat at other Midpen preserves as well.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Red-bellied newt (*Taricha rivularis*)	CSSC	Moist forests and riparian zones, usually in or near clear, cold streams; range strongly associated with redwood (*Sequoia sempervirens*) forests.	**Present.** Suitable habitat for the red-bellied newt is present in the Program area, and the species is known to occur at Monte Bello OSP. However, because this recently discovered population is disjunct and isolated from the primary population, which is located in Humboldt, Mendocino, Lake, and Sonoma Counties by 80 miles (Reilly et al. 2014), this species is unlikely to occur at any other Midpen preserve.
Western pond turtle (*Actinemys marmorata*)	CSSC	Permanent or nearly permanent water in a variety of habitats. Preferred habitat features include partially submerged logs and branches for basking. Nests in uplands near waterbodies, particularly in grassland.	**Present.** Creeks, lakes, ponds, and freshwater marshes in the Program area provide suitable habitat for the western pond turtle. This species has been observed at La Honda Creek OSP, Bear Creek Redwoods OSP, Sierra Azul OSP, Russian Ridge OSP, Skyline Ridge OSP, Windy Hill OSP, and Long Ridge OSP (Midpen 2019; CDFW 2019a), and likely occurs in other preserves where suitable habitat is present.
Coast horned lizard (*Phrynosoma blainvillii*)	CSSC	Occurs in sandy, loose-textured soils interspersed with scattered shrubs in woodlands, grasslands, and shrublands.	**Present.** This species was historically known to occur throughout San Mateo County and the Program area. Although there are no recent records from San Mateo County, this species is known to persist in at least three Midpen preserves located in Santa Clara County, with recent records from Bald Mt in the Sierra Azul OSP (2009), Monte Bello OSP (2014), and five records from Rancho San Antonio OSP, including two recent records (2014 and 2018) (Midpen 2019; iNaturalist 2019).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Northern harrier (*Circus hudsonius*)	CSSC (nesting)	Nests in marshes and moist fields, forages over open areas, including grasslands, marshes, and moist fields.	**Present.** In the Program area, during the breeding season the northern harrier occurs primarily in marshes and grasslands along the coast (Cornell Lab of Ornithology 2019). There is at least one breeding season occurrence at Tunitas Creek OSP, near potentially suitable habitat. Northern harriers observed during the summer in grassland habitat at Midpen preserves in the Santa Cruz Mountains, such as at Russian Ridge OSP, Skyline Ridge OSP, and La Honda Creek OSP are likely to only be foraging, as the San Mateo County Breeding Bird Atlas did not find this species nesting away from the coast or the San Francisco Bay (SAS 2001, Cornell Lab of Ornithology 2019).
Short-eared owl (*Asio flammeus*)	CSSC (nesting)	Nests on ground in tall emergent vegetation or grasses, forages over a variety of open habitats.	**Absent as Breeder.** In the Program area, the short-eared owl occurs primarily from October to March, with most records confined to coastal marshes, grasslands, and fallow fields and to tidal marshes of South San Francisco Bay (SAS 2001, Cornell Lab of Ornithology 2019). There are no known breeding season records from any Midpen preserves, and no breeding records away from the South Bay (SAS 2001, Cornell Lab of Ornithology 2019). This species may occur irregularly and in low numbers on current or future Midpen lands, but only as a nonbreeders.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Long-eared owl (*Asio otus*)	CSSC (nesting)	Riparian bottomlands with tall, dense willows and cottonwood stands; also dense live oak and California Bay along upland streams; forages primarily in adjacent open areas.	**Present.** There are scattered recorded of the long-eared owl throughout the Program area in appropriate habitat; based on known occurrences it is relatively scarce and local (SAS 2001, Cornell Lab of Ornithology 2019), but that impression may result at least in part from its very secretive nature. It is known to have nested at Monte Bello OSP, and there is at least one record of this secretive species from Russian Ridge OSP (CDFW 2019a, Cornell Lab of Ornithology 2019). There is some potential for this species to occur on almost any Midpen land, such as Coal Creek, Los Trancos, Monte Bello, Russian Ridge, Rancho San Antonio, and Sierra Azul OSPs, though due to its scarcity, it is likely present in only a small subset of Midpen lands.
Burrowing owl (*Athene cunicularia*)	CSSC	Open grasslands and ruderal habitats with suitable burrows, usually those made by California ground squirrels.	**Absent as Breeder.** In the Program area, the burrowing owl occurs as a rare winter visitor to more extensive grasslands. Most wintering records are from the coast, such as from Tunitas Creek OSP, but individuals have been detected in winter at Windy Hill OSP, Purisima Creek Redwoods OSP, and La Honda Creek OSP. At least one individual is known to have overwintered at Russian Ridge OSP (Cornell Lab of Ornithology 2019). A statewide survey conducted between 1991 and 1993 indicated that breeding owls had nearly been extirpated from San Mateo County where only one to two known breeding pairs remained (DeSante et al. 2007). Recent records in the Program area are all of wintering birds or migrants (CDFW 2019a, Cornell Lab of Ornithology 2019).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Vaux's swift (*Chaetura vauxi*)	CSSC (nesting)	Nests in snags in coastal coniferous forests or, occasionally, in chimneys; forages aerially.	**Present.** In the Program area, Vaux's swift breeds in mature redwood forests and occasionally in chimneys in residential areas (SAS 2001, Rottenborn 2007a). There are numerous breeding season records from Midpen preserves along the crest of the Santa Cruz Mountains with records Monte Bello OSP, Skyline Ridge OSP, Windy Hill OSP, Rancho San Antonio, and Mt. Umunhum in Sierra Azul OSP, but no evidence of nesting at any Midpen preserve. It is possible that small numbers may nest in Midpen preserves in hollows in large redwoods or Douglas-firs, but this species occurs in the Program area primarily as a spring and fall migrant (Cornell Lab of Ornithology 2019).
Black swift (*Cypseloides niger*)	CSSC (nesting)	Nest behind waterfalls in the Sierra Nevada, and formerly at Big Basin State Park, and in sea caves along coastal bluffs in San Mateo County and Santa Cruz County. Forages aerially for insects.	**Present.** In the Program area, the black swift occurs primarily along the coast and coastal ranges, although it can forage and fly over virtually any area (Cornell Lab of Ornithology 2019). In the Program vicinity, the only known breeding location is at Anõ Nuevo State Park (SAS 2001, Cornell Lab of Ornithology 2019). Suitable nesting habitat is absent from Midpen preserves, but the species has been observed at Windy Hill OSP, Skyline Ridge OSP, Monte Bello OSP, and Russian Ridge OSP (Cornell Lab of Ornithology 2019). These birds could be either migrants or coastal nesters flying inland to forage.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Olive-sided flycatcher (*Contopus cooperi*)	CSSC (nesting)	Breeds in mature forests with open canopies, along forest edges in more densely vegetated areas, in recently burned forest habitats, and in selectively harvested landscapes (Altman and Sallabanks 2000, Robertson and Hutto 2007).	**Present.** The olive-sided flycatcher breeds in montane and coastal forests and woodlands in the Program area. During spring and fall migration, it can occur anywhere in the Program area (Cornell Lab of Ornithology 2019). Has been observed, and presumably breeds, at La Honda Creek OSP, Russian Ridge OSP, Skyline Ridge OSP, Long Ridge OSP, Rancho San Antonio OSP, Los Trancos OSP, Coal Creek OSP, and Monte Bello OSP (Cornell Lab of Ornithology 2019). Suitable habitat is present at most Midpen preserves, and small numbers may breed at nearly any preserve.
Purple martin (*Progne subis*)	CSSC (nesting)	Nest in abandoned woodpecker holes. Forages aerially for insects.	**Present.** Purple martins occur in San Mateo County as rare migrants along the coast and very rare and local breeders along the ridgeline of the Santa Cruz Mountains (SAS 2001, Rana Creek Habitat Restoration 2002, Cornell Lab of Ornithology 2019). Known summering and nesting locations include the southern edge of Sierra Azul OSP along Loma Prieta Road (Cornell Lab of Ornithology 2019). Suitable habitat may exist at other preserves, but this species is a scarce and very local breeder in the Program area, and it is expected to occur in Midpen preserves primarily as a scarce migrant.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Loggerhead shrike (*Lanius ludovicianus*)	CSSC (nesting)	Nests in tall shrubs and dense trees; forages in grasslands, marshes, and ruderal habitats.	**Present.** Grassland, ruderal, and marsh communities throughout the Program area provide potentially suitable nesting and foraging habitat for this species. However, it occurs primarily as a migrant and wintering visitor along the coastal and San Francisco Bay lowlands, and is generally absent from the crest of the Santa Cruz Mountains. Due to population declines, it is currently a rare breeder in the Program area, and only a few may nest in preserves (particularly those with extensive grassland). The few known recent nesting records from San Mateo County are all from the San Francisco Bay lowlands, outside the Program area (SAS 2001, Cornell Lab of Ornithology 2019).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Yellow-breasted chat (*Icteria virens*)	CSSC (nesting)	Nests in a variety of habitats with low, dense vegetation without a closed tree canopy, including shrubby habitat along stream, swamp, and pond margins, forest edges, fencerows, and upland thickets of recently abandoned farmland.	**Absent as breeder.** This species has been recorded very infrequently in the Program area, with scattered records throughout San Mateo County and Santa Clara County, typically singing birds present for a single day in May or June. These birds are likely spring overshoots. There are at least two records from Midpen preserves, a historical record of a bird from La Honda Creek OSP in 1956, and a May 14, 2019 record from Alpine Pond at Russian Ridge OSP (Cornell Lab of Ornithology 2019). South of the Program area, in southern Santa Clara County and northern San Benito County, this species is a very scarce breeder, nesting almost exclusively in willow-dominated riparian habitats, often where thick clumps of willows are interspersed with or adjacent to weedy open areas. This species is not expected to occur in the Program area on a regular basis, and is not known to currently breed in the Program area; at most, an occasional pair might breed on Midpen lands.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Yellow warbler (*Setophaga petechia*)	CSSC (nesting)	Nests in riparian woodlands. Suitable breeding habitat consists of riparian corridors, often with an overstory of mature cottonwoods and sycamores, a mid-story of box elder and willow, and a substantial shrub understory (Bousman 2007).	**Present.** The yellow warbler is an uncommon to rare breeder in wooded riparian habitats throughout the Program area, occurring primarily in association with alders, cottonwoods, and willows, in both San Mateo County and Santa Clara County. Riparian woodlands provide suitable nesting and foraging habitat for this species, but the species is scarce and local, being particularly scarce as a breeder on the immediate coast (SAS 2001). It breeds in somewhat greater numbers in Santa Clara County. It is an abundant migrant during the spring and fall (Cornell Lab of Ornithology 2019). This species has been observed during the breeding season at Los Trancos OSP and Windy Hill OSP, and it likely breeds in small numbers in Midpen preserves providing suitable riparian breeding habitat (Cornell Lab of Ornithology 2019).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
San Francisco common yellowthroat (*Geothlypis trichas sinuosa*)	CSSC	Nests in herbaceous vegetation, usually in wetlands or moist floodplains.	**Present.** Freshwater marsh habitat, as well as willow riparian habitat and even dense weedy vegetation throughout much of the Program area, provides suitable breeding and foraging habitat for this subspecies. This subspecies could nest at any Midpen preserve that contains potentially suitable habitat such as Mindego Lake at Russian Ridge OSP, Alpine Pond at Russian Ridge OSP, or farm ponds or weedy vegetation at Tunitas Creek. During the breeding season, the species has been observed at Skyline Ridge OSP, La Honda Creek OSP, Purisima Creek OSP, and Windy Hill OSP (Cornell Lab of Ornithology 2019). The approximate southern edge of the range of *G. t. sinuosa* is thought to be at approximately Lexington Reservoir. South of Lexington Reservoir, in Sierra Azul OSP, common yellowthroats present during the breeding season are likely of the subspecies *arizela*.
Grasshopper sparrow (*Ammodramus savannarum*)	CSSC (nesting)	Breeds and forages in grasslands, meadows, fallow fields, and pastures.	**Present.** Breeding grasshopper sparrows occur in relatively low numbers in extensive grasslands throughout the Program area (SAS 2001, Cornell Lab of Ornithology 2019, Unitt 2008). This species been observed at Tunitas Creek OSP, La Honda Creek OSP, Russian Ridge OSP, Miramontes Ridge OSP, Monte Bello OSP, Skyline Ridge OSP, and Windy Hill OSP (Midpen 2019, Cornell Lab of Ornithology 2019), and suitable habitat may exist at other preserves.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Alameda song sparrow (*Melospiza melodia pusillula*)	CSSC	Breeds and forages almost exclusively in tidally influenced salt marsh, dominated by cordgrass and gumplant, and is occasionally found in brackish marshes dominated by bulrushes (Rottenborn 2007b). However, this subspecies is not expected to disperse upstream into adjacent freshwater habitats.	**Absent.** Within San Mateo County, the Alameda song sparrow is known to occur only in tidally influenced salt and brackish marshes along San Francisco Bay (Chan and Spautz 2008). No Midpen OSPs in this Program Area include bayside tidal marsh habitat.
Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*)	CSSC	Outside the Program area, nests in pickleweed-dominant salt marsh and adjacent ruderal habitat. Within the Program area, nests in extensive grasslands in the Santa Cruz Mountains.	**Present.** Extensive grasslands in the Santa Cruz Mountains provides suitable breeding and foraging habitat for this species. Savannah sparrows have been observed during at La Honda Creek OSP, Windy Hill OSP, Monte Bello OSP, Russian Ridge OSP, Skyline Ridge OSP, Pichetti Ranch OSP, and Sierra Azul OSP (Cornell Lab of Ornithology 2019). Suitable habitat for this species may be present at other Midpen preserves as well, although this species appears to have declined in abundance in Santa Cruz Mountains grasslands in recent decades, and it is unlikely to be more than a scarce and local breeder. Larger numbers of savannah sparrows of multiple subspecies occur in grasslands throughout the Program area during migration and winter.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*)	CSSC	Nests in a variety of habitats including riparian areas, oak woodlands, and scrub.	**Present.** Woodlands and scrub throughout the Program area provide suitable nesting and foraging habitat for this relatively common species, which can be abundant in some areas. Stick nests may be placed in trees, shrubs, or on the ground. This species may also nest in and around old structures.
Pallid bat (*Antrozous pallidus*)	CSSC	Forages over many habitats; roosts in caves, rock outcrops, buildings, and hollow trees.	**Present.** This species has been recorded in scattered locations in open areas and along roads of the Pacific coastal regions and the Santa Cruz Mountains within the Program area. While this species is apparently extirpated from the urban Santa Clara Valley floor, with no recent records, it is known to occur at several Midpen preserves, with multiple records in the past 20 years from La Honda Creek OSP, as well as recent records from El Sereno OSP, Pichetti Ranch OSP, Skyline Ridge OSP, and Bear Creek Redwoods OSP. There is also one relatively recent record and from Hicks Rd, near Sierra Azul OSP (Midpen 2019, CDFW 2019a). This species may occur in Midpen preserves with old buildings or large trees (especially oaks) with large cavities. However, pallid bats are expected to occur in low numbers and only in limited areas.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Western red bat (*Lasiurus blossevillii*)	CSSC	Roosts in foliage in forest or woodlands, especially in or near riparian habitat.	**Present.** The western red bat is a migratory species that occurs from Shasta County to the Mexican border, west of the Sierra Nevada (CDFG 2008). Both day and night roosts usually are located in the foliage of trees. This species day roosts and night roosts in the foliage of trees except during inclement weather periods in winter when it is expected to roost on the ground under leaf litter. Females typically give birth to twins in June and maternity roosts, sites where females give birth and raise young, occur in mature lowland riparian habitat in the Central Valley and some coastal valleys from Salinas Valley south. Western red bats do not raise young in the San Francisco Bay Area west of the Delta; however, males and females overwinter throughout forested and wooded areas of the Bay Area region, particularly along creek riparian habitats. Western red bats have been detected in a number of Midpen preserves, such as Rancho San Antonio, El Sereno, Skyline Ridge, Monte Bello, Bear Creek Redwoods, La Honda Creek, Pichetti Ranch, Monte Bello, Sierra Azul, Skyline Ridge, and Purisima Creek Redwoods OSPs (Midpen 2019).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Townsend's big-eared bat (*Corynorhinus townsendii*)	SC, CSSC	Roosts in caves and mine tunnels, and occasionally in deep crevices in trees such as redwoods or in abandoned buildings, in a variety of habitats.	**Present.** This species is a scarce resident of the Program area, potentially roosting in old mines, caves, very large cavities in redwood trees, and barns and abandoned buildings in the Santa Cruz Mountains. Townsend's big-eared bats have been detected at several Midpen preserves, including Bear Creek Redwoods OSP, La Honda Creek OSP, Long Ridge OSP, Pichetti Ranch OSP, Russian Ridge OSP, Skyline Ridge OSP, Sierra Azul OSP, and Windy Hill OSP (Midpen data). This species has also been detected at Tunitas Creek Beach, less than 1/2 mile from Midpen's Tunitas Creek OSP. Many of these records are very recent, within the past three years, and in many instances, detections have occurred during the known breeding season for this species, which extends through August. In many cases, Townsend's big-eared bats detected in Midpen preserves have been found in buildings, such as sheds or barns. Therefore, this species may occur in a number of Midpen preserves, albeit in very small numbers.
American badger (*Taxidea taxus*)	CSSC	Burrows in grasslands and occasionally in infrequently disked agricultural areas.	**Present.** Badgers are present in low numbers in open habitats of the Program area, with many recent records from Midpen preserves along the crest of the Santa Cruz Mountains that have open grasslands, including Skyline Ridge OSP, Russian Ridge OSP, Windy Hill OSP, Tunitas Creek OSP, Monte Bello OSP, Coal Creek OSP, and La Honda Creek OSP. Suitable habitat may exist at other preserves. However, populations of this species in the Santa Cruz Mountains are likely low, and this species is expected to occur only in low numbers in any Midpen preserve.

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
State Fully Protected Species			
White-tailed kite (*Elanus leucurus*)	SP	Nests in tall shrubs and trees, forages in grasslands, marshes, and ruderal habitats.	**Present.** Grasslands within the Program area provide suitable breeding and foraging habitat. Has been observed at the following Midpen preserves — Russian Ridge OSP, Los Trancos OSP, Windy Hill, Monte Bello OSP, Coal Creek OSP, Pichetti Ranch OSP, La Honda Creek OSP, Purisima Creek Redwoods OSP, and Pulgas Ridge OSP (Cornell Lab of Ornithology 2019). Suitable habitat is present at other preserves, and this species may occur in relatively low numbers in any preserve with more than a minimal amount of grassland.
American peregrine falcon (*Falco peregrinus anatum*)	SP	Forages in many habitats; nests on cliffs and tall bridges and buildings.	**Absent as breeder.** American peregrine falcons may forage in suitable habitat throughout the Program area. Recently, the species has been documented nesting along the Devil's Slide Coastal Trail, within the Program Area in San Mateo County, and it is known to nest at Castle Rock State Park, just outside the Program area. It is possible that it may nest on cliffs elsewhere in the Program area. Although there are no known nest sites nor suitable nesting habitat in any Midpen preserve, small numbers of individuals can occur virtually anywhere while foraging. Has been observed at La Honda Creek OSP, El Corte de Madera Creek OSP, Purisima Creek Redwoods OSP, Thornewood OSP, Rancho San Antonio OSP, Monte Bello OSP, Skyline Ridge OSP, Long Ridge OSP, and Sierra Azul OSP (Cornell Lab of Ornithology 2019).

Common Name[1] (Scientific Name)	Status[2]	Habitat	Potential for Occurrence on Current/Future Midpen Lands
Golden eagle (*Aquila chrysaetos*)	SP	Breeds on cliffs or in large trees (rarely on electrical towers), forages in open areas.	**Present.** In the Program area, the golden eagle is an uncommon to rare permanent resident (Cornell Lab of Ornithology 2019). It occurs sparingly in open spaces throughout the Program area, primarily as a nonbreeder, although a few pairs may nest (SAS 2001). Has been observed at Sierra Azul OSP, La Honda Creek OSP, Russian Ridge OSP, Coal Creek OSP, Rancho San Antonio OSP, Pichetti Ranch OSP, Monte Bello OSP, Skyline Ridge OSP; Purisima Creek Redwoods OSP, and Windy Hill OSP. Suitable habitat for foraging may exist at other preserves. Although no nest sites are known to occur in any Midpen preserves, this species nests very nearby (e.g., at Almaden-Quicksilver County Park), and it is possible that very low numbers of pairs could nest in Midpen preserves.
Ringtail (*Bassariscus astutus*)	SP	Cavities in rock outcrops and talus slopes, as well as hollows in trees, logs, and snags that occur in riparian habitats and dense woodlands, usually in close proximity to water.	**Present.** The status of this species in Santa Clara and San Mateo County is not well known. Although this species' strictly nocturnal habits may be at least partially responsible for the lack of information on its distribution in these counties, it is likely very rare because of the lack of sightings and the scarcity of roadkill records (e.g., compared to the nocturnal American badger, which is much more frequently detected by roadkill). Suitable habitat is present in portions of the Program area that contain dense woodlands and/or rocky outcroppings. It is known to have occurred at Sierra Azul OSP, Saratoga Gap OSP, and Long Ridge OSP (Midpen 2019), and may be present at other Midpen preserves, although it is expected to be rare and local.

Notes:

[1] Special-status species are listed in the following order: state or federally listed, proposed, or candidate species first, followed by California species of special concern, then species classified as fully protected. Within each of those groups, species are listed in the following order: invertebrates, fish, amphibians, reptiles, birds, then mammals.

[2] Status Codes: FE = Federally Endangered; FT = Federally Threatened; FC = Candidate for Federal Listing; SE = State Endangered; ST = State Threatened; SC = Candidate for State Listing; CSSC = California Species of Special Concern; SP = State listed as Fully Protected

[3] The CDFW is currently considering a petition to list the Central Coast mountain lion population (which includes individuals in the Program area) and the Southern California population as threatened. For the purposes of this document, the mountain lion is considered a candidate for state listing until CDFW determines otherwise.

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4.4 Invasive Animals and Plants, Noxious Weeds, and Pathogens

For over two centuries, humans have brought non-native plants and wildlife into the region, either accidentally (e.g., as stowaways in cargo shipments or in ballast water) or intentionally (e.g., imported for food, ornamental landscaping, sport, or as pets), and many of these species have now been introduced into the wild. Such species that cause ecological harm and, once established, spread quickly from their point of introduction are often called "invasive" species.

Invasive species affect native species and habitats in several ways, including by altering nutrient cycles and hydrologic cycles; by creating changes in sediment deposition and erosion; by dominating habitats and displacing native species; by competing with native species for resources, by preying on native species, by transmitting diseases, and by hybridizing with native species (Bossard et al. 2000). In California, approximately 3 percent of the plant species growing in the wild are considered invasive, but they inhabit a much greater proportion of the landscape (California Invasive Species Council [Cal-IPC] 2019). Their effects on natural communities also may lead to direct effects on human activities, such as clogging waterways and water delivery systems, weakening flood protection structures, damaging crops, and diminishing sport fish populations (CDFW 2019c).

Invasive species present complex management issues because they can continue to spread and invade new areas even when they are no longer being actively introduced. Common characteristics of invasive plant species that allow them to outcompete native vegetation and establish more quickly on newly exposed substrates (e.g., eroding river banks, wildfire scars, and flood-scoured floodplains and bars) include the following:

- More than one seed dispersal mechanism with prodigious quantities of seed production
- Longer season of viable seed release, dispersal, and germination potential
- Dormant seed or rhizome viability over many years
- Greater range of tolerance of inundation, scour, or dry season soil moisture deficits
- Fast growth rates, stump sprouting, and fast recovery from top removal
- Symbiotic relationships with nitrogen-fixing bacteria

4.1.13 Invasive Plants

Plant pests are defined by law, regulation, and technical organizations. The Cal-IPC (2019) ranks invasive plants across the state based on the magnitude of ecological impact in California, as well as the extent of the species' occurrence or impact, as follows:

High – Species has severe ecological impacts on physical processes, plant and animal communities, and vegetation structure

Moderate – Species have substantial and apparent ecological impacts on physical processes, plant and animal communities, and vegetation structure

Limited – Species are invasive but their ecological impacts are minor on a statewide level or there was not enough information to justify a higher score

Alert – An Alert is listed on species with High or Moderate impacts that have limited distribution in California, but may have the potential to spread much further.

Invasive plants are also regulated by a number of sources, including the California Department of Food and Agriculture (CDFA) and the United States Department of Agriculture's Animal and Plant Health Inspection Service. The CDFA (2019) uses an action-oriented pest-rating system. The rating assigned to a pest by the CDFA does not necessarily mean that one with a low rating is not a problem; rather the rating system is meant to prioritize response by the CDFA and county agricultural commissioners. The Cal-IPC has developed a list of plant pests specific to California wildlands, based on information submitted by land managers, botanists, and researchers throughout the state and on published sources. The term "noxious weed" is used by government agencies for non-native plants that have been defined as pests by law or regulation.

The following CDFA designations reflect the importance of the pest:

A – A pest of known economic or environmental detriment and is either not known to be established in California or it is present in a limited distribution that allows for the possibility of eradication or successful containment

B – A pest of known economic or environmental detriment and, if present in California, it is of limited distribution

C – A pest of known economic or environmental detriment and, if present in California it is usually widespread

The Midpen Integrated Pest Management (IPM) Program was established in 2014 and is directed by the IPM Guidance Manual (Midpen 2014) with the stated goal to "Control pests by consistent implementation of IPM principles to protect and restore the natural environment and provide for human safety and enjoyment while visiting and working on Midpen lands" (Midpen 2014).

A number of invasive and pest plant species found on Midpen lands are treated on an on-going basis to control for asset-based protection and long-term management. **Table 4-3** provides the list of these species along with their Cal-IPC and CDFA ratings. Midpen considers species with a CAL-IPC rating or CDFA rating to be invasive species, and those species in Table 4-3 without a rating to be pest species.

Table 4-3. Invasive and Pest Plant Species Treated on Midpen Preserves

Scientific Name	Common Name	Cal-IPC rating	CDFA Designation
Acacia baileyana	Cootamundra wattle	-	-
Acacia dealbata	Silver wattle	Moderate	-
Acacia melanoxylon	Blackwood acacia	Limited	-
Acacia pycnantha	Golden wattle	-	-
Aegilops cylindrica	Jointed goatgrass	-	Noxious Weed
Aegilops triuncialis	Goatgrass	High	Noxious Weed
Agrostis avenacea	Pacific bentgrass	Limited	-
Ailanthus altissima	Tree of heaven	Moderate	Noxious Weed
Aira caryophyllea	Silvery hairgrass	-	-
Allium vineale	Vineyard onion	-	Noxious Weed
Anthemis cotula	Dog fennel	-	-
Arctotheca prostrata	Prostrate cape weed	Moderate	-
Arundo donax	Giant reed	High	Noxious Weed
Avena barbata	Slim oat	Moderate	-
Avena fatua	Wildoats	Moderate	-
Bassia hyssopifolia	Fivehorn smotherweed	Limited	-
Bellardia trixago	Mediterranean lineseed	Limited	-
Brachypodium distachyon	Purple false brome	Moderate	-
Brachypodium sylvaticum	Slender false brome	Moderate	Noxious Weed
Brassica nigra	Black mustard	Moderate	-
Brassica rapa	Common mustard	Limited	-
Brassica rapa var. *rapa*	Turnip	Limited	-

Scientific Name	Common Name	Cal-IPC rating	CDFA Designation
Briza maxima	Rattlesnake grass	Limited	-
Bromus diandrus	Ripgut brome	Moderate	-
Bromus hordeaceus	Soft chess	Limited	-
Buddleja davidii	Butterfly bush	-	-
Carduus pycnocephalus	Italian thistle	Moderate	Noxious Weed
Carduus tenuiflorus	Slender flowered thistle	Limited	Noxious Weed
Carex pendula	Hanging sedge	-	-
Carthamus lanatus	Woolly distaff thistle	Moderate	Noxious Weed
Centaurea calcitrapa	Purple star thistle	Moderate	Noxious Weed
Centaurea melitensis	Tocalote	Moderate	Noxious Weed
Centaurea solstitialis	Yellow starthistle	High	Noxious Weed
Centaurea stoebe ssp. *micranthos*	Spotted knapweed	High	Noxious Weed
Cirsium vulgare	Bullthistle	Moderate	Noxious Weed
Clematis vitalba	Old man's beard	Moderate	-
Conium maculatum	Poison hemlock	Moderate	-
Convolvulus arvensis	Field bindweed	-	Noxious Weed
Cordyline australis	Cabbage tree	Limited	-
Cortaderia jubata	Andean pampas grass	High	Noxious Weed
Cotoneaster franchetii	Cotoneaster	Moderate	-
Crataegus monogyna	Hawthorn	Limited	-
Crocosmia x crocosmiiflora	Monbretia	Limited	-
Cynodon dactylon	Bermuda grass	Moderate	-

Scientific Name	Common Name	Cal-IPC rating	CDFA Designation
Cynosurus echinatus	Dogtail grass	Moderate	-
Cytisus scoparius	Scotch broom	High	Noxious Weed
Dactylis glomerata	Orchardgrass	Limited	-
Delairea odorata	Cape ivy	High	Noxious Weed
Digitalis purpurea	Foxglove	Limited	-
Dipsacus fullonum	Wild teasel	Moderate	-
Dittrichia graveolens	Stinkwort	Moderate	Noxious Weed
Ehrharta erecta	Upright veldt grass	Moderate	-
Elymus caput-medusae	Medusa head	High	Noxious Weed
Erodium cicutarium	Coastal heron's bill	Limited	-
Erodium moschatum	Whitestem filaree	-	-
Eucalyptus globulus	Blue gum	Limited[1]	-
Euphorbia lathyris	Gopher plant	-	-
Euphorbia oblongata	Eggleaf spurge	Limited	Noxious Weed
Festuca arundinacea	Reed fescue	Moderate	-
Festuca myuros	Rattail sixweeks grass	Moderate	-
Festuca perennis	Italian rye grass	Moderate	-
Ficus carica	Common fig	Moderate	-
Foeniculum vulgare	Fennel	High	-
Genista monspessulana	French broom	High	Noxious Weed
Geranium dissectum	Wild geranium	Limited	-
Geranium molle	Crane's bill geranium	-	-
Geranium purpureum	Herb robert	Limited	-

Scientific Name	Common Name	Cal-IPC rating	CDFA Designation
Geranium robertianum	Robert's geranium	-	-
Hedera canariensis	Canary ivy	High	-
Hedera helix	English ivy	High	-
Helminthotheca echioides	Bristly ox-tongue	Limited	-
Hesperocyparis macrocarpa	Monterey cypress	-	-
Hirschfeldia incana	Mustard	Moderate	-
Holcus lanatus	Common velvetgrass	Moderate	-
Hordeum murinum	Foxtail barley	Moderate	-
Hypericum perforatum	Klamathweed	Limited	Noxious Weed
Hypochaeris glabra	Smooth cats ear	Limited	-
Hypochaeris radicata	Hairy cats ear	Moderate	-
Ilex aquifolium	Holly	Limited	-
Kniphofia uvaria	Redhot poker	-	-
Lactuca serriola	Prickly lettuce	-	-
Lepidium draba	Whitetop	Moderate	Noxious Weed
Lepidium latifolium	Perennial pepperweed	High	Noxious Weed
Leucanthemum vulgare	Oxe eye daisy	Moderate	-
Ligustrum lucidum	Glossy privet	Limited	-
Lotus corniculatus	Bird's foot trefoil	-	-
Lythrum hyssopifolium	Hyssop loosestrife	Moderate	-

Scientific Name	Common Name	Cal-IPC rating	CDFA Designation
Marrubium vulgare	White horehound	Limited	-
Medicago polymorpha	California burclover	Limited	-
Melilotus albus	White sweetclover	-	-
Myosotis latifolia	Wide leaved forget me not	Limited	-
Nerium oleander	Oleander	-	-
Olea europaea	Olive	Limited	-
Oxalis pes-caprae	Bermuda buttercup	Moderate	-
Paspalum urvillei	Vasey's grass	-	-
Phalaris aquatica	Harding grass	Moderate	-
Phoenix canariensis	Canary island date palm	Limited	-
Pinus radiata	Monterey pine	-	-
Pistacia chinensis	Chinese pistachio	-	-
Pittosporum undulatum	Victorian box	-	-
Plantago coronopus	Cut leaf plantain	-	-
Plantago lanceolata	Ribwort	Limited	-
Polypogon monspeliensis	Annual beard grass	Limited	-
Prunus cerasifera	Cherry plum	Limited	-
Pyracantha coccinea	Scarlet firethorn	Limited	-
Robinia pseudoacacia	Black locust	Limited	-
Rubus armeniacus	Himalayan blackberry	High	-
Rumex acetosella	Sheep sorrel	Moderate	-
Rumex crispus	Curly dock	Limited	-

Scientific Name	Common Name	Cal-IPC rating	CDFA Designation
Rytidosperma penicillatum	Purple awned wallaby grass	Limited	-
Salsola soda	Alkali russian thistle	Moderate	-
Schinus molle	Peruvian pepper tree	Limited	-
Senecio minimus	Coastal burnweed	-	-
Silybum marianum	Milk thistle	Limited	-
Spartium junceum	Spanish broom	High	Noxious Weed
Stipa miliacea var. *miliacea*	Smilo grass	Limited	-
Taraxacum officinale	Red seeded dandelion	-	-
Torilis arvensis	Field hedge parsley	Moderate	-
Trifolium hirtum	Rose clover	Limited	-
Ulex europaeus	Gorse	High	Noxious Weed
Vicia villosa	Hairy vetch	-	-
Vinca major	Vinca	Moderate	-
Zantedeschia aethiopica	Callalily	Limited	-

Notes:
1: Although Cal-IPC rates this as "Limited", Midpen rates it as "Moderate."

4.1.14 Invasive Animals

As described above, the introduction of non-native animal species can be detrimental to native species assemblages. Non-native animal species distribution and abundance in the Program area is poorly known, but species known to occur include the American bullfrog, mosquitofish, crayfish (*Pacifastacus leniusculus* and *Procambarus clarkii*), red-eared slider (*Trachemys scripta elegans*). A few of the more common introduced/invasive wildlife and fish species present, or with a high potential to be introduced, are discussed below.

Mosquitofish have been introduced throughout the world, including the Program area, to control mosquito populations. Such introductions have been shown to have negative effects on amphibians in experimental studies, including decreased survival of larval Sierran chorus frogs

and California newts (Gamradt and Kats 1996), as well as tail injury, reduced metamorph size, and altered activity patterns of larval California red-legged frogs (Lawler et al. 1999).

Largemouth bass were first introduced into California at Lake Cuyamaca (San Diego County) in 1891 and are now found throughout California (CDFW 2019b). Two subspecies are recognized, the northern subspecies *M. s. salmoides*, and the Florida subspecies *M. s. floridanus*. Research suggests that the introduction of largemouth bass can negatively affect populations of small native fishes and ranid frogs, including California red-legged frogs, through predation. This species is known to occur at Alpine Pond at Skyline Ridge Open Space Preserve (iNaturalist 2019).

The American bullfrog has been accidentally and intentionally introduced (e.g., for food in the 1920s by commercial frog farmers) throughout the world and is now established throughout most of the western United States, including the Program area (CalHerps 2019). The species' large size, mobility, generalized eating habits (their prey includes native amphibians as well as other aquatic and riparian vertebrates [Graber 1996]), and aggressive behavior have made bullfrogs extremely successful invaders and a threat to biodiversity (AmphibiaWeb 2008). Bullfrogs are present in some Midpen preserves, and Midpen performs bullfrog management as necessary.

It has been suggested that where western pond turtles and non-native turtles co-occur there may be a negative impact on the western pond turtles (particularly by red-eared sliders) through competition and possibly the introduction of disease (Spinks et al 2003; Thomson et al. 2010). Spinks et al. (2003) observed that, where they co-occur, the larger red-eared sliders seem to dominate the more desirable basking spots (secluded areas with floating or protruding woody debris), whereas western pond turtles are more scattered and bask on the lesser desirable open banks. They attributed this to the ability of the larger red-eared sliders to displace western pond turtles from the more desirable basking spots. The extent to which non-native turtles impact the western pond turtle population has not been specifically studied, but it can be assumed that larger non-native turtles, specifically red-eared sliders, probably outcompete the smaller western pond turtle for resources required by both species.

Feral pigs (*Sus scrofa*) are also present on Midpen lands. This exotic species is the ancestor of European wild boars and domestic pigs, with which they freely hybridize (Frederick 1998); was intentionally introduced to North America for hunting; and is now the most abundant wild-living introduced ungulate in the United States (Mayer and Brisbin 1991). Feral pigs are highly adaptable, can inhabit a wide range of environments, are omnivorous and can survive on a great variety of food resources, and are capable of rapid increases in population (Baskin and Dannell 2003). Feral pigs can cause substantial environmental damage (Cushman et al. 2004) and present health, and safety concerns to humans, livestock, and wildlife in California (Kreith 2007, Barrios-Garcia and Ballari 2012). Feeding and rooting activities of feral pigs can damage ecosystems by disturbing soil, uprooting plants, and modifying physical characteristics and resources. Soil disturbance by pigs facilitates invasion by exotic plant species, increases exotic

plant species diversity, and can reduce vegetative soil cover (Cushman et al. 2004). In addition to damaging pastures and causing disturbance in riparian areas (Barrios-Garcia and Ballari 2012), rooting behavior and movements can damage fencing, gates, water troughs, and other infrastructure. Feral pigs feed not only on plants, but also on other animal species, potentially impacting other wildlife populations (Jolley et al. 2010, Barrios-Garcia and Ballari 2012).

Other non-native mammal species such as feral house cats (*Felis catus*), red foxes (*Vulpes vulpes*), Norway rats, and muskrats (*Ondatra zibethicus*), all of which are significant predators of native birds, are also known to occur in the Program area.

4.1.15 Pathogens

Phytophthora

Phytophthora are microscopic oomycetes (water molds). Almost all of the more than 120 *Phytophthora* species described to date are pathogenic to plants. Diseases caused by *Phytophthora* species include root rots, stem cankers, and fruit and leaf blight. Host ranges of *Phytophthora* species can be narrow or wide, but are mainly unknown for most California native plants. Several recent studies have addressed impacts on native plants in the San Francisco Bay Area and northern California native habitats. In particular, an astonishing number of *Phytophthora* species (over 40 Phytophthora species recovered from plants in 22 different host families) have been detected in nursery stock planted into habitat areas in restoration projects in California (Bourret 2018, Phytosphere Research 2018, Rooney-Latham et al 2015). Primarily spread via contaminated soil and water (some species are aerially dispersed), *Phytophthora* pathogens can affect plants in a variety of habitats, from dry chaparral and woodland to mesic wetlands and riparian plant communities. Once introduced into native habitats, *Phytophthora* persists in soil and infected host roots. Once *Phytophthora* infestations expand beyond very limited areas, they are very difficult to impossible to eradicate (Swiecki and Bernhardt 2014).

Perhaps the most well-known result of *Phytophthora* infestations is sudden oak death (SOD), a forest disease that attacks oaks and tanoak. This disease has caused widespread loss of oaks in coastal areas from Monterey County, California north to southwestern Oregon. Midpen has collected considerable data on the occurrence of SOD on its lands through monitoring and testing and has been working with plant nurseries to discourage the spread of SOD through planting of infected materials.

Chytrid Fungus

Batrachochytrium dendrobatidis (Bd) is a species of chytrid fungus that is only found in amphibians. It has been found in most of the world's approximately 6,000 amphibian species (AmphibianArk 2019). The Bd fungus infects the skin with large numbers of spores, and changes the structure of skin cells so that abnormal electrolyte levels occur in the Bd-damaged skin, and subsequently the animal's heart, which can lead to amphibian to die by causing the heart to stop

beating (Voyles et al. 2009). Moreover, chytridiomycosis (the disease caused by Bd) can cause very rapid and sharp declines in amphibian populations, sometimes in just a few weeks (Lips et al. 2006), and can disproportionately impact species that are rare, specialized, and endemic (Smith et al. 2009). Infection with Bd is spread by zoospores, a form of the fungus that moves through water or most environments, including on soil, equipment, or on the skin of infected amphibians themselves. It is possible that zoospores may also be transmitted via boots, invertebrates, or birds (AmphibianArk 2019).

B. dendrobatidis does not adversely affect all amphibian species that come into contact with it, and it does not kill all amphibian species. Some species, such as the introduced American bullfrog, are known to be resistant, and can serve as carriers of Bd. Multiple factors, including symbiotic bacteria that discourage the growth of Bd, "antimicrobial peptides" that discourage the growth of Bd, and genetic resistance likely play roles in whether amphibians become infected, and whether the infection is lethal (AmphibianArk 2019).

Midpen has developed, and implements, intensive decontamination protocols for all aquatic gear to inhibit the spread of Bd on its lands.

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Chapter 5. Culvert, Bridge, Channel Pond, and Other Facility Maintenance

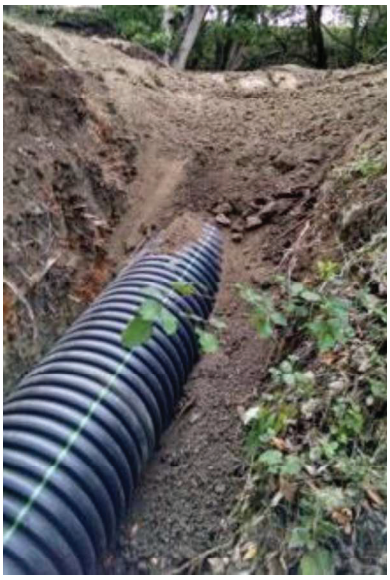
This Chapter identifies and describes Open Space Maintenance and Restoration Program (OSMRP or Program) activities at culverts, bridges, channels, water supply facilities, ponds, and other drainage features. Other minor maintenance activities conducted by Midpeninsula Regional Open Space District (Midpen) are described at the end of the chapter.

5.1 Culvert and Bridge Maintenance

5.1.1 Culvert Repair or Replacement

Corroded culvert requiring replacement along Ipiwa Trail in Skyline Ridge Open Space Preserve (OSP or Preserve)

Midpen maintains over 900 culverts, including ditch relief and stream crossings, which commonly require routine repair or replacement due to improper installation prior to Midpen land acquisition, material deterioration (e.g., bottom of a corrugated metal pipe (CMP) culvert is beginning to rust), damaged headwalls and energy dissipaters, or eroding outfalls. Culverts may be severely damaged, plugged, buried, or otherwise not functioning properly. Causes of culvert failures may include improper sizing, misalignment, and/or the age of materials. Culvert failure or deterioration typically reduces hydraulic capacity due to flow obstruction and blocking, sediment accumulation, or other debris that collects as a result of the damaged or failed culvert. Failure may also lead to increased erosion downstream of the culvert where concentrated flows may become more erosive. This can be particularly problematic if the erosive flows are directed immediately towards a stream bank. At road or trail crossings where either inadequately sized or poorly designed culverts exist, a large storm event could also damage or overwhelm the facility and cause scouring beneath the road or trail and culvert itself.



HDPE culvert replacement at La Honda OSP

A typical culvert replacement will involve replacing existing pipe with CMP, high-density polyethylene (HDPE), or other pipe material, such as concrete, as recommended by the Project engineer, and generally occur within the same footpoint as the original culvert. However, some culverts need to be properly sized or re-aligned to improve fish passage along creeks, to reduce future culvert failures, to improve natural drainage patterns, and to reduce existing erosion and gullying at the repair site, thus improving water quality. Culverts may be relocated or replaced within 25 feet of the original culvert location. Undersized or improperly installed culverts may be replaced up to 48 inches inner diameter, or larger following a special request process from regulatory agencies. Where feasible, culverts will be replaced with new ones that are designed and constructed to accommodate the 100-year flow or the entire channel width. If this is infeasible due to topography or other physical constraints, culverts will be sized to accommodate the 50-year storm event and incorporate rock armoring, critical dips, overside drains, or other drainage features for planned overflow.

Plugged culvert at La Honda OSP

Culvert replacement entails trenching, installing shoring when necessary, removing the existing culvert, installing armored culvert outlet aprons prior to laying down the new pipe, replacing the culvert, backfilling the trench, and compacting the soil or fill material. Culverts that are greater than 30 inches in diameter will include armored culvert inlets and outlets. Rocks for armoring inlets and outlets will be large enough to prevent inlet/outlet erosion and dissipate water velocity as much as possible. Culvert replacements will be installed at or below stream grade. The slope and gradient of replacement culverts that are discharging to a ditch, creek, or channel will be aligned with the receiving water course to maintain stream course continuity and to avoid washout or erosion of the stream bed, stream banks, and/or other earthen material. New culverts will be designed to

Unplugged culvert at La Honda OSP

blend in with the surrounding environment and to not interfere with the movement of fish. Culverts in fish-bearing streams will be designed to provide sufficient depth and velocity of water for passage of native fish and other native aquatic species during high and low flow conditions. Midpen has collected data on 425 stream crossing culverts. More than 50% of culverts on Midpen lands are between 15 feet and 35 feet long, with an average culvert length of 30 feet. Typically, surface disturbance is limited to 150 linear feet of channel or 3,000 square feet. For culvert replacement projects, total earthwork will not exceed 100 cubic yards per culvert, not including the energy dissipator. For culvert repair projects, up to 10 cubic yards of perched fill may be removed. For larger culvert repair or replacement projects that would disturb more area, Midpen would seek approval on a case-by-case basis. Depending on where the culvert replacement takes place, equipment is generally operated from the roadway, roadway shoulders, or trail. However, for large culvert repair, replacement, or relocation projects, it may be necessary to operate equipment within the channel.

Rock armoring at a stream crossing culvert in La Honda OSP

Repair of improperly installed or deteriorated culverts includes repairing eroded outfalls and rock armoring, replacing broken energy dissipators, adding rock slope protection, improving compaction to prevent piping, and clearing clogged culverts. Sediment removal from culverts is discussed in detail under Section 5.3. In some instances, it may be more appropriate to replace culverts with rolling dips or rock fords to correct poor drainage conditions, improve sediment control, or limit disturbance. Adding rock material to reinforce or re-armor culverts at or below the streambed will be conducted by hand in remote areas or by using a bobcat or tractor in areas accessible by road or trail.

Culvert repair and replacement activities typically occur during the summer season between April 15 and October 31 when water levels are low or absent. Creek dewatering may be required depending on site conditions and water levels.

5.1.2 Bridge Maintenance and Replacement

Bridge maintenance at Rancho San Antonio OSP

Midpen maintains over 150 trail bridges, including fords, puncheons, and boardwalks, and over 25 vehicular bridges throughout its Preserves. Vehicular and trail bridge maintenance activities involve repairing or replacing guard or hand railings and decking on bridges, sealing joints, patching cracks on the bridge exterior, removing and re-applying paint, conducting general surface and deck treatments, adding surface material to low puncheons, clearing debris beneath the bridge abutments, and adding rock material to repair bridge abutments. Sediment and debris removal beneath bridges is also routine; however, a rare activity and is described below in Section 5.3.

These activities will be conducted on the bridge itself with electric power tools or heavy equipment, such as excavators and backhoes, placed outside of the channel, on dry stream banks and adjoining upland areas to minimize stream disturbance and turbidity. Nets, tarping or other suitable material will be installed on the underside of the bridge to catch any falling debris. Typically, bridge maintenance work will occur between April 15 and October 31; however, could occur between November 1 to April 14 if certain conditions are met such as no rain has been received at the site for 10 days or is in the 7-day forecast. If bridge works occurs within salmonid habitat, work would occur between June 15 and October 31. If the lower portion of the bridge requires maintenance, such as repair of erosion protection at bridge abutments, work may occur during periods of dry or low flow. If water is present with the channel, dewatering will be required to gain access. Water will either be temporarily diverted through a pipe, pump, flume, or excavated channel around the work area or Midpen will install an instream isolation structure consisting of rock, sandbags, wood, or water filed geotextiles to enclose the work area.

Bridge re-decking at La Honda OSP

Bridges may also be replaced if they are no longer passable by vehicles, are damaged or worn out, cannot

New puncheon at El Corte De Madera OSP

withstand sufficient weight loads to accommodate emergency response vehicles, or are necessary for drainage correction purposes. As part of the OSMRP, bridge replacements that involve the same size and location of the new bridge are allowed as long as limited in-channel work (such as placing a footing for scaffolding or installation of debris catchment system) is conducted. Bridge replacements that involve a different location or size of bridge (e.g., a bridge replacement that is located on the bank upstream or downstream from the original location) are allowed if the replaced bridge reduces impacts to habitats and/or removed the bridge structure from the stream bed, bank or channel (e.g., installs the new bridge above the ordinary high water mark [OHWM]). New bridges will be designed to blend in with the environment and to not interfere with the movement of fish. The original bridge site will be restored to improve or match surrounding habitat conditions.

5.2 Road and Trail Drainage Feature Maintenance

Ditch relief culvert on a road at La Honda OSP

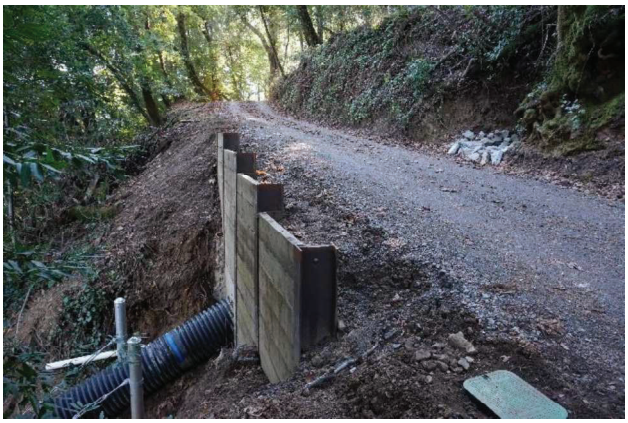
Road and trail ditches, ditch relief culverts, fords and swales, rolling dips, and other drainage features collect runoff from the adjacent road and trail surfaces and control and direct stream flow. Maintenance of these drainage features is necessary to reduce flooding by providing flow carrying capacity; prevent erosion and scouring of the drainage feature, channel/stream, and adjacent roadway/trail and slopes; and reduce the delivery of pollutants, including sediment to streams. Installation and maintenance of these drainage features in combination with road and trail surface shaping (i.e., insloping and outsloping) are effective methods that Midpen practices to improve the overall drainage system. A description of maintenance activities by drainage feature is included below.

Road and trail drainage facilities are inspected year-round, and where necessary, removal of sediment, silt and debris impacting water quality and/or facilities is conducted when conveyance capacity is reduced by 10% to 30%. Typical equipment used for maintenance of

these drainage features includes hand shovels, backhoes, mini excavators, dozers and/or graders. In addition, where fallen trees and large woody debris have accumulated at road and trail drainage features, Midpen is responsible for removing the trees and woody debris. This type of work is typically conducted on an as-needed basis and is described in more detail in Chapter 6, *Vegetation Management*.

5.2.1 Unpaved and Paved Road and Trail Ditches

Ditches collect runoff from hillside areas, springs and seeps, and road and trail surfaces. Maintenance activities are conducted for both unpaved and paved road and trail ditches, described below.



Ditch relief culvert at Bear Creek Redwoods OSP

Unpaved Road and Trail Ditches

Unpaved roadside and trailside ditches are typically cleaned as-needed from spring to fall, as long as the ditches are dry (April through November). Rainy season ditch clearing may occur (November to April) but is usually limited to hand tools unless there is a large debris blockage that must be cleared (e.g., a driveway ditch is blocked with debris and access to the residence is disrupted). Unpaved ditches are cleaned to a depth that matches the existing grade to maintain a continuous slope for runoff to flow to the nearest outlet. Ditch maintenance typically involves limited vegetation removal and sediment and debris removal. Ditches are typically cleaned with hand tools or mechanical equipment such as dozers, excavators, backhoes, skid steers, box scrapers, and graders, depending on the scale and location of work.

Paved Road Ditches

Paved ditches are typically cleaned on an as-needed basis to preserve drainage capacity. Methods to remove debris, trash, or sediment include mechanical cleaning by use of dozer, grader, excavator, backhoe, skid-steer, box scraper, or similar equipment, depending on the scale of work and manual cleaning with hand tools. Removed spoils are hauled and disposed of in an area where they will not be discharged into a water body.

5.2.2 Ditch Relief Culverts

Ditch relief culverts are buried beneath the road or trail surface and provide drainage of roadside and trailside ditches. Ditch relief culverts are installed at the low point or dip, typically at a 30-degree angle from the road or trail line and 5% steeper than the road or trail. They

typically consist of 12-inch diameter HDPE pipe. Ditch relief culverts are used in highly erodible soils, where soils are not conducive to surface cross drainage or rapidly discharge water onto roads and trails, or in areas that stay wet for extended periods of time and experience winter visitor use. New ditch relief culverts may be installed in locations that experience drainage issues and to control erosion. In order to reduce flow velocity and the potential for erosion, rock or vegetation is installed at the outlet/discharge point. Maintenance of ditch relief culverts includes removal of sediment and debris as well as installation of new ditch relief culverts, as needed, to improve drainage. These culverts are inspected and cleaned as needed, typically with hand tools. Ditches can also be cleared with vacuum equipment or high pressure/volume water flow to flush out the ditch. Debris is then cleared by hand at the end of the pipe. Ditch relief culverts are typically cleared when they are 30% blocked; however, it can vary depending on conditions.

5.2.3 Armored Fords and Swales

Armored ford crossing along a trail in El Corte de Madera OSP

Ford crossings are typically located where a 4-foot or 6-foot-wide trail crosses a stream and are designed for the trail to dip through the watercourse. Swales are typically located where a 12-foot or 14-foot-wide road crosses a stream and assist in maintaining natural drainage patterns. These types of crossings are effective in reducing the risk of damage to road/trail infrastructure. These crossings are typically rocked/armored consisting of a coarse rock base with an apron. The stream channel width determines the size of the rock base and apron (i.e., streams with higher flows use larger rocks); however, the design typically includes rocking 50 feet on each side of the crossing. Fords and swales conform to the streambed or the desired crossing elevation above the streambed. For road crossings, the grades of the roadway approaches are tapered, less than 50% slope, to ensure vehicles are able to pass without difficulty. Fords are not recommended on roads that have a steeper than 15% grade due to the difficulty in installing an adequately sized dip. Fords may be installed at trail crossings where the drainage does not support salmonids.

Maintenance of these drainage features involves replacing rock at the dip and apron and occasionally removing sediment and woody debris. Midpen also installs new fords and swales in locations where gullying or erosion has resulted from the stream draining across the road/trail or may replace culverts with rock fords in cases where culverts frequently clog. Fords and swales are typically cleaned as-needed with hand tools for small work or mechanical equipment, such as a dozer, excavator, backhoe, skid-steer, or skip loader for larger projects.

5.2.4 Rolling dips

Rolling dips (i.e., grade dips) are designed to be self-cleaning and to convey sediment off of the side of the road/trail surface. Maintenance of rolling dips involves clearing sediment and debris and removing vegetation, as needed. Midpen also installs new rolling dips as necessary to provide drainage improvements to existing roads and trails. Rolling dips on roads are typically excavated with an excavator, bulldozer with rippers, or a grader. Rolling dips on trails are typically excavated with a mini excavator, skid steer, or hand tools. Rolling dips are cleared as-needed and are typically built to reduce maintenance to every 10-years or more.

Road surface rolling dip at La Honda OSP

5.3 Sediment and Debris Removal

Deposited or accumulated sediment and debris can reduce a channel's capacity to safely convey streamflow as well as a pond's capacity to hold water. Accumulated sediment or debris can also block culverts, bridges, ditches, and other drainage features, and direct flows into streambanks causing erosion, which could negatively impact water quality and the facility (i.e., road, trail, or bridge). In addition, sediment and debris accumulation could also flood and damage property or structures, thus threatening public safety. Sediment accumulation in ponds can result in loss of deep-water escape and/or breeding habitat for aquatic and semi-aquatic species. Sediment and debris removal primarily occurs in ponds and culverts, ditches, rolling dips and other drainage features at road/trail crossings and rarely occurs in channels, beneath bridges, and at trash racks and other minor facilities. Removing excess sediment and debris will improve water quality, decrease the risk of flooding and erosion, eliminate unpleasant odors, and improve aesthetic conditions. Unless otherwise noted, sediment and debris removal activities typically occur during the dry season, between April 15 to October 31; however, may be extended if needed.

Removed sediment is reused on Midpen lands either adjacent to the site, within the same watershed, or within the same Preserve. Sediment is typically spread on stable, upland areas outside of channel corridor, or over unpaved roads. In the rare occurrence that soil is contaminated, it will be hauled offsite and disposed of at an appropriate landfill facility. Excavated instream sediment/gravel can also be reused to improve fish spawning and rearing habitat by enhancing sedimentary materials within the channel bed. In the future, Midpen may reuse watershed specific gravels collected through instream activities as a source for gravel

augmentation projects to improve fish spawning and rearing habitat. Typically, this work is conducted with hand shovels, backhoes, mini excavators, dozers, and/or graders. Erosion control materials will also be installed to prevent erosion during sediment removal work. The following sections describe sediment and debris removal for each facility type in more detail.

5.3.1 Sediment Removal

Channels

Sediment removal from channels is rarely conducted as Midpen primarily relies on nature to clear channels within its OSPs. However, sediment removal from channels is performed when sediment volume has significantly reduced channel capacity or when localized sediment obstruction has the potential to divert flows, thereby resulting in erosion or flooding damage. In channels, sediment may accumulate at culverts, ditches, or bridges; thus, sediment removal in channels typically occurs at small, localized areas that experience sediment deposition or blockages associated with these features. It is anticipated that Midpen will work on up to one in-channel sediment removal project per year. The total work limits would not exceed 100 linear feet per site. Midpen also repairs road failures, slip outs, or landslides adjacent to channels that, if not maintained, may discharge sediment to channels directly or through a culvert. In locations where a road parallels a creek, the top of bank or riparian area is likely in the area of the road repair. Midpen reduces sedimentation associated with these types of sites approximately 10 to 20 times a year.

Sediment and debris are removed with mechanized equipment in creeks that do not support habitat for salmonids and with hand tools in creeks that do support salmonids. No equipment will be operated in standing or flower water within the channel. Work will generally occur under dry conditions; however, if maintenance is necessary where water is in the channel, the water will either be temporarily diverted through a pipe, flume, or excavated channel around the work area or Midpen will install an instream isolation structure consisting of rock, gravel bags, wood, or water filed geotextiles to enclose the work area.

Pond during de-sedimentation work at Russian Ridge OSP

Ponds

Over time, ponds may fill up with accumulated sediment and organic materials. This buildup of sediment decreases the depth of the pond, which reduces the water volume capacity of the pond and increases growth of aquatic vegetation, such as cattails (*Typha*

spp.). Cattails trap sediment and often further encourage sedimentation to occur. Cattails are often the climax community (the final stage in ecological succession) developed in ponds in need of sediment removal. When this growth expires at the end of the dry season, dead plant matter can settle and decompose in the pond, thus furthering the loss of water capacity and aquatic habitat. In order to restore the pond and return it to its previous depth and water capacity, sediment removal is required. Sediment removal work also provides access to the pond basin for re-contouring work to restore aquatic habitat. Pond restoration activities are described in more detail in Chapter 9, *Restoration*. Sediment removal from ponds would be limited to approximately 600 cubic yards per pond and total pond work would be limited to approximately one acre (or two to three ponds) per year.

Pond after de-sedimentation work at Russian Ridge OSP

Sediment removal from ponds will occur as soon as the ponds are dry (if prior to August 15), or if pond draining is required, work will occur between August 15 and November 1, prior to the beginning of California red-legged frog breeding season. A qualified biologist will be required to sample the pond two days before the start of work to ensure that all California red-legged frogs in the pond are in the post metamorphic stage and will be minimally affected. Refer to Chapter 9, *Restoration* for a further discussion on pond restoration activities.

Heavy equipment such as dozers, loaders, excavators, rollers, and compactors will be used for sediment and vegetation removal and recontouring. In some areas, hand tools and hand laborers will be utilized. Portable pumps, with ¼ inch mesh screens on the intakes, may be used for pond draining.

Culverts, Crossings, and Other Drainage Features

Midpen is also responsible for clearing sediment from culvert inlets and outlets, ditches, rocked fords, rolling dips, and beneath bridges at road, trail, and stream crossings. The work is necessary when the drainage feature is blocked with sediment or debris and conveyance capacity is reduced by 10% to 30%, or sediment or debris deposits are actively causing scour erosion of streambanks supporting bridges or other public facilities like roads and trails. Culverts that are blocked by more than 30% may fall under the United States Army Corps of Engineers'

(USACE's) definition of an "emergency situation"[1] and be cleaned immediately, at any time of the year, even when the channel is wet, to prevent flooding. Culverts with reoccurring blockages are cleaned annually, regardless of the percentage of blockage. Midpen removes sediment from blocked culverts approximately 3 to 8 times a year prior to the winter season and during and after storm events.

Prior to the onset of the winter season, Midpen staff typically investigate the condition of all roads and trails in the OSPs. Midpen staff hike the trails carrying hand tools and remove any sediment that has filled in rolling dips, culverts, rock fords, bridge approaches and other drainage features. Similarly, during and after large storm events, Midpen staff conduct "storm checks" by hiking the roads and trails with hand tools to identify and repair and storm-related damage or sedimentation of drainage features. Sediment that can be cleared by hand is completed during the storm-check.

Typically, sediment removal requires digging sediment out by hand. Mechanized equipment, such as push loaders and excavators, may be used for larger drainage features or where hand removal is infeasible. If water is present where mechanized sediment removal work is required and the capacity is blocked less than 30%, Midpen will divert the water around the work site or isolates the work site for sediment removal work, as described above for channels.

5.3.2 Debris Removal

Debris removal involves removing non-sedimentary materials (e.g., shopping carts, trash, tires, other substances) that are deposited into channels, lakes, or ponds as a result of high flows or through human activity. Prior occurpants on Midpen lands used tires and other debris to stabilize streambanks and berms. While sediment accumulation typically involves raising of the channel bed in a uniform manner and the development of in-channel depositional features such as bars; non-sedimentary debris typically occurs in the form of isolated objects or debris mounds or snags. Such debris can substantially reduce channel conveyance capacity and affect hydraulic conditions. For example, debris jams can divert and redirect flows into channel banks and thereby increase bank erosion downstream. Large debris is also problematic when caught against crossings and bridge abutments, which leads to raised water elevations and blocked culvert inlets and outfalls. Removing fallen trees and large woody debris is also a routine activity that is discussed in Chapter 6, *Vegetation Management*.

Midpen routinely removes debris that impairs hydraulic conditions and reduces conveyance capacity in channels, lakes, ponds, ditches, or other drainage features. Debris removal occurs on

1 USACE regulations define an "emergency situation" is present where there is sudden clear, sudden, unexpected, and imminent threat to life or property demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services

an as-needed basis, and is conducted by using hand tools, including come-along cable pullers. Vehicle mounted winches may also be used to remove collected or heavy materials from channels or other heavy equipment, including excavators to remove debris such as tires. Debris would be disposed at an appropriate site or landfill facility.

5.4 Streambank Stabilization

Streambank stabilization involves the repair and stabilization of eroded or eroding stream banks to minimize water quality and erosion impacts. Bank stabilization activities include replacement or repair of damaged or failed sections of perched fill, rock riprap, geogrid embankment, timber pile walls, wooden or log cribwall bank revetments, and retaining walls. Bank stabilization activities take place on an as-needed basis, based on the risk of flooding, erosion, or bank failure. The cause for a particular bank failure depends on the overall hydrologic conditions and flows in the watershed; however, it is also dependent upon site-specific hydraulic, soil, geomorphic, and other conditions that may promote bank instability. After storm events, bank failures may occur at channel beds where bank slopes are overly saturated. Bank failures are also a result of plugged or concentrated road drainage, redirected stream flow, road fill failure or bank seepage. This activity occurs most frequently in Purisima Creek Redwoods OSP where a road runs along a streambank for an extended length with no alternative road. In an average hydrologic year (based on average seasonal precipitation), Midpen may work on up to two streambank stabilization projects in a given year; however, the total work distance will not exceed 100 feet per site. Following a wet hydrologic year or period, Midpen may work on up to four streambank stabilization projects; however, the total work distance will not exceed 100 feet per site. If a streambank stabilization project is larger than 100 linear feet, the project would be conducted outside of the Program.

Prior to initiating bank stabilization repair work, Midpen first evaluates the type of bank failure that occurred (sheered slope, undercut bank, rotational slump, culvert failure, etc.). Second, Midpen evaluates site-specific conditions, including location, hydraulic conditions (i.e., bank height, bank slope, water surface elevations, etc.), bank materials (i.e., soil type, strength, saturation conditions, etc.), and geomorphic conditions (i.e., instream features, confluence, channel bends, etc.). Midpen then assess the upstream and downstream stream channel to determine overall stability of the channel and if elements that can improve habitat complexity, such as root wad revetments and brush layering, can be incorporated into the bank stabilization design. Lastly, and based on the site-specific conditions, Midpen develops an individualized bank stabilization design that minimizes long-term environmental impacts. Midpen prioritizes the use of earthen and biotechnical bank stabilization treatment solutions that minimize adverse environmental effects and help restore and increase complexity of habitat at stabilization sites.

Examples of biotechnical bank stabilization solutions include broadcast and hydro-seeding; riparian vegetation planting; armoring slopes with rocks or sandbags staked with live willows or

interplanted with riparian species; willow staking; live willow pole drains; vegetated crib walls; or log or rootwads. These methods are typically used in combination with vegetated riprap installations. Brief descriptions of these biotechnical solutions are provided below.

- **Hydro-seeding and Broadcast Seeding** is used to provide quick-growing grass cover for a disturbed area, and is typically better suited for gentle sloping areas above the top of bank. Hydro-seeding is the application of a water, amendment, and seed mixture designed to provide immediate erosion control, and is preferred for large areas above the top of bank. Hydro-seeding is typically applied from a vehicle trailer pump. Broadcast seeding is a method of seeding that involves scattering seed by hand, typically in conjunction with weed free straw and gentle surface compaction. Surface compaction establishes soil contact and is used for native grass revegetation and for temporary Regreen™ wheat cover which produces a sterile plant.

- **Riparian Vegetation Planting** consists of planting basins and cages with native plants of all types to re-establish ecological function over time, as opposed to near-term erosion control.

- **Armoring Slopes with Rocks or Gravel bags Staked with Live Willows or Interplanted with Riparian Species** is used where streambanks, pond banks, or other features require the geomorphic stability that harder elements provide while also providing riparian or pond vegetation habitat functions. Willows may be planted on steep slopes between hard elements, increasing natural channel roughness in a short period of time.

- **Willow Staking** involves inserting live, vegetative cuttings into the ground in a manner that allows the cutting (stake) to take root and grow. Willow staking can be applied in areas to repair small slips and slumps, to reinforce or enhance stream banks, and to anchor and enhance the effectiveness of erosion control materials. This method can also be used in combination with vegetated riprap installations.

- **Live Willow Pole Drains** are similar to French drains by providing a subsurface, natural conduit to dewater saturated slopes. Although not frequently used by Midpen, they may be placed in gullies before the gulley is backfilled for restoration purposes.

- **Vegetated Crib Walls** are used as part of small trail bridge footings or abutment wingwalls. Similar to armored slopes with interplanted riparian species, vegetated crib walls provide geomorphic stability for trail bridges while also providing appropriate, native vegetation. Old vehicle bridges were commonly built with redwood crib log walls that recruited native species over time.

- **Log or Rootwad** involves placing logs or rootwads in selective areas in and on streambanks. These provide effective streambank erosion control in high velocity streams, and trap sediment between components, support restoration of slope vegetation, and distribute flow velocities. This method is effective on meandering streams with out-of-bank flow conditions. Depending on site conditions, this solution can create instream structures.

If biotechnical bank stabilization solutions are determined to be unsuitable or have previously failed at a site, hardscape engineered solutions (e.g., riprap) may be used and keyed into the bank to provide stability.

Volunteers are installing willow staking to stabilize a failing gulley/bank above a California red-legged frog breeding pond

When bank stabilization projects occur, streambanks will be recontoured to match the adjacent bank slope and return to the pre-failed condition. If rock slope protection is used, streambanks will be backfilled with native or clean imported topsoil that will fill in portions of the voids in the rock slope protection and be planted with vegetation to minimize habitat loss. Work will be limited to the damaged or failed sections and adjacent bank areas.

Bank stabilization work is conducted with either hand and power tools (i.e., toter or mule) or with larger mechanized equipment such as excavators or dump trucks. Generally, these are small-scale projects and work can be conducted from the top of bank. However, for larger projects, work within the channel may be required. If water is present with the channel, dewatering will be required to gain access. Water will either be temporarily diverted through a pipe, pump, flume, or excavated channel around the work area or Midpen will install an instream isolation structure consisting of rock, sandbags, wood, or water filed geotextiles to enclose the work area. This work would typically occur between April 15 and October 31, however, may be extended if certain conditions are met (e.g., no rainfall is forecasted for 7-days).

5.5 Water Supply Structure Maintenance

Maintenance of grazing water system in La Honda OSP

Many of Midpen's OSPs contain numerous natural springs in upland locations along geologic contacts, faults, and landslides or in riparian or other low topographic areas that have often been developed to supply water to residences and for conservation grazing purposes. Water supply infrastructure primarily consists of spring boxes, wells, water tanks, waterlines, and livestock troughs. Maintenance of these facilities is necessary to maintain water supply storage and availability; provide accessible water for livestock and wildlife; and supply clean water to residences. Primary maintenance activities involve replacing, extending, or realigning water lines; repairing failed or dilapidated spring boxes or wells; cleaning out clogged spring boxes and pipes to improve the spring system; installing new spring boxes or troughs; removing minor amounts of vegetation to ensure water supply structures are functioning properly; and creating defensible space around water infrastructure per the Board of Forestry Fire Safety Regulations (2021).[2] These structures are inspected year-round on a regular basis and are generally maintained annually by hand, as needed (e.g., cleaning out clogged spring boxes and pipes typically occurs every year). Rebuilding water supply structures is done less frequently, typically once every 5-10 years. If extensive digging is required, such as for installation of new water line or spring box, small mechanical equipment may be used (i.e., bobcat or small backhoe). When servicing wells, larger mechanical equipment may be required. If mechanical equipment is required, activities would typically occur between April and November.

Maintenance of Big Dipper Spring in Skyline Ridge OSP

[2] As of July 2021, the Board of Forestry Fire Safe Regulations have not yet been approved.

5.6 Ponds

Ponds are important wetland features that serve as educational and aesthetic resources for Preserve visitors, habitat for rare, threatened, and endangered species, and in some cases, provide water sources for livestock. These ponds also provide fire suppression benefits by having available water on site. Maintenance work includes vegetation and sediment removal to maintain optimum water levels; shoring and filling in gaps or low spots on earthen berms; rocking berm tops in heavy use areas, and clearing outlets, inlets, pipes, and spillways for proper depth of ponds. Sediment removal in ponds is discussed above in Section 5.3. Midpen also develops and restores ponds for aquatic habitat. Pond restoration activities are described in more detail in Chapter 9, *Restoration and Enhancement Projects*.

Pond requiring vegetation and sediment removal at La Honda OSP

Heavy equipment such as dozers, loaders, excavators, rollers, and compactors will be used for repairing failing pond berms, improving inlets/ outlets, recontouring, and removing invasive vegetation. Excavators, chainsaws, brush cutters, mowers, and articulating arm mowers may be used for clearing and grubbing of vegetation to maintain a pond to the Division of Dam safety requirements, such as removing woody vegetation from a berm or aquatic vegetation from clogging a spillway. If pond draining is needed for berm stabilization or clearing work, portable pumps with ¼" mesh screens on the intakes, may be used. In some areas, hand tools and hand laborers will be utilized. Pond berm stabilization work is limited to a maximum length of 200 feet per pond berm. In addition, the amount of material (i.e., fill) is limited to 300 cubic yards per pond berm. Midpen anticipates working on up to three ponds per year.

Maintenance activities in ponds occurs as soon as the ponds are dry (if prior to August 15), or if pond draining is required and California red-legged frog are present, work will occur between August 15 and November 1, prior to the beginning of California red-legged frog breeding season.

5.7 Minor Maintenance Activities

Other minor maintenance activities conducted by Midpen include repair of fences, gates and signage and trash rack clearing. Fences and gates are repaired as needed to protect the public and Midpen's property. Trail signs are periodically kept clean from graffiti and repaired or replaced as needed. Graffiti removal involves painting by hand or mechanical sprayers on trail signs or bridges or other structures. Additional structures that require minor repair include scientific instrumentation (i.e., gages, sensors, etc.) and wildlife habitat structures (i.e., turtle platforms, exclusion screens, and spring box features). These are maintained with hand tools annually and are generally small in scale. For example, a staff plate in a stream requires annual scrubbing and possibly readjusting the post, among other minor activities.

Minor maintenance of trail signs

Trash racks are located upstream from culvert inlets on non-fish bearing streams, pond spillways, and other key locations designed to catch natural debris. Trash rack clearing typically involves the use of hand tools to remove the debris, which is typically disposed of locally in a stable location away from the stream. The amount of debris removed annually varies depending on the type of water year.

Fence repair at Skyline Ridge OSP

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Chapter 6. Vegetation Management

This Chapter describes the specific types of vegetation management activities that are conducted routinely throughout Midpeninsula Regional Open Space District's (Midpen's) lands. Vegetation management activities are conducted consistent with the Integrated Pest Management (IPM) Guidance Manual (MidPen 2014a),Environmental Impact Report (EIR) (Midpen 2014b) and EIR Addendum (Midpen 2019). As of 2014, Midpen operates within the framework of the IPM, which guides Midpen staff in defining, preventing, and managing pests on Midpen lands while protecting human health and environmental quality.

Midpen also manages vegetation under its Wildland Fire Resiliency Program through the Vegetation Management Plan (VMP). The VMP has two components: Public Safety and Ecosystem Resiliency. The primary need for vegetation management for public safety is to reduce fuels that contribute to fire risks along critical roads that allow for ingress and egress and to provide a buffer from which fires can be fought. In addition, fuel reduction will help protect critical infrastructure and enable Midpen to be a good neighbor to private residents near Midpen lands. Vegetation management to reduce fuels can also restore ecosystems by removing invasive plant species and/or dead and excessive accumulated vegetation due to past fire suppression. In addition, impact from forest disease (e.g., Sudden Oak Death [SOD]) can be mitigated.

The purpose of the Public Safety VMP is to define and prioritize the vegetation management activities (e.g., fuelbreaks, defensible space) that Midpen can implement to increase vegetation management practices beyond what Midpen is already doing to reduce wildland fire risks, while also preserving biodiversity and minimizing effects on the environment. Vegetation management for fuels reduction will not stop a fire from spreading, but may allow additional time for responding fire personnel to arrive on scene and/or allow private residents in the wildland urban interface (WUI) to evacuate. Midpen manages vegetation to reduce the continuity of live and dead fuels both horizontally and vertically in fuelbreaks. Width varies depending on sensitive resources, the location of habitat transitions, slope, expected fire behavior, and the protected features or infrastructure.

The purpose of the Ecosystem Resiliency VMP is to maintain Fuel Reduction Areas (FRAs) where fuels are manually or mechanically removed for habitat enhancement reasons, but not to the same extent as fuelbreaks. FRAs are less permanent than fuelbreaks and are typically implemented in more natural areas where fuel load reduction will be performed to achieve a combination of wildland fire risk reduction and habitat enhancement goals. FRAs can be areas of managed vegetation adjacent to fuelbreaks, but can also occur in areas where fuel loading is particularly problematic such as areas affected by forest disease. Most riparian settings will be treated as FRAs in the VMP (i.e., even where a fuels project occurs along a road, the treatment in the riparian areas shift to a FRA standard and approach).

Any enhanced fire management activities that fall within or cross riparian areas would be modified such that the vegetation treatments performed would be limited to FRA-level management with a recovery intent. A Midpen-approved or professional biologist would evaluate any areas where enhanced fire management areas cross into riparian habitat and would design the treatments to avoid loss of riparian habitat function and retain or improve habitat functions. Considerations could include, but are not limited to:

- Retain at least 75%of the overstory and 50%of the understory canopy of native riparian vegetation within the limits of riparian habitat. Retain native riparian vegetation in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities.

- Limit treatments to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region.

- Avoid removal of large, native riparian hardwood trees.

- Removed trees will be felled away from adjacent streams or waterbodies and piled outside of the riparian vegetation zone (unless there is an ecological reason to do otherwise that is approved by applicable regulatory agencies, such as adding large woody material to a stream to enhance fish habitat).

- Avoid vegetation removal that could reduce stream shading and increase stream temperatures.

Typically, all work in riparian corridors would be conducted by hand. Equipment use will be limited to reduce disruption and only be used if it is necessary to achieve habitat and fire management objectives. The Wildland Fire Resiliency Program is a separate program from the Open Space Maintenance and Restoration Program (Program) described herein. Environmental effects associated with the Wildland Fire Resiliency Program are analyzed in the Wildland Fire

Resiliency Program EIR(Panorama 2021b). The Wildland Fire Resiliency Program is anticipated to be adopted in spring or summer of 2021.

The primary vegetation management activities in this Program are similar to those in the IPM and Wildland Fire Resiliency Program, but are initiated as part of routine maintenance, habitat enhancement, or during new construction for small-scale facilities improvements. Vegetation management activities in this Program include: brushing, fuel management, pruning, tree removal, downed tree management, pesticide application, conservation grazing, and invasive plant removal. Traditional ecological knowledge practices (indigenous stewardship) include small-scale plant gathering, seedling collection, and plantings. Some of these vegetation management activities are conducted as part of the existing condition to maintain the status quo and would not result in any new effects (e.g., maintenance of established shaded fuel breaks on existing Midpen lands). Although each program has a different focus, similar best management practices (BMPs) and avoidance and minimization measures would be implemented for all vegetation management work (refer to Table 10-3 in Chapter 10). Midpen undertakes these types of vegetation management activities routinely and relatively consistently from year to year. Although the work locations may change yearly, the type of work remains consistent. Some facilities require annual vegetation management while others do not. This largely depends on the type of vegetation in, or adjacent to, the channel, road, trail, or other facility and other environmental factors including the degree of solar input, soil, and moisture conditions.

Road and trail brushing of overgrown vegetation with a tractor-operated mower

6.1 Brushing and Mowing

Overgrown vegetation along roads and trails can become a nuisance if it impedes road and trail access or creates a public safety or fire risk. Annual brushing (i.e., mowing and pruning of vegetation along roads and trails) is conducted along approximately 600 miles of roads and trails; around parking lots, gates and stiles; the Black Mountain campsite; and other recreational areas to maintain an open corridor for vehicular, horse, bicycle, and pedestrian use, maintain access to facilities, control vegetation, and to reduce fire and public safety risk. Clearing brush provides a buffer to separate recreationalists from pests (such as ticks, rattlesnakes, and poison oak) and decreases the amount of flammable vegetation reducing fire risk.

Road and trail brushing are conducted with brushcutters (e.g., weedwhips), hedgers, chainsaws, pole saws, chippers, and tractor-operated mowers (mowing decks either pulled by a tractor or attached to the tractor as part of an articulated arm) to maintain grass and shrubs in short stature. Single-track trails are typically mowed with handheld brushcutters, while road-width trails are mowed with tractor-mounted mowing equipment. Wider strips of brushing occur along certain roads to provide access for emergency vehicles. Midpen maintains guidelines for road and trail brushing that prescribe different treatments for different vegetation types and slope conditions based on the methods included in the 2015 version of the Marin County Biodiversity Management Plan (Marin County 2015).

Tree removal associated with annual brushing is limited to small diameter trees (less than 6" diameter at breast height [dbh]) that are growing within footprint of the road or trail. Trees overhanging the road or trail are pruned and limbed to prevent encroachment, but are typically not removed unless they pose a risk (See Sections 6.2 and 6.3 below).

Road and trail brushing can be conducted on annual or periodic basis and is typically conducted at specific times of the year to abate the risk before it becomes a problem. Most trails are mowed or brushcut on an annual basis. However, some trails may need to be brushed up to four times a year if it is a heavily used trail and if it is a high rainfall year. Some more remote trails may not require brushing every year. All roads are mowed or brushcut one to four times per year depending on the rainfall/vegetation growth in a given year. On an annual basis, a strip of land around parking lots, gates and stiles are brushcut or mowed. In addition, islands in the middle of parking lots, detention basins within parking lots, or parking lots with narrow grassy edges are mowed. The Black Mountain campsite is also mowed once a year for camping access and to reduce the risk of wildfire within the campground. Other recreational areas, including a model airplane field and three meadow areas at Rancho San Antonio Open Space Preserve (OSP or Preserve), the picnic table area at Windy Hill OSP, and the hang-gliding takeoff and landing areas at Windy Hill OSP, are mowed one to five times a year with a tractor pulling a mowing deck. In addition, other grassy areas are mowed due to the occurrence of special events in the preserves (e.g., volunteer events, summer camps, and other public gatherings). At Deer Hollow Farm in Rancho San Antonio OSP, pastures, animal pens and the Ohlone village are mowed four to five times per year with a tractor mower or brushcutters. Timed mowing is also used to control the reproductive spread and reduce populations of annual invasive plants. These activities typically occur between April and November, with the specific timing determined by the phenology of the target species. Timed mowing usually occurs when a certain percentage of the population reaches a phenological threshold (i.e., 5 percent of the population is flowering). Vegetation is mowed to a height of 4 to 6 inches, and may require multiple treatments in a given year. All mowing activities would be conducted in compliance with Midpen's IPM BMPs (September 2014).

The brushing work is unique in Midpen's Program due to its re-occurring, annual nature in the same places along roads and trails, year after year; new areas are not disturbed as part of the

activity except when new properties are acquired, old roads are opened, or incidentally part of a larger project. Midpen also brushes patches of Coyote brush that are impacting native grasslands or reducing forage for conservation grazing. For the purpose of this activity, old roads are those that have not been brushed/mowed within a five-year period and are more than 50% covered in vegetation. The annual notification for the Program will only submit new vegetation clearing and disturbance work.

6.2 Tree and Shrub Pruning

Pruning trees and shrubs are routine activities performed as a component of facilities maintenance and fuel management projects. Pruning is sometimes necessary to provide emergency, maintenance, and recreational access to Midpen facilities (e.g., roads, trails, water supply facilities, etc.); improve visibility to inspect Midpen facilities; provide adequate sight distance for safety and aesthetic reasons protect infrastructure; and to meet local fire codes. Vegetation is pruned within 3 feet of a trail and up to 12 feet for roads. Height clearance depends on the use of the trail or road (e.g. trails with equestrian use have a 12-foot height clearance).

Pruning is the partial removal of any individual plant and includes cutting of tree branches, and woody and herbaceous vegetation. No more than 20% of an individual riparian tree canopy may be pruned. Pruning is conducted with hand tools or mechanized equipment. Once work is completed, plant material that is free of exotic or invasive plant propagules may be chipped and re-used elsewhere on Midpen lands for other uses. However, in areas that are known to host SOD or other plant pathogens, all chipped material is left on-site.

In the event that a tree or vegetation requires removal per the reasons stated in Section 6.3, Midpen will remove the tree; however, Midpen will always try to first prune the tree to satisfy these requirements. Tree removal may be necessary, including root masses, where a road or trail or other surface or structure is being damaged or where plant growth is blocking the channel or reducing water flow (refer to Section 6.3 below).

6.3 Tree Removal

Native and non-native trees may be removed if the tree is creating a public safety risk along or near Midpen high-occupancy facilities (e.g., picnic areas, parking lots, buildings) or trails, is limiting stream capacity, or is threatening streams, ponds or bed and banks of streams, natural areas, or water quality. Tree removal may also be needed to provide or maintain stream crossings where they cannot otherwise be constructed and to implement restoration work such as pond reconstruction where tree removal is necessary to implement berm, basin, or inlet/outlet reconstruction. Trees are assessed by a licensed arborist to determine if they are a public safety risk where staff cannot make a determination. If a hazardous tree can be mitigated by pruning alone, the tree does not need to be removed. Discussion regarding removal of fallen trees is described below in Section 6.3.1, *Downed Tree Management*.

Identifying and removing hazardous trees is conducted on a continual basis. When assessing hazardous trees, Midpen staff take into consideration human residence time (i.e., the duration of exposure that the public or staff have around the potential risk). In general, trees at higher risk of failure in areas where human uses are expected to be low (e.g., in the interior portion of a forest community far away from any trails) are left as-is because they are an important component of the ecosystem. However, dead, dying or damaged trees in high human use areas such as major trails, trailheads, picnic areas, and parking lots and may be removed if deemed a high risk. Midpen is currently developing a hazardous tree assessment program that would identify high risk areas and require annual assessments in those locations. Hazardous trees are removed when they are within 1 ½ times of their height to a high use facility. An estimated 50 to 200 trees are limbed or removed every year along roads and trails and near facilities with chainsaws, pole saws and chippers to reduce the risk of tree failure in a high human residence time.

Riparian tree requiring removal

Trees in riparian areas that are limiting stream capacity, are threatening ponds or bed and banks of streams, natural areas, or water quality, or are preventing necessary vehicle access along roads may also be removed. Prior to removal, Midpen would conduct all necessary biological surveys in compliance with regulatory permits. No trees or vegetation greater than 6 inches dbh would be removed from within the stream unless they meet the conditions described above. Trees within the riparian area would be removed primarily with trimmers and chainsaws; heavy equipment operated from the streambank would be limited. In addition, trees would only be removed by excavation or cut below soil if they are within a graded area. For large trees, a licensed tree climber would use necessary equipment to climb and cut the tree into manageable sections and lower those sections to disturbed areas on the ground to prevent damage to nearby trees, vegetation or root zones. Stumps may be removed with a stump grinder; however, roots would be left in place to stabilization the slope. Mulch limbs and leafy materials would be left in place for site restoration and erosion control and larger sections would be stockpiled off site and be reused for future Midpen projects.

After riparian tree removal

Due to the presence of SOD on at least half of Midpen's preserves, Midpen is actively working on minimizing the spread of this disease. Midpen adopted a 10-year SOD work plan in 2006 to map trees that are potentially resistant to the SOD pathogen, treat a selected number of trees with a

fungicide, and establish a collaborative research fund for SOD research. In 2016, Midpen added an additional one million dollars to the fund for SOD and phytophthora research. Midpen tracks the effects of SOD and shares this information on the statewide SOD database, educates the public on how to stop the spread of SOD, removes select California bay trees or branches within 15 feet of high value oak trees, and uses targeted fungicide treatment of individual, large, mature high value oaks near high use facilities to reduce the potential for SOD infection. Midpen staff also follow field practices to limit the spread of SOD on preserves by thoroughly cleaning all equipment and preventing the relocation of potentially contaminated vegetation and soils (refer to BMP BIO-7 in Chapter 10).

6.3.1 Downed Tree Management

Midpen will remove downed trees in high visitor use areas if the downed tree presents a safety risk, is blocking a road, trail or other infrastructure, or if the fallen tree negatively affects hydrologic processes. Downed trees are an important part of the ecosystem as they provide cover and nesting sites for animals and nursey conditions for forest seedlings. If a fallen tree does not present a safety risk, the tree will be left in place.

When downed trees occur along streams, the downed tree may be a resource to provide habitat functions by encouraging pools to form. Along a stream course, the downed tree will be evaluated for its potential to cause or increase erosion, flooding, bank failure, or negatively impact a facility such as a bridge or culvert. If it is unlikely that the downed tree would increase any risks and there is adequate flood flow capacity, Midpen will seek opportunities to maintain the downed tree as a habitat feature (i.e., large woody material). Although downed tree management is generally a rare occurrence, downed trees typically occur in Purisima Creek Redwoods OSP due to the steep slopes and streamside road.

If it is likely that the downed tree would increase any risks or threatens infrastructure, the tree will be trimmed and repositioned with hand tools immediately. Equipment, such as a winch and cable, to remove the tree will be operated from the top of bank. Root structures will not be disturbed. In some instances, if there is an immediate serious threat, the project would constitute as an emergency. Downed tree management activities would occur during the winter months, typically following a large storm event. Midpen anticipates working on up to two locations in a year on average; however, a hydrologically wet year may result in additional sites.

6.4 Aquatic Vegetation Removal

Cattails (*Typha* spp.) and other aquatic plant species are commonly found in ponds on Midpen OSPs. Cattails generally establish in stagnant flow areas where sediment deposition has occurred. If not properly managed, cattails die and decompose and the vegetation can clog the spillway and other structures as well as eventually indirectly result in dam face erosion/failure.

Midpen removes tall cattails and other wetland vegetation in small select areas to maintain public viewing areas, public trails, and maintenance access, prevent sedimentation, improve habitat for special-status species, and for pond monitoring purposes. In addition, the California Division of Dam Safety requires all woody debris to be removed and tall herbaceous vegetation to be cut on both faces of certain pond dams to improve visibility to see possible areas of failure. Vegetation on the water side of the dam is trimmed with mowers and brush cutters. Vegetation on the dry side of the dam is trimmed with mowers and approved pesticides, when necessary to maintain a light grassy cover. Woody vegetation is trimmed in pond spillways to prevent the blockage of water. Duckweed, azola (aquatic fern), hydrocotyle and other dense vegetation removal may also be conducted to control overgrown plants from covering the entire surface of ponds.

6.5 Fuel Management

Managing fuel load and fire risk is one of Midpen's top priorities. Fuel management is the practice of removing or modifying vegetation to reduce the risk of wildfire ignitions, rates of wildfire spread, and fire intensity. Fuel management activities are required when vegetation becomes overabundant or decadent; or close to facilities, structures, and communities that people inhabit and use. However, fire is also a natural component of many local plant communities and helps maintain a diverse patchwork of native species and habitats, including, grasslands, shrublands, and forests. Midpen aims to manage fuels in a context that provides the maximum safety to adjacent communities while also allowing fire as a natural process to maintain native species diversity on its Preserves. When conducting fire management activities, Midpen considers public health and safety, and the regulatory requirements of local and state fire districts and balances those with their goals to protect natural resources.

Midpen typically conducts fuel management activities within the WUI, which is defined as where wildland vegetation and structures meet. The WUI area has the highest threat of damage to human life and property. Other areas where Midpen conducts fuel management activities include along access roads on and adjacent to Midpen lands that are necessary for emergency access, around structures, buildings, and other Midpen facilities. See the description below for a further discussion of fuel management activities, including prescribed burns, discing, shaded fuel breaks, defensible space around buildings, emergency helicopter landing zones, and driveways.

All fuel management activities would be conducted in accordance with the Vegetation Management Plan, Prescribed Fire Plan (components of the Wildland Fire Resiliency Program), and the Conservation Grazing Program. Midpen will select the safest, least toxic, and most effective approach to manage fuels and reduce fire risk. Midpen will work towards breaking the vertical fuel ladder between the ground and the canopy layer and creating physical separation between plants where possible. Low impact tools such as hand cutters and pruners will be utilized to minimize vegetation removal and soil disturbance, where feasible. Thinning and

removing of mature vegetation in established forests and woodlands will be avoided where possible to maximize shading and increase resistance to non-native plants. In addition, forest duff and organic soil layers will be left undisturbed.

Midpen also works to minimize fire risk by:

- Focusing fuel management activities in WUI areas adjacent to neighborhood communities, structures, evacuation routes, and other at-risk locations.
- Working with local fire organizations and residential and commercial neighbors to manage adjoining properties for fire within the WUI.
- Conducting visitor and neighbor outreach and education about wildfire dangers on and near OSPs.
- Eliminating redundant, unnecessary, or high maintenance roads and trails on OSPs.
- Continuing to control flammable invasive plants, such as French broom.
- Encouraging the establishment of native plant communities because they are more resistant to wildfires than invasive plants.
- Temporarily closing Preserves on red-flag days in the Coastal Zone and sometimes at the request of local fire agencies. For example, the Woodside Fire Department requests Midpen to close the Windy Hill, Thornewood, and Teague Hill OSPs on red-flag days.

6.5.1 Prescribed Burns

Prescribed burns help restore native upland habitats and control invasive exotic vegetation. Prescribed burns are generally conducted in coastal scrub and mixed grassland habitats, as well as in forested habitats to allow understory burns and pile burns. Prescribed burns are generally conducted every three to ten years to maintain a high diversity of plants. All burning is conducted according to California Department of Forestry and Fire Protection (CALFIRE) regulations and burn protocols. All participants involved in the prescribed burn will be briefed by the resource advisor and/or biological monitor on the potential endangered species present and appropriate protocols if one is sighted. Resource advisors will work with the ignition teams, who are in charge of their safety. Prescribed burns will be monitored to ensure burn prescriptions, including timing and frequency, are adhered to. Spot checks will be conducted until all fire from a burn is out. Cultural burns will also follow the same guidelines as prescribed burns conducted under the Wildland Fire Resiliency Program but will focus on the restoration of culturally significant plant and animal species (refer to Section 6.8 for additional information).

Prescribed burns will adhere to the conditions outlined in the Wildland Fire Resiliency Program, which identifies total allowable burn acreage by vegetation type. In addition, prescribed burns

will be conducted according to the prescribed burn plan for each site. Prescribed burn timing is to be determined based on permit conditions from the relevant agencies, the constraints of each site, climatic conditions, and species requirements.

6.5.2 Disclines

A discline is a mechanical fuel management technique that involves using tractor-mounted equipment to cut many small, parallel trenches 6 to 12-inch-deep in the soil along the perimeter of undeveloped land, ranches, and roadways. The purpose of discing is to create small swaths of barren soil that do not support fuel or conduct fire. Discing is only practical in grassland vegetation that do not contain many woody shrub or tree species. In addition, this technique is limited in reducing fire risk in natural areas because the soil disturbance associated with this technique is known to encourage establishment of invasive plants, which often exacerbate the fuel load problem.

Midpen annually maintains approximately 30 miles of disclines on its land as required by local fire agencies. Additional miles of disclines will likely be added under the Wildland Fire Resiliency Program as Midpen acquires new lands. A discline is cut with an agricultural cultivator attachment on a tractor. However, discing requires annual maintenance to be effective and to manage invasive weeds. Brush encroaching into disc lines along roads, trails, and borders is removed with chainsaws, boom flails, and mowing or masticator equipment. Occasional pruning of overhanging branches with a chainsaw or pole pruner is also undertaken along disclines where needed to allow passage of maintenance equipment. Midpen typically maintains disclines between April 1 and July 1. Discing generally takes place adjacent to major roads/highways (e.g., Highway 35), grasslands along the WUI, around buildings in grassland settings, and where required by a local fire agency.

6.5.3 Shaded Fuelbreaks

Shaded fuelbreaks are a forest management approach that involves selective thinning and removal of the more flammable understory vegetation and leaving the majority of larger, more fire tolerant tree species in place. Typically, fuelbreaks are maintained along roads, such as Monte Bello Road in Monte Bello OSP. Maintenance of fuelbreaks along roads includes annual mowing of vegetation 10 to 30 feet from the edge of the road, clearance of brush and all dead vegetation, and removal of ladder fuels in forested areas. Shaded fuelbreaks are also maintained along road-width trails, staging areas, and helicopter landing zones, described in more detail below. Shaded fuelbreaks are maintained as-needed, typically every 3 to 5 years. This work is conducted with both manual and mechanical tools, including tractors, brushcutters, chainsaws, chippers, masticators.

6.5.4 Maintaining Defensible Space around Buildings, Emergency Helicopter Landing Zones, Driveways, and Water Supply Infrastructure

Midpen or residential, commercial, or agricultural/rangeland tenants are responsible for maintaining defensible space around Midpen-owned occupied structures, unoccupied structures of significant value, and along Midpen property boundaries when directed by a fire agency regulation. Flammable vegetation is generally cleared annually within 100 feet to 300-feet of Midpen-owned structures/buildings, within 30 feet of a property boundary (where directed by a fire agency regulation), and 100 feet of water supply infrastructure. However, the amounts of clearance for defensible space can vary depending on the Fire District jurisdiction that a parcel is located within. Defensible space clearing would be conducted consistent with Midpen's Defensible Space Clearing Guidelines (Midpen 2011), Resource Management Policies related to wildfire (2021) (which will be updated in 2021 with the adoption of the Wildland Fire Resiliency EIR), Wildland Fire Resiliency Program (2021), Board of Forestry Fire Safe Regulations (2021)[1], and local or state defensible space requirements. For Midpen's buildings, as analyzed in the Wildland Fire Resiliency Program EIR, 0 to 5 feet from a building is a no combustion zone, 5 to 30 feet is a "lean and green" zone and 30 to 100 feet is maintained as a shaded fuelbreak. In addition, defensible space around structures is also regulated under the Uniform Building Code, Uniform Fire Code, Public Resources Code Section 4291/4119, and County and City municipal codes and ordinances.

This work consists of manual and mechanical clearing of flammable vegetation by mowing, brushcutting, chainsaw work, pole pruning, chipping, masticator and spraying, dependent upon the site conditions. Work is generally conducted between April and August.

Emergency helicopter zones are maintained annually or bi-annually by mowing with a tractor or brushcutter. Heavier vegetation/brush encroaching within the landing zone is mechanically removed with a chainsaw or JAWZ equipment

6.6 Invasive Plant Removal

As part of the California Floristic Province and recognized as one of twenty-five botanical hotspots in the world, the Santa Cruz Mountains contain an extraordinarily high biodiversity. The biodiversity of the region is threatened by non-native plant introductions to California that began in the 1500s with the first European settlers. By 1900, settlers introduced at least 34 non-native plants, largely as ornamentals, to California that are now listed by the California Invasive Species Council as having moderate or high impacts to wildlands. Other species introductions were for cattle forage or erosion control, or accidentally introduced via contamination of other

[1] As of July 2021, the Board of Forestry Fire Safe Regulations have not yet been approved.

materials (such as imported soils, food, or ballast water from ships). Non-native invasive plant species do not support as many native wildlife species, and do not provide the same resources or connectivity to the ecosystem as their native counterparts. Invasive plants can displace native ecosystems and replace diverse plant communities with plant communities dominated by one plant species. The truly alarming invasive plants are 'transformer' species that not only out-compete specialized rare species, but also alter the environment, ecosystem structure, or soil chemistry to make it uninhabitable for native plants and wildlife.

The presence of invasive plants can also negatively affect ecological stability. Three measures define ecological stability: (1) the ability of species populations to recover quickly after a disturbance (resilience);(2) low variance in total biomass over time; and (3) consistent species richness and abundance (biodiversity). Through the management of the most invasive species in high value habitats, Midpen can prevent the loss of important native plant communities and the wildlife species they support. Low abundance of certain species can lead to extirpation (localized extinction from the area) and in the case of rare species, possible extinction. Approximately 42%of threatened or endangered species are at risk due to impacts from invasive species. By protecting the region's biodiversity, Midpen works to preserve the resilience of local ecological systems, which is particularly critical at this time given the changing climate.

Midpen and/or conservation grazing tenants remove invasive plants with a combination of manual, mechanical, chemical, biological and cultural methods. Most invasive species would require repeated cutting throughout the growing season (generally late spring through mid-summer) or they could re-sprout from their base and continue to grow, flower, and produce seed. Conservation grazing may also be used to partially or fully control invasive plants by timing livestock grazing before an invasive species' seed can set. Although rare, there are occasions where coyote brush is treated as an invasive species in ungrazed, high-value grasslands and is targeted for removal. Currently, Midpen removes coyote brush at one small grassland restoration site in Rancho San Antonio OSP with hand tools and herbicide application. Invasive plant material will be removed from the maintenance sites and appropriately handled to avoid the spread of invasive species (see BMP BIO-6 in Chapter 10).

6.6.1 Pesticide Application

Midpen operates within the framework of the IPM Program and emphasizes the use of non-chemical vegetation management techniques, where feasible, prior to the consideration of pesticides. Consistent with Midpen's IPM Guidance Manual, the Program uses an integrated approach of chemical, manual and mechanical methods to manage vegetation along trails, roads, and wildlands. Pesticides are used in conjunction with manual and mechanical treatment methods to control invasive species, reduce fire risk, or to limit the spread of plant pathogens (e.g., SOD).

Midpen aims to reduce per-acre pesticides use at individual sites in natural areas over time. However, in some locations, pesticide use will initially increase, followed by a reduction once the

vegetation is eliminated or reduced. For example, as new properties are acquired or new invasive plant infestations are discovered, overall pesticide use may initially go up; however, pesticide use is anticipated to decrease over time as unwanted vegetation is controlled or eliminated at these sites.

The type and approach of pesticide application is dependent upon many factors, including the target species, location and the life stage of the vegetation. Most pesticides are applied during an active growth phase of the plant (post-emergent), and do not affect the seedbank in the soil. Pesticides with pre-emergent effects, such as Milestone, remain active in the soil after the pesticide has been applied, and can target and sterilize the seedbank of the target species.

Pesticides are also classified as either selective or non-selective. Selective pesticides control plants in specific plant families or life stages, while allowing other plants to survive. The use of selective pesticides can eliminate/reduce targeted vegetation without damaging desirable vegetation. Non-selective pesticides injure all plant species that are directly exposed to treatment, and will therefore only be directed and/or applied to the target species.

Midpen uses the most selective pesticide application method that can achieve the desired results for any given project. Pesticide application techniques include:

- ***Foliar/Spot spray*** – Depending on the size of the infestation, pesticide would be applied with a 5-gallon backpack sprayer or, for larger areas, a 14-gallon tank mounted on an all-terrain vehicle or 150-gallon truck with a hose that is directly controlled by an operator. All methods of spraying would be selective as the operator (who is trained in identifying plants) would be in direct control of the sprayer, would point the spray tip directly at the target weed or pest, and would manually turn the spray equipment on and off to control the amount and direction of spray.

- ***Cut-stump*** – Under this treatment, the woody plant would be cut close to the ground at a 90-degree or 45-degree angle with a chainsaw or pole saw. Debris would be removed from the cut stump and pesticide immediately applied to the circle of living cells. Cut-stump application would be used to selectively eliminate woody trees and shrubs. Woody plants tend to re-sprout frequently when cut unless treated with pesticide.

- ***Basal bark application*** – Using this treatment method, an oil mixture containing pesticide would be applied to the lower 12 to 15 inches of brush and tree trunks (including the entire stem, root collar area, and exposed roots) via low-pressure backpack sprayer. This method would be used to selectively control woody plants with basal stems less than 6 inches in diameter.

- ***Wick/wipe application*** – A wick or rope would be saturated in pesticide and attached to a reservoir containing a concentrated pesticide solution. The wick or rope is used to wipe pesticide directly onto target plants, typically weeds that are taller than

surrounding non-target plants. Wick applicators may range in size from hand-held to truck-mounted.

- ***Frill/injection*** – A drill or sharp tool such as a hatchet would be used to create holes or cuts through the exterior bark of a tree and into the sapwood. Each penetration point into the sapwood is then filled with the label-recommended amount of concentrated pesticide solution using an injection system, squirt bottle, or brush. This application method is often used for the control of trees that cannot be managed via basal bark application.

All pesticide applications conducted by Midpen occur in accordance with federal, state, local regulations, labeled specifications, and any court injunctions in place. Pesticide application is only conducted when the weather is dry and when wind speeds do not exceed 7 miles per hour. Pesticides are not used in or within 15 feet of any fish-bearing stream, lake, pond or other water bodies known to support special-status aquatic species without prior consultation with CDFW. For other water bodies, pesticide use is limited to control non-native plant species where excess vegetation is determined to be the cause of sediment deposition and/or debris accumulations that result in flooding or damage to facilities.

Table 6-1 lists the approved pesticides that may be used on Midpen lands for vegetation management, active ingredient of the pesticide, if the pesticide is nonselective or selective, and the purpose of application (i.e., the type of pest the pesticide controls). Note that Midpen uses other approved pesticides on their lands for purposes other than vegetation management such as controlling pests. Please refer to the IPM (Midpen 2014b) for additional information on other types of pesticide use.

Table 6-1. List of Approved Pesticides Used for Vegetation Management on Midpen Lands

Pesticide Active Ingredient	Pesticide Label Name	Non-Selective or Selective	Purpose of Application
Glyphosate IPA	Roundup Custom	Nonselective	Post-emergent broad-spectrum weed and tree control
Glyphosate K	Roundup ProMax	Nonselective	Post-emergent broad-spectrum weed and tree control
Aminopyralid TIPA	Milestone	Nonselective	Post-emergent broad-spectrum weed control
Clopyralid MEA	Transline	Selective	Broadleaf weed control
Imazapyr IPA	Polaris, Stalker	Nonselective	Pre-and post-emergent broad-spectrum weed control

Pesticide Active Ingredient	Pesticide Label Name	Non-Selective or Selective	Purpose of Application
Clethodim	Envoy Plus	Selective	Post-emergent grass weed control
Triclopyr BEE	Garlon 4 Ultra	Selective	Post-emergent woody plant, broadleaf weed, and tree control
Triclopyr TEA	Capstone	Selective	Pre- and post-emergent broadleaf weed, woody plant, and tree control

Source: Midpen 2014b

Table 6-2 summarizes the types of pesticides that are typically applied by season and identifies the typical application method, annual application and concentration (in some cases by acreage), and timing and frequency per pesticide. Overall, the timing of pesticide application will vary based on the targeted plant species and type of pesticide used.

Table 6-2. Summary of Pesticide Used for Vegetation Management in Midpen Lands

Pesticide Type	Method of Application[1]	Purpose	Annual Application/ Concentration[2]	Time of Year	Frequency of Application
Pesticide Use Around Recreational Facilities					
Glyphosate IPA	Cut stump, spot spray, wick, and frill/injection	Dam faces, parking lots, gates and stiles, facilities	0.3 gallon concentrate over 40 acres	Spring/ summer/ fall	1 time per year
Glyphosate K	Cut-stump, spot spray, wick, and frill/injection	Roads, trails, parking lots, gates and stiles, facilities	1 gallon concentrate over 54.6 acres	Spring/ summer/ fall	1 time per year
Clopyralid MEA	Spot spray, cut-stump, frill/injection	Parking lots, gates and stiles, facilities	0.3-gallon concentration over 22.9 acres	May through August	1 time per year
Imazapyr IPA	Cut-stump, spot spray, frill/injection	Roads and trails, parking lots, gates and stiles, facilities	0.4-gallon concentrate over 54.6 acres	Spring/ summer/ fall	As needed

Pesticide Type	Method of Application[1]	Purpose	Annual Application/ Concentration[2]	Time of Year	Frequency of Application
Pesticide Use for Fuel Management Activities					
Glyphosate K	Cut-stump, spot spray, wick, frill/injection	Defensible space, disc lines, fuel break	3.6 gallon concentrate over 14 acres	April through June	1 time per year
Triclopyr BEE	Spot spray, cut-stump, basal bark	Defensible space, disc lines, fuel break	3.6 gallon concentrate over 14 acres	Summer/ fall	1 time per year
Pesticide Use in Rangeland and Agricultural Properties					
Aminopyralid TIPA	Spot spray, cut-stump, basal bark, wick, frill/injection	Rangeland weeds, invasive plant control	2.1 gallon concentrate over 174 acres	Any time of year	1 time per year
Clopyralid MEA	Spot spray, cut-stump, frill/injection	Rangeland weeds, invasive plant control	1.6 gallons concentrate over 154 acres	Spring/ summer	1 time per year
Glyphosate IPA	Spot spray, cut-stump, wick, frill/injection	Rangeland weeds, brush control, agricultural weeds, invasive plant control	1 gallon concentrate over 100 acres	Spring/ summer	1 time per year
Glyphosate K	Spot spray, cut-stump, wick, frill/injection	Rangeland weeds, brush control, agricultural weeds, invasive plant control	57.6 gallon concentrate over 154 acres	Spring/ summer	1 time per year

Pesticide Type	Method of Application[1]	Purpose	Annual Application/ Concentration[2]	Time of Year	Frequency of Application
Triclopyr BEE	Spot spray, cut-stump, frill/injection	Rangeland weeds, brush control, agricultural weeds, invasive plant control	6.6 gallon concentrate over 154 acres	Spring/ summer/ fall	1 time per year
Triclopyr TEA/ Aminopyralid TIPA	Spot spray, cut-stump, frill/injection	Rangeland weeds, invasive plant control	20 gallon concentrate over 174 acres	Any time of year	1 time per year
Pesticide Use in Natural Lands					
Glyphosate IPA	Spot spray, cut-stump, wick, frill/injection	Invasive plant control	1 gallon concentrate over 100 acres	Spring/ summer	1 time per year
Glyphosate K	Spot spray, cut-stump, sick, frill/injection	Invasive plant control, sudden oak death	71.5 gallon concentrate over 955 acres	Spring/ summer	1 time per year
Clethodim	Spot spray	Invasive plant control	1.8 gallons concentrate over 243 acres	Spring/ summer	1 time per year
Aminopyralid TIPA	Spot spray, cut-stump, basal bark, wick, frill/injection	Invasive plant control	2 gallon concentrate over 174 acres	Any time of year	1 time per year
Clopyralid MEA	Spot spray, cut-stump, frill/injection	Invasive plant control	1.7 gallons concentrate over 164 acres	Spring/ summer	1 time per year
Imazapyr IPA	Spot spray, cut-stump, frill/injection	Invasive plant control, sudden oak death	0.35 gallon concentrate over 8 acres	Spring/ summer	1 time per year
Phosphite K Salts, mono-/ di-	Spraying or Injecting	Sudden oak death	45 gallons concentrate over 30 acres	April/May or October/ November	1 time per year

Pesticide Type	Method of Application[1]	Purpose	Annual Application/ Concentration[2]	Time of Year	Frequency of Application
Triclopyr BEE	Spot spray, cut-stump, basal bark	Invasive plant control	54.6 gallon concentrate over 955 acres	Spring/ summer/ fall	1 time per year
Triclopyr TEA/ Aminopyralid TIPA	Spot spray, cut-stump, frill/injection	Invasive plant control	17.5 gallon concentrate over 164 acres	Any time of year	1 time per year

[1]All applications are made according to product label instructions and may include methods not listed here.

[2]Pesticide quantities are expressed as volume of concentrate, i.e., volume of undiluted product.

Source: Midpen 2014b

Pesticide application in riparian areas is generally limited to one to five sites per year, and only occurs when manual or mechanical methods are not feasible or appropriate for the site. Per the BMPs of the IPM Program, shortly before treatment, a Midpen approved qualified biologist or other Midpen approved personnel will survey the treatment sites to determine whether any aquatic features are located onsite. Aquatic features are defined as any natural or manmade lake, pond, river, creek, drainage way, ditch, spring, saturated soils, or similar feature that holds water at the time of treatment or typically becomes inundated during winter rains. If during the survey it is found that aquatic features are present within 15 feet of the proposed treatment area, Midpen will either eliminate all treatment activities within 15 feet of the aquatic feature from the project (i.e., do not implement treatment actions in those areas) or if Midpen chooses to continue treatment actions in these areas, Midpen will use pesticides and adjuvants labeled for aquatic use in compliance with all special status wildlife species measures.

Pesticide application adjacent to high risk fire areas is necessary where perennial vegetation is not responding to manual or mechanical treatments. Flammable vegetation may be spot sprayed annually within 30 feet of a structure, in combination to mowing. Trees or large shrubs that require removal within 30 feet of defensible space are typically treated by cut-stump method to permanently remove them from this high risk zone. For example, some native re-sprouting brush species that are also known to be flammable, such as coyote brush and chamise, can be eliminated from proximity to buildings with cut-stump or spot spraying. Spraying around buildings further avoids having to run a brushcutter blade against or around buildings, fences, pipes, rocks, and other obstacles that can be a fire risk by causing sparks.

6.6.2 Compliance with Pesticide Injunctions Concerning Special-Status Species

Midpen uses pesticides in accordance with two Court-ordered injunctions. In 2006, a Court-ordered injunction resolved a case against United States (U.S.) Environmental Protection

Agency (USEPA) by the Center for Biological Diversity that involved California red-legged frog. This injunction put in place buffer areas around certain California red-legged frog habitats and disallowed use of certain pesticides within those habitats and buffer zones in certain 'geographic areas designated by the USFWS as critical habitat and specified non-critical habitat sections'[2]. The 2006 injunction generally applies to invasive plant species and noxious weed control but does not apply if the following conditions are met:

- Pesticide is being used for the purposes of controlling state-designated invasive species and noxious weeds under a program administered by a public entity;
- The pesticide is not used within 15 feet of aquatic breeding critical habitat or non-breeding aquatic critical habitat within critical habitat areas, or within 15 feet of aquatic features within non-critical habitat sections subject to the injunction;
- Application is limited to localized spot treatment using hand-held devices;
- Precipitation is not occurring or forecast to occur within 24 hours; and
- Pesticide is being applied by a certified applicator or person working under the direct supervision of a certified applicator.

In 2010, another Court-ordered injunction (Goby-11 injunction) went into effect restricting the use of pesticides in San Mateo and Santa Clara Counties (California Biological Diversity v. USEPA [No. C 07-02794 JCS (N.D. Cal)]). In May 2010, the U.S. District Court for the Northern District of California issued an Order and Stipulated Injunction that established interim protective measures for 11 federally listed threatened or endangered species[3] until the USEPA has completed its review and any necessary consultation with U.S. Fish and Wildlife Service (USFWS) regarding the potential effects of a pesticide active ingredient to the subject species. The interim protective measures are no-use buffer zones (shown on the San Francisco Bay Area – Interim Pesticide Use Limitations interactive map[4]) adjacent to certain features within certain geographic areas in the eight Bay Area counties. These buffer zones are different depending on the species at issue and the pesticide being used. Note that there is an exception to these no-use

[2] A map depicting California red-legged frog habitats subject to the 2006 injunction is available online at: https://www.epa.gov/sites/production/files/2015-07/documents/santaclara-jj.pdf

[3] Species identified in the lawsuit include Alameda whipsnake, bay checkerspot butterfly, California clapper rail, California freshwater shrimp, California tiger salamander, delta smelt, salt marsh harvest mouse, San Francisco garter snake, San Joaquin kit fox, tidewater goby, and valley elderberry longhorn beetle.

[4] Available online at: https://www.epa.gov/endangered-species/san-francisco-bay-area-map-tool-identify-interim-pesticide-use-limitations

buffer zones for invasive species management. Per this exception, no-use buffers shown on the interactive map for the San Francisco Bay Area are reduced to 20 feet for aquatic and non-aquatic uses to control state- or federally-designated invasive species and noxious weeds when such a program is administered by public entities. Under this exception, pesticide application must be:

- limited to localized spot treatments using hand-held devices;
- overseen by a certified applicator; and
- not made when precipitation is occurring or is forecast to occur within 24 hours after application.

In areas that provide habitat for California red-legged frog and other special-status species covered by the two injunctions, Midpen must limit pesticide application on invasive plants, noxious weeds, and stinging insects in accordance with the exceptions to the injunctions and comply with the above-described conditions.

6.7 Conservation Grazing

Conservation grazing is conducted on Midpen coastal rangeland and agricultural farms and fields to control growth of herbaceous weeds, brush, and non-native plants; enhance the diversity of native plants and animals; help sustain the local agricultural economy; foster the region's rural heritage; and manage fire fuel (i.e., flammable vegetation). Conservation grazing uses livestock to reduce the height and thatch build-up of non-native annual grasses, which benefits native grasses, and a variety of other native grassland species, supporting more diversity. In addition, the reduction of fuel loads reduces the intensity of wildfires.

Midpen's Conservation Grazing Program started in 2008. Currently, approximately 11,000 acres are grazed and managed by multiple ranching tenants. Typically, lands are grazed with cattle; however, in some instance's other animals such as goats or sheep may be more appropriate. Midpen works closely with grazing tenants to ensure grazing practices are compatible with or contribute to resource protection. Conservation grazing is used within portions of five OSPs, including La Honda Creek, Purisima Creek Redwoods, Russian Ridge, Skyline Ridge, and Tunitas Creek OSPs, and may be extended into additional areas as more lands are acquired. One future property that Midpen is currently acquiring that will be added to the Conservation Grazing Program is the Cloverdale property located in Pescadero. Midpen's Conservation Grazing Program is also compatible with the implementation measures for the Pescadero total maximum daily load (TMDL).

All conservation grazing activities would be conducted in accordance with the goals, policies, and implementation measures included in Midpen's Grazing Management Policy (Midpen 2008). In compliance with Policy GM-1, a certified rangeland manager would prepare site-

specific grazing management plans that incorporate BMPs for preserves where grazing will be utilized based on the unique features of each site. In addition, the rangeland manager would determine the appropriate class of livestock and stocking rates based on site-specific conditions, such as soil fertility, terrain, plant composition, water availability, and available infrastructure. For example, in locations with steep slopes or slopes partially vegetated with brush where cattle are not able to graze, goats may be a more effective alternative.

Before conservation grazing activities commence, a biologist will evaluate the area to be grazed to identify sensitive resources, including special-status plants, wildlife, and wetlands. In order to contain livestock grazing, wildlife-friendly fencing will be installed that allows for wildlife movement. Typical fencing includes four- or five-strand barbwire fencing with a barbless bottom strand 18 inches above ground level, wood rail fencing, and temporary electric fencing that can be installed to seasonally restrict livestock to target areas or exclude livestock from sensitive areas. Other types of fencing that are installed in sensitive areas such as around ponds or in flyways for birds and bats includes smooth bottom or top wire fences. Once fencing has been installed, cattle or other livestock, are put on parcels for a set amount of time and are monitored to ensure appropriate amounts of residual dry matter remains on the ground in order to accommodate new plant growth, prevent soil erosion, and maximize species richness. Conservation grazing is conducted either seasonally, typically in late spring or early summer when vegetation is palatable to the grazing animals, or year-round. Fence repair and installation and surveys and monitoring may occur year-round. To further enhance conservation grazing areas, Midpen removes coyote brush through mowing, mastication, spot spraying and burning to protect native grasses.

6.8 Traditional Ecological Knowledge Practices (Indigenous Stewardship).

Traditional ecological knowledge (TEK) practices are led by locally indigenous individuals and communities on the lands Midpen stewards. These practices include identifying culturally significant plants; assessing the phenology, growth, and abundance of plants that can support gathering or seed/fruit collection; harvesting and gathering native plant species; and cultivating, tending, or planting native species. TEK practices also include invasive plant removal (covered under the IPM program). Collection is generally limited to 5% of a plant population that has been determined to be locally extensive by a botanist. The plant species and their uses are considered sensitive cultural information. None of the species are listed or protected by California Native Plant Society (CNPS), state, or federal agencies. The small-scale hand collection and manipulation of native plants is currently a limited activity in upland settings. Riparian and wetland gathering follows the same principals but has not occurred to date. The proposed Prescribed Fire program (within the Wildland Fire Resiliency Program) includes cultural burns with general habitat restoration goals and specifically includes the restoration of culturally significant plant and animal species.

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Chapter 7. Road and Trail Maintenance

This chapter identifies and describes Open Space Maintenance and Restoration Program (Program) activities along Midpeninsula Regional Open Space District (Midpen) roads and trails. Midpen's network of roads and trails is necessary for emergency access, recreational use, Midpen patrol and maintenance, and ranching operations. Maintenance of road and trails is a necessary activity in order to enhance human movement throughout Midpen lands while reducing impacts to water quality and aquatic habitat related to erosion and sedimentation. The maintenance of road and trails also reduces illegal trespass into other portions of open space preserves (OSPs or Preserves), aiding the protection and enhancement of listed species habitats.

7.1 Paved Road Surface Maintenance Activities

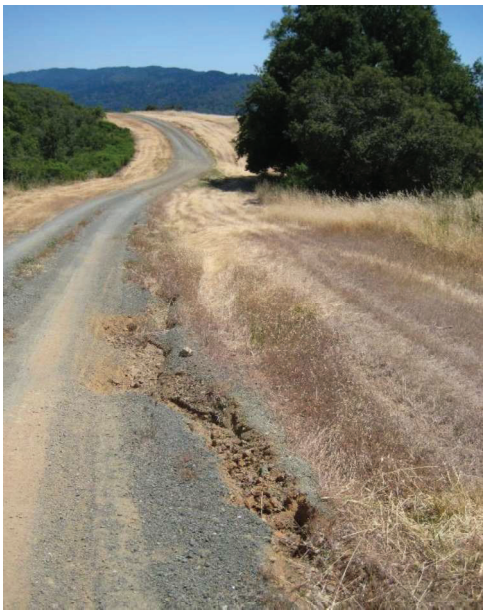
Paved roads allow access to Midpen lands. These roadways are typically 12 to 22 feet in width, and have either a base rock or natural 2-foot surface shoulder on each side. Midpen currently maintains 16 miles of paved roads, primarily consisting of Mount Umunhum Road, roads within Rancho San Antonio OSP, and driveways.

Primary road maintenance activities include repairing small potholes, repairing roadway base, repaving, sealing cracks, resurfacing, and installing oil screens. These activities are conducted to ensure a safe roadway surface for motorists and to prevent further roadway deterioration or failure. Most patching and resurfacing activities occur between April and October. Potholes are repaired shortly after they occur to prevent accidents and other traffic-related safety risk.

Paved road surface maintenance activities may require removing asphalt using either manual or mechanical methods. For small areas, asphalt would be removed manually by sawcutting, jack hammering, or by using sledgehammers, shovels and wheelbarrows. Depending on the size of the area and quantity of material to removed, material may be removed with a front-end loader or bobcat. For larger areas, asphalt will be ground down or pulverized and is either loaded directly into a dump truck or left in place and re-compacted as the base. A roller or a jumping jack will be used to compact the material. In some instances, asphalt grindings may be

incorporated into the base of the new pavement. Otherwise, asphalt materials will be hauled away from the site immediately and subsequently recycled.

For repaving work, the elevation of the finished edge of the paved roadway should meet or exceed the elevation of adjoining shoulder areas. Base materials are typically replaced where required to bring the finished road surface to grade with adjoining materials. Where possible, base materials are compacted to 95% minimum relative compaction where compaction testing is possible. Pavement striping and markings are also replaced where removed or damaged; this work is completed during the dry season. Re-paving efforts for small areas may be conducted by hand, spreading and compacting a hot mix with wheelbarrows, shovels and tampers. For larger areas, a paver box with a hopper and a dump truck that holds the hot mix would be used to repave the site.



Unpaved rural road requiring maintenance in Monte Bello OSP

On occasion, Midpen clears paved roads to remove soil, organic material, and dust and debris to keep sediment from entering waterways and to provide a safe roadway for motorists. Paved road clearing typically occurs in the winter in response to debris and material being deposited onto the road but may occur year-round to maintain public safety.

7.2 Unpaved Road Surface Maintenance Activities

Unpaved roads within Midpen preserves are typically up to 16-feet wide and consist of natural surfaces or base rock. Midpen maintains numerous natural surface roads throughout its preserves to ensure adequate access for emergency and maintenance vehicles, ranching tenants, and patrol services; prevent further roadway deterioration; minimize adverse water quality effects from erosion and sedimentation to nearby water bodies; and for public safety purposes. Midpen currently maintains approximately 220 miles of unpaved roads.

In general, unpaved roads, particularly in steeper areas are susceptible to rapid erosion if not maintained properly. Legacy roads designed for logging or ranching access were not typically designed to be sustainable. In many cases, unpaved roads on Midpen lands have inadequate or damaged drainage structures that need to be replaced. Many portions of existing roads in Midpen lands (e.g., La Honda Creek OSP) were built by “in-sloping” which involves collecting surface water along the inside edge of the road prior to releasing it through a ditch relief culvert that is placed perpendicular to the road. Currently, some unpaved roads experience gullying and erosion due to water concentrating on the road surface caused by improper construction,

infrequent maintenance, or compaction of the roadway surface from use over time. Thus, ensuring appropriate roadway design and routinely maintaining unpaved roads is necessary to reduce road-related sedimentation impacts. In addition, unpaved roads are maintained to provide seasonal access for inspections, ranching operations, research, and emergency response purposes. Unpaved roads may be designated for seasonal use only, primarily to avoid impacts during the wet rainy season. However, in some instances during the wet season, roads may only be accessible by all-terrain vehicle (ATV) or similar off-highway vehicle (OHV). In addition, approximately 7 miles of remnant ranch, logging, and other former roads that are no longer necessary for access have been decommissioned and restored as these abandoned roads can act as a source of sedimentation. Please refer to Chapter 9, *Restoration and Enhancement Projects* for more information on road decommissioning.

Depending on roadway conditions, unpaved road surface maintenance activities include re-grading the road to its existing grade or original cut, installing additional drainage structures (i.e., culverts, inside ditches, rolling dips), repairing/cleaning rolling dips and roadside ditches, filling ruts, relocating road surface materials that have moved due to erosion, and removing debris from landslides. Repairing roadway slides and slip-outs is discussed in Section 7.4, below. In addition, minor relocations of roads (i.e., within 400 feet upstream or downstream of original location) are conducted as long as it improves drainage, removes roads from environmentally sensitive areas, or increases stability. As described in Chapter 5, drainage features (e.g., culverts, rolling dips, etc.) are monitored and repaired or cleaned as needed to minimize both damage to road surface and potential sedimentation effects on nearby water bodies.

Heavy equipment utilized for road repairs includes dozers, loaders, excavators, rollers, dump trucks, cables and winches, etc. Earthwork adjacent to a creek crossing or having the potential to direct drainage into a creek that provides habitat for salmonids is limited to June 15 to October 31. Earthwork within and around creeks that do not provide habitat for salmonids is limited to April 15 to October 31. Earthwork on all other roads may occur year-round during dry periods, scheduled around blooming periods for special-status plant species, provisions for special status species (e.g., noise restrictions for murrelet, bats etc.), and according to local grading ordinances. Midpen prepares Road and Trail Inventories and Maintenance Plans for its Preserves that identify sites in need of work; these plans are updated after significant work to document completed repair. Each year, work is conducted based on road assessment and project prioritization. Work is performed during the dry season by Midpen staff or contractors. Roads that are solely used in support of ranching and agricultural activities may be maintained by the conservation grazing tenants.

7.3 Trail Maintenance and Repair

Trail maintenance and grading in Russian Ridge OSP

Midpen is responsible for maintaining numerous trails throughout its lands and other agency lands to ensure public safety of recreationists (i.e., bicyclists, equestrians, and pedestrians). Midpen's standard trail size is approximately 2 to 6 feet wide, may be accessible by ATV for maintenance work, and consists of natural or base rock surfaces. Midpen maintains over 240 miles of public trails throughout its 26 open space preserves, which includes 115 miles of single-track trails and 125 miles of roads. Approximately 7 miles of these trails are easy access/Americans with Disabilities Act (ADA) trails that were built to accommodate those with limited mobility. Many of these easy access/ADA trails are at least 4 feet wide, have a grade generally not exceeding 5%, and have a fairly uniform and compacted surface consisting of natural surfaces, decomposed granite, or pavement. Midpen currently has approximately 1 mile of trails that are ADA-compliant. Midpen is working to upgrade additional easy access trails to be ADA-compliant.

Trail surfaces commonly wear down in areas where a particular trail is heavily used making trail surface repair or re-grading work necessary. Trail surface repair involves adding the proper soil type to the problem area and re-compacting the soil. Re-grading a trail may be necessary to address problematic sections of a trail and involves grading the trail back to the original cut and filling in ruts as needed. Natural and existing drainage patterns are retained where possible. Increased flow velocities, caused by change in trail slope or surface material, may require a change in storm water drainage. In Midpen's experience, a hard-packed trail with a native surface, if compacted, can function similarly as a paved trail; not all resurfacing or hardening projects will necessarily change the storm water function of the trail. Earthen materials moved by erosion or landslides and washed into drainage ditches may require returning the earthen materials to the restructured trail. In some instances, due to severe erosion or the presence of landslides, short segments of a trail may require re-routing.

Trail maintenance and grading in Russian Ridge OSP

Trails may be relocated within 400 feet upstream or downstream of the original location as long as the new trail improves drainage, removes a path from environmentally sensitive area, increases trail stability, or increases long-term operation and maintenance sustainability of the trail. Similar to unpaved road maintenance work described above, rolling dips and drainage ditches may require cleaning to improve drainage and prevent or reduce erosion and downstream sedimentation issues in nearby channels and creeks. Other trail maintenance work includes repairing and installing new signage, removing graffiti, and repairing other trail structures.

Trail maintenance adjacent to a creek crossing or having the potential to direct drainage into a creek that provides habitat for salmonids is limited to June 15 to October 31. Trail work within and around creeks that do not provide habitat for salmonids is limited to April15 to October 31. Earthwork on all other trails may occur year-round during dry periods, scheduled around blooming periods for special-status plant species. As mentioned above, trails in need of repair are scheduled to occur prior to the next rainy season and are identified in each Preserves' Road and Trail Inventories and Maintenance Plan. Typically, hand tools such as shovels, McLeod tools, and pick-mattocks are used by Midpen staff or volunteers for trail maintenance activities. Mechanical equipment may include power carriers, mini-excavators, and Sweco separators. A majority of trails are open year-round for equestrian, bicycle, and pedestrian use; however, a small number of trails, typically for equestrian and bicycle use, may be closed to the public during wet periods. During wet periods, trails may also be closed to hiking due to landslides.

7.4 Roadway or Trail Slip-outs and Slide Repairs

Slope failures on the cut slope side of a roadway or trail are typically referred to as "slides," whereas slope failures on the fill side are typically referred to as "slip-outs." Such repairs are performed on an as-needed basis to prevent additional failure of supporting soils or structures, and to reduce the potential risk of falling debris. In some instances, the base of the roadway or trail slide occurs along a stream course whose streambank has eroded. The streambank failure may be a consequence (non-cause) of the upslope larger slide surface; or the streambank failure may be the driving cause of the slide that affects the hillslope and roadway above.

During (and after) the rainy season, when soils are saturated, the possibility of roadway or trail slip-outs and landslides increases. Thus, the number of slip-out and slide repairs in any given year will vary depending on weather conditions. In the late winter and spring months following a particularly wet season, roadway or trail slip-outs and slides are more numerous and require more repair maintenance.

Slip-out/slide repairs are common in areas where soils underlying roadways or trails are unstable and erosive, such as along Mt. Umunhum Road, Purisma Creek Road, and La Honda Road, as well as within Fremont Older, Bear Creek Redwoods, El Sereno, and El Corte de Madera OSPs. The cause for slope failure depends on site-specific conditions such as soil type,

historic road construction methods on uncompacted fill, topography, hydrologic and drainage conditions that contribute to slope instability, and a prior history of mass movement along the hillslope. Before initiating repair work, Midpen may retain a qualified civil engineer to assess the slope conditions supporting a particular road or trail. To address slip-outs and slides, Midpen will evaluate the cause of the instability and first aim to use earthen and biotechnical solutions to minimize adverse environmental effects. However, depending on the severity of the road slip-out/slide, construction of retaining wall systems or placement of riprap are sometimes necessary. Small slides can typically be stabilized with riprap or short (i.e., less than 3-foot) retaining walls; however, larger slides or slip-outs that require engineering may require County permits. If the road surface is still intact underneath a slide, Midpen clears the slides and places the soil on nearby road surfaces with appropriate drainage structures. The site is stabilized with large rock or compacted and sloped soil to fill in the road prism.

Equipment used for slip-out/slide repair activities may include excavators, bulldozers, front-end loaders, and dump trucks. Material removed from slides is typically deposited nearby, graded, and appropriate drainage features are installed. Erosion control measures, such as strawing or local vegetation, are then installed on top of the graded soil to prevent erosion.

Occasionally in areas with large scale landslides, such as along the Schilling Lake Trail in the Thornewood OSP or Harrington Creek Trail in La Honda OSP, the entire slide moves. In cases where no reroutes are available to avoid the slide (such as in these locations), Midpen grades through the slide to reconnect the ends of trail and installs drainage features to pass water across the trail. A recent example of slip-out repair that Midpen conducted in summer 2019 was on Middle Road at Windy Hill OSP. The slip-out was between two levels of the roadway switchback. Midpen widened the road and placed rock at the toe of the slide for stability and then shaped the slope and added drainage features to divert road surface runoff way from the slip-out.

Chapter 8. New Small-Scale Facilities Improvements

New small-scale facilities improvements included in the Open Space Maintenance and Restoration Program (Program) are projects that reduce the threat to, or correct degradation of, natural environments and reduce adverse impacts to sensitive species that result from current conditions.

8.1 Existing Buildings and Structure Repairs and Utility Improvements

A vault toilet was replaced to be Americans with disabilities Act (ADA) accessible in Purisima Creek Redwoods Open Space Preserve (OSP or Preserve)

Existing building and structure improvements and repairs include stabilizing historic residences (e.g., Thornewood Estate house and Hawthorns house), barns, stables and other structures in working ranches/farms; removing dilapidated structures; designing and constructing structures for sensitive species (e.g. turtle basking platforms, bird boxes, bat boxes); remodeling field staff offices and accessory structures, and tenant and workforce housing within the existing footprint; replacing and potentially relocating restrooms to more suitable areas; and conducting driveway improvements, described in more detail in Chapter 7, *Roads and Trail Maintenance*. Typically, this work occurs in uplands but may occur along the edges of riparian areas. In some instances, new construction of utilities or temporary staging is necessary for operational reasons. Any new

construction would be located in a disturbed area ancillary to an existing building/structure. Typically, approximately five projects would be conducted each year.

Midpeninsula Regional Open Space District (Midpen) is responsible for maintaining septic, water supply, telephone, telecommunications, and other utilities within the Program area. Utility work would be confined to areas surrounding existing residences, offices, restrooms, maintenance yards, and existing utility lines, typically located in areas that are already disturbed. Although infrequent, some utility-related work may occur adjacent to riparian areas or near sensitive habitats, which may require a biological monitor to be present and implementation of avoidance and minimization measures to minimize impacts to sensitive habitats. Midpen anticipates working on two to four utility projects per year. The installation of new utilities located outside of existing developed areas would require applicable project-specific permits and would be permitted outside of this Program.

8.2 Recreational Facility Improvements

8.2.1 New Trails/Roads and Re-Routes

To facilitate improved access to Midpen's lands, the Program includes the construction of new trail connections (including at grade road crossings) and loop routes and, in some locations, rerouting of existing trails and roads within 400 feet of the existing road/trail. Re-routes of existing trails/roads would only be conducted if the new route would reduce habitat degradation associated with existing access; provide necessary access for other OSPs habitat management or enhancement activities supporting sensitive species (e.g., pond maintenance); or if the original facility was sited improperly (e.g. located on unstable soils). Former routes are regraded to minimize erosion and to meet the natural grade and are replanted with appropriate native plants to restore the area, unless the previous route is needed for ongoing operations.

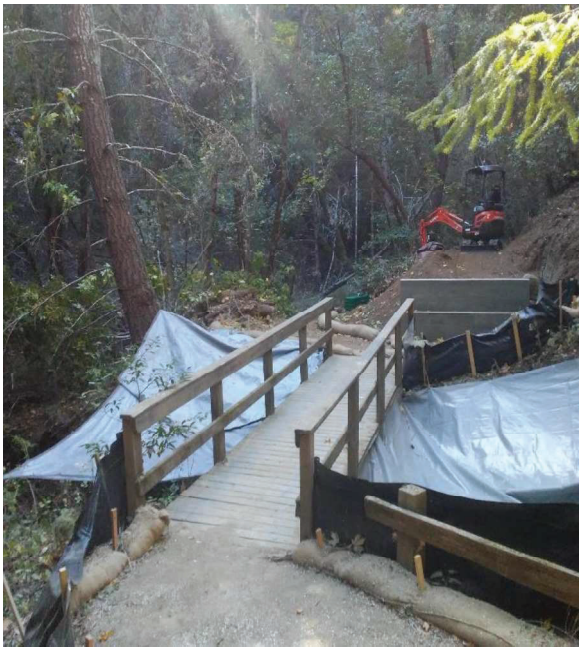
New trails would typically be 4 feet in width for single track or 6 feet in width to accommodate all-terrain vehicles (ATVs). ADA-compliant trails would be at least 4 feet wide, have a grade generally not exceeding 5%, and have a fairly uniform and compacted surface consisting of natural surfaces, decomposed granite, or pavement. Midpen currently has approximately 1 mile of trails that are ADA-compliant and is working to upgrade additional easy access trails to be ADA-compliant. Some new trails are constructed in whole or in part by re-use and conversation of an existing abandoned road (typically from logging or other prior land use). Re-use of old roads for trails consists of removing of fill from outboard edge to narrower width and replacing stream crossings. New trails and roads would provide access for conducting invasive plant management activities, evaluating potential sediment reduction work on old logging roads, monitoring plant and animal populations, and facilitating wildland fire actions.

This work may include installing puncheons and armored fords at small and ephemeral crossings or swales, ditch relief culverts, trail bridges and other features associated with new or

rerouted trails. Refer to Chapter 5 for a discussion on road and trail drainage features and Section 8.2.2. for a discussion on trail bridges. Midpen anticipates constructing one to four new trails and roads and/or reroutes per year with an average of one per year. These projects are infrequently located in jurisdictional areas, but when proposed will be included in the annual notification.

8.2.2 New Bridges, Replacements, and Relocations

Midpen seeks to replace degraded bridges, culverts or ford crossings with improved crossings that have a smaller footprint in the creek and are less impacting to the natural landscape. Bridges, culverts, and fords previously built without hydraulic calculations and flow modeling are poorly situated relative to the 100-year floodplain and require replacement. Midpen's preferred approach is to replace crossings in-kind at a higher elevation along the stream; however, sometimes relocation of the bridge crossing upstream or downstream of the original site is the only feasible means of correcting the issue. Trail and vehicle bridges are discussed in more detail below.



Trail bridge replacement at Monte Bello OSP- new abutment at top right, debris catch pre-demolition at center, and erosion control measures

New Trail Bridges and Replacements

New 6-foot-wide trail bridges are a part of many new trail projects, whether the project involves grading a new 4 to 6-foot trail or converting an existing legacy roadbed into a trail. New trail bridges involve the installation of concrete abutments 4-feet below grade located outside of the 100-year floodplain; steel or glulam spanning beams; and wood decking and railings (or fiberglass in more remote settings). New trail bridges are sited in suitable geological and geotechnically stable areas to minimize crossing length, disturbance to riparian trees, and grading on the trail and the approach to the riparian area. No chemical treatments, such as pressure-treated, or paints are used, except for minimal applications of epoxy on attachment details, as required by an engineer.

Trail bridge replacements typically consist of replacing degraded (i.e., rotted) wooden trail bridges originally built in the 1980s-1990s. In most cases, a site-specific analysis may suggest relocation of the trail bridge to span the 100-year floodplain or to setback the abutments from

the top of bank. Proper hydraulic design often results in longer trail bridges than previously constructed (up 1.5 times to 2 times in length). Midpen anticipates working on two to four new trail bridges and replacements per year.

Vehicle Bridge Replacements

Vehicle bridge replacements may be necessary when a bridge is sited improperly and is redirecting flows, and thus increasing erosion and the risk of flooding. Replacing vehicle-width bridges often requires widening the existing bridge area to provide fire-vehicle response and installing modern abutments that are seismically stable, including spread footings, piers, and wingwalls. The footprint for installing these seismically stable abutments is a much larger in footprint than crib-log abutments typical of previously built bridges. Older bridge widths are typically 10-12 feet, whereas 15-20 feet in width is a more common current day standard. Midpen has replaced a few vehicles bridges in the last 5 years, with an average length of 55 feet. Although bridge replacements would disturb riparian areas, temporary vegetation impacts would be restored and stream morphology would be improved by relocating the bridge at a higher location on the stream bank. Falsework or other temporary support within the bed and bank is necessary for the demolition of old bridges and culverts, including debris nets, catchment structures, other containment measures. A typical vehicle bridge replacement project consists of installation of erosion control measures (i.e., wattles, silt fencing, straw bales, gravel bags, and falsework or debris nets beneath the bridge); removal of the existing bridge with a crane or excavator; installation of a temporary culvert stream crossing, where necessary; installation of a dewatering bypass, if necessary; excavation of bridge abutments or drilling of piers; concrete pouring for the abutments; craning/hoisting in steel beams or a steel prefabricated bridge; installation of railings; and lastly, pouring of a concrete bridge deck. Midpen anticipates working on one to two new vehicles bridges per year to replace outdated crossings.

8.2.3 New Interpretative Facilities and Signage

Preserve and interpretive signs at Purisima Creek Redwoods OSP in a riparian setting

New interpretative facilities and signage would be installed at existing OSPs typically at parking lots, trail heads, or near natural aesthetic features such as rock formations, ponds, overlooks, old-growth trees, etc. to educate recreational users about sensitive natural resources. Interpretative facilities and signage would be located in already disturbed areas outside of sensitive habitats. These facilities benefit sensitive habitats and species by providing information on the need for protection of sensitive resources and the regulations on protection of lands where sensitive resources occur. Impacts from installation of these facilities are anticipated to be minimal and take of sensitive species would not occur. Midpen anticipates working on two to four interpretative facilities and signage projects per year. Typical signboard widths are 4.5 feet, made of redwood posts buried 3 feet below grade. Preserve entrance signs are either 4 feet or 9 feet wide with 2-foot-deep concrete footings. Custom interpretive panels are typically 2 to 3 feet wide and 2 feet tall with a single post buried 2 feet below grade.

8.2.4 Wildlife Crossings

A large culvert installed by Caltrans as a California tiger salamander wildlife crossing on Highway 246 near Santa Barbara, CA (Caltrans 2017)

Safe wildlife passages would be provided underneath or over existing roads and highways, most of which are within the right-of-way of local, County, or state agencies. These wildlife crossings, when feasible, may also be used by the public to access trails and other areas of the preserves, thus improving public access. Wildlife crossings generally consist of pipes or tunnels that do not convey flow and which accommodate the size of the wildlife intended to use the structure, ranging from small, 8-inch culverts for very small wildlife to large, greater than 48 inches, arched, bottomless culverts with wingwalls for larger mammals. The lengths of these crossings depend on the roadway and the surrounding habitat, but they have a minimum length of 10 feet and a maximum length of 50 feet for a wider road. Target species range from mountain lions to small newts. Species whose populations are restricted by habitat connectivity, such as badgers, are also a target species. Midpen would typically conduct one to two wildlife passage projects per year, but may conduct up to eight wildlife passage projects per year.

8.3 Conservation Grazing Infrastructure Improvements

As described in Chapter 6, Midpen conducts conservation grazing to manage coastal grasslands while enhancing the diversity of native plants and animals and reducing wildland fire fuels. Since 2008, Midpen has leased land to small-scale, local ranchers on portions of five Preserves (i.e., Russian Ridge OSP, Skyline Ridge OSP, Purisima Creek Redwoods OSP, Tunitas Creek OSP, and La Honda Creek OSP) and ensures that the grazing practices are compatible with or contribute to resource protection. Typical infrastructure associated with conservation grazing includes barns, corrals, wildlife friendly fences, and stock water facilities. Midpen routinely conducts in-kind replacements or repairs of conservation grazing infrastructure to protect species and waters, as well as to control livestock.

Wildlife friendly fence line at Skyline Ridge OSP

Historic grazing operations prior to Midpen's ownership often did not design grazing improvements with the protection of species and habitats in mind. Thus, current grazing operations often require new small-scale construction to achieve conservation grazing objectives consistent with Midpen approved grazing management plans. New small-scale improvements include installation of new fencing and gates around riparian areas and stock ponds/wetlands to keep livestock out of these sensitive areas and relocation of water lines/water troughs that extend from water sources/storage to a location that allows for the better distribution of cattle to achieve desirable habitat objectives for soil health and erosion. Cattle are drawn to water sources and high concentration of cattle in one area could result in negative impacts to waters and soils. New diversion structures within stock ponds may include pumps, siphons, or emergency fire standpipes or other mechanisms to provide cattle water without allowing the cattle direct access. The goal of these projects is to provide water to cattle away from sensitive aquatic environments. Additional water infrastructure improvements are described below in Section 8.3.1.

All new conservation grazing infrastructure improvements or small-scale construction would achieve a conservation grazing resource or restoration objective included in Midpen's Grazing Management Policy (Midpen 2008). Most of this work is limited to existing or previously disturbed grazing lands and would be similar in nature to the maintenance of fences, roads, and water supply facilities. Although infrequent, maintenance of conservation grazing infrastructure may occur in or adjacent to sensitive habitats potentially requiring a biological monitor to be present and implementation of avoidance and minimizations measures to minimize impacts to

sensitive habitats. A majority of Midpen's new small-scale facilities improvements are associated with the conservation grazing program.

8.3.1 New Water Infrastructure

Typical water infrastructure projects include rebuilding historic spring boxes or repairing a water system that is in disrepair. Most water improvements are associated with springs and include a spring box, water lines, and/or storage tanks. Spring diversion structures include a 4 ft by 4 ft by 4 ft wooden or concrete box and 6-inch diameter or less horizontal pipes or an 18-inch diameter or less vertical standpipe. Springs typically produce 0.10 gallons per minute or up to 2.5 gallons per minute. Some springs are located in riparian areas, while others are isolated in \ upland areas.

Wildlife-friendly measures include providing wildlife escape ramps in legacy infrastructure and excluding wildlife from primary water storage to prevent entrapment during repair or upgrade of these facilities. In addition, during repair and upgrade, an overflow and/or bypass water supply accessible to wildlife would be provided to prevent the risk of entrapment. This approach ensures ongoing water supply for wildlife while excluding them from the developed water supply system. Midpen typically works on up to four to six water infrastructure projects per year.

Livestock trough with a wildlife escape ramp

Direct consumption of pond water by cattle (and associated grazing in wetland plants) is the most common form of water use on conservation grazing lands. Some soils and plant communities benefit from restricting cattle access in the form of fencing. To utilize the pond water appropriately, a pump or siphon is installed to relocate water to trough, water tank, and water line for distribution further away. Pumps can be automatically activated by float valves in tanks or troughs and are most commonly powered by solar panels. Pump intakes are screened with a ¼ inch steel mesh to avoid entrainment of aquatic inverts. Pump intakes are set within a 12 inch by 12 inch screened box (similar to a milk crate) that slows intake velocities to a minimal amount. Pumps are either temporarily set in the pond or set floating in the interior away from emergent vegetation. Where a spring is passively diverted into a holding tank, pumps within the tank are used to pressurize water to distribute it to more distant pastures.

Table 8-1. Midpen Projected New Small-Scale Facility Improvements

	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Max Number of Projects Per Year	Reasoning for Improvement
Buildings and Structures Repairs and Utility Improvements			
Septic System Repair or Replacement	400	2	Facilitates land management
Electrical, Plumbing, or other Utility Line	100	2	Facilitates land management
Existing Building and Structure Repair (e.g., stabilizing historic barns, removing dilapidated structures, remodeling offices and tenant and workforce housing, replacing restrooms, etc.)	50	10	Facilitates land management
Recreational Facility Improvements			
Trail Reroutes	1,500	2	Reduces trail maintenance
Road Reroutes	850	2	Reduces road maintenance
New Trail and Trail Bridge	1,500	4	Facilitates restoration and monitoring
Trail Bridge Replacements	500	4	Improves channel geomorphology
Vehicle Bridge Replacements	3,000	2	Improves channel geomorphology
Interpretive Panels	50	2	Improves public engagement with restoration
Wildlife Crossings	1200	9	Provides safe passage for wildlife

	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Max Number of Projects Per Year	Reasoning for Improvement
New Conservation Grazing Infrastructure			
Water Lines	20	4	Distribute conservation grazing to achieve grassland health
Spring boxes	30	4	Minimizes cattle use of riparian areas
Tanks, Troughs	10	4	Distribute conservation grazing to achieve grassland health
Pond Diversions/Pumps	50	2	Minimizes cattle disturbance to aquatic habitats

Chapter 9. Restoration and Enhancement Projects

Ecological restoration consists of intentional activities conducted by Midpeninsula Regional Open Space District (Midpen) to accelerate the recovery of an ecosystem with respect to its health, integrity and sustainability. Enhancement is the process of altering habitat to provide specific ecosystem functions. The purpose of restoration and enhancement projects are to improve and/or create habitat for plant and animal species and to restore ecosystem function within Midpen Open Space Preserves (OSPs or Preserves). These projects may be utilized to offset impacts associated with other Program activities. A description of Midpen's restoration and enhancement activities, including aquatic habitat restoration, native vegetation plantings, invasive species removal, road decommissioning, and other restoration activities, are described below.

9.1 Aquatic Habitat Restoration

Midpen conducts aquatic habitat restoration activities within ponds, wetlands, seeps, and springs as well as along and adjacent to creeks and rivers within the Open Space Maintenance and Restoration Program (Program) area.

9.1.1 Pond and Wetland Restoration

Pond restoration work conducted with heavy construction equipment

Midpen enhances pond and wetland habitat through reinforcing or repairing failing earthen berms; improving inlet or outlet features; removing sediment from aquatic features whose hydroperiod no longer supports suitable conditions for sensitive species; recontouring ponds to increase aquatic habitat; removing excessive aquatic vegetation and invasive species; installing wildlife habitat structures and escape features; placing large woody materials to restore and enhance aquatic habitat; and enlarging aquatic features to optimize geometry to support vegetative benches and open water areas for use by sensitive species, including California red legged frog. Pond maintenance activities are described in more detail in Section 5.6, *Ponds*.

Some ponds on Midpen lands were created illegally and/or have no water rights and do not provide useful habitat for sensitive species. Ponds or wetland features that are detrimental to sensitive species (e.g., insufficient ponding period, perennial waters that support invasive species, etc.) may be modified or decommissioned and restored to a native condition (i.e., riparian channel, swale, or upland habitat), which returns water to the surrounding ecosystem and often benefits downstream species and/or habitat. Midpen's preferred approach is to modify an existing pond/wetland feature prior to decommissioning. A loss of wetlands would be offset by improvements to other aquatic features that support sensitive species and implemented consistent with the United States Fish and Wildlife Service (USFWS) 10(a)1(a) permit.

Pond restoration work conducted with hand tools

In addition to modifying existing habitat (i.e., typically historic ponds), Midpen may create new features by restoring previously filled in wetlands or constructing off-channel pools to expand aquatic habitat for sensitive species.

Modifying existing aquatic habitat may also include the reintroduction of native plants and wildlife species.

To prohibit cattle from accessing and trampling sensitive areas such as California red-legged frog egg depositories, Midpen installs, realigns, and maintains exclusion fencing within and around water features to enhance aquatic and riparian habitat. Fencing may also be installed around populations of rare plants that may be adversely affected by conservation grazing or other activities.

Stream restoration work involving removal of an old crossing (left) and installation of a new bridge outside of the channel (right)

Heavy equipment such as dozers, loaders, excavators, rollers, compactors etc. as well as some hand work will be used for aquatic habitat restoration, enhancement and creation. These activities will occur once seasonal ponds or wetlands are dry (if prior to August 15) or if draining of features is required and California red-legged frog are present, work will occur between August 15 and November 1, prior to the beginning of California red-legged frog breeding season. Surveys and monitoring may occur year-round. A qualified biologist will be required to sample the aquatic feature two days before the start of work to ensure that all California red-legged frogs are in the post metamorphic stage.

9.1.2 Creek and River Restoration

Restoration activities within creeks and rivers may include removal of in-stream infrastructure and barriers to fish passage; removal of old crossings, including culverts on no longer used roads or collapsed crossing structure; installation of habitat features, such as large woody material; removal of in-channel debris (i.e., tires, trash, other non-sedimentary materials); riparian vegetation treatment and planting in accordance with the Midpen's Integrated Pest Management (IPM) Program, and gravel augmentation. Riparian vegetation treatment and planting is described in Section 9.2, *Native Vegetation Plantings*, below.

Removal of in-stream infrastructure, including diversion impoundments and collapsed structures, such as bridges and culverts that may block fish passage, would create and improve aquatic habitat and improve connectivity for fish and other species, including steelhead. In addition, as a steward of the environment, Midpen routinely removes debris/trash that may impair hydraulic conditions and reduce flow conveyance capacity. In-channel work would be limited to the dry season or during low flows. Prior to work, humanmade materials or other debris to be removed below the ordinary high water mark would be reviewed by a qualified geomorphologist, engineer, or hydrologist. Removal of humanmade materials or refuse would be done by hand wherever possible. Cables, winches, and heavy equipment used to pull out large material would be staged above the top of bank. Where these materials are within the bank, streambank slopes would be stabilized to prevent erosion with bioengineering techniques (i.e., willow stakes, slash packing, etc.), weed-free straw, or jute-netting.

Large woody materials (i.e., downed trees) can provide habitat, and geomorphic or other channel stability benefits. However, fallen large woody materials may also have the potential to increase flooding or erosion threats by significantly obstructing flows or deflecting flows towards banks or other facilities. If it is unlikely for large woody materials to pose a threat to the environment or infrastructure and there is adequate flow capacity, Midpen seeks to retain the materials in place as a habitat feature. In some cases, Midpen may trim or limb some branches that could collect debris or re-orient the large woody material in the channel. Cables, winches, and heavy equipment would be used to pull or tie large woody material into place. In some areas, hand tools and hand laborers would be utilized. Down tree management is discussed in more detail in Section 6.3.1, *Downed Tree Management*. Installation of new large woody materials can be used to restore natural stream grade, store sediment, promote groundwater recharge, reduce water temperature, promote scour pools and high flow refugia, and prevent headcutting. Techniques for large wood installation follow best practices developed by California Department of Fish and Wildlife (CDFW), National Oceanic Atmospheric Administration (NOAA), and the Salmon Restoration Federation, even in streams without salmonids. Large wood installation is focused on watersheds that are impaired for sediment and/or support salmonids with a focus on less developed areas and natural stream channels.

Instream gravel and course sediment along a streambed can be a fundamental habitat element to a healthy functioning stream directly supporting life-cycle needs of fish, amphibians and other aquatic wildlife. Gravel augmentation provides direct benefits for improving fish spawning and rearing habitat by enhancing sedimentary materials within the channel bed. Midpen may use watershed specific gravels collected through sediment removal activities behind in-stream structures (i.e., dams) as the source for gravel augmentation projects. Midpen would collect, sort, separate, and reuse clean and appropriately sized gravel. When designing a gravel augmentation project, several factors will be considered, including: the existing channel conditions; the grain size distribution of the sediment to be added; the volume of gravel to deposit; the frequency of gravel addition that will be required in light of sediment transport;

how the added gravel will interact with the existing flow regime and/or channel geometry; and the extent of augmentation effects within the channel reach. In the future, Midpen may assess opportunities to augment gravel in salmonid streams (e.g., streams in San Gregorio, Pescadero-Butano, or Pilarcitos watersheds).

Restoration activities adjacent to creeks and rivers may include floodplain reconnection, including the lowering of artificial berms, streamside decommissioning of roads, and other measures to restore the lateral connectivity of streams. Decommissioning of roads is discussed in more detail in Section 9.4, *Road Decommissioning*.

Work within and around creeks and streams that provide habitat for salmonids would be limited to June 15 to October 31. Work within and around creeks that do not provide habitat for salmonids and do not discharge directly into such drainages would be limited to April15 to October 31.

9.2 Native Vegetation Plantings

Staff and volunteers planting native trees/ vegetation

The objective of native vegetation plantings is to enhance the complexity and diversity of upland and wetland habitats and restore areas disturbed during Program activities (i.e., trail construction in riparian areas, replacement of bridges, or reconstruction of ponds for California red-legged frog). Native vegetation plantings will also enhance habitat for birds, amphibians, and other wildlife using upland, wetland, and riparian areas. Planting source materials vary by setting and the desired restoration condition. Live wood cuttings and seed are generally preferred, especially in riparian habitats, because they avoid the import of soils that may contain harmful soil pathogens that can be found in nursery stock. Where nursery plants are necessary, Midpen sources nursery plants from vendors that have a soil sterilization process and can certify pathogen free soils. Species types are determined by Midpen vegetation staff, who consider plant survivability, ecosystem benefits, climate change, and other factors. The appropriate species to plant will vary based on several factors including soil conditions, water availability, slope angle, aspect, shade tolerance, and propagule sources. Native vegetation established in undisturbed adjacent areas is often a good indicator of species suitable for native vegetation planting sites. Native vegetation plantings involve planting and seeding locally collected native species; installing temporary irrigation, as necessary; controlling

weeds and invasive plants through manual, mechanical, or biological methods such as herbicide application, prescribed fire or use of grazing animals; installing herbivory protection structures (such as cages or plastic hoops); and using bioengineering techniques for planting, where appropriate, such as willow plantings in rip-rap or incorporating wood into a slope stabilization site. Erosion control best management practices (BMPs) such as straw wattles, coir rolls, certified weed-free straw, and erosion mats would be implemented to minimize impacts to streambanks and to prevent erosion and soil loss. Wildlife friendly netting such as "Nature Zone ™" or equivalent would be utilized. At Mt. Umunhum in Sierra Azul OSP, which was heavily disturbed by the previous air force base, the rocky substrate and high altitude have made for unusual planting conditions. A number of endemic species as well as California Native Plant Society listed species are present. This 'rock island' and some of the surrounding chaparral communities benefited from the planting of 25 species and approximately 1,200 individual plants on the site. Midpen has also acquired former orchards (fruit or Christmas tree sites) that benefit from the removal of the overstory trees and planting with trees that reflect the surrounding vegetation communities, such as oaks. In jurisdictional areas, willows and other fast-growing species are typically favored in order to stabilize slopes and restore the vegetative functions as soon as practical.

9.3 Invasive Species Removal

All invasive species removal is conducted under Midpen's IPM, which emphasizes an ecological approach to managing pests. Invasive species removal restores native ecosystems and increases biodiversity. Midpen's goal in removing invasive species is to maintain the long-term stability and resiliency of its natural areas. A summary of invasive plant and animal removal activities conducted under the IPM is included below.

Invasive plant removal activities conducted under the IPM Program

Invasive Plant Removal

Controlling invasive plants enhances native riparian and aquatic vegetation and increase biodiversity. Removal of invasive and non-native vegetation also protects valuable habitat assets such as ponds and grasslands. Midpen actively treats 105 plant species on their lands using various methods including manual, mechanical, chemical (e.g., herbicide and fungicide), and biological control (e.g., bio-control agent). Refer to Midpen's *Integrated*

Pest Management Program Guidance Manual (Midpen 2014) for a complete list of plant species. Note that not all of the plant species are worked on every year. The following nine (9) species are the most common: English ivy, French broom, goatgrass, hanging sedge, purple star thistle, slender false brome, distaff thistle, stinkwort, and yellow starthistle. Manual removal may include the use of hand picks, planting knifes, weed wrenches and other hand tools. Mechanical removal methods may include the use of brushcutters, hedgers, chainsaws, chippers, and mowers. Chemical methods involve the use of herbicides, including Roundup Custom (Glyphosate), Roundup ProMax (Glyphosate), Milestone (Aminopyralid), Transline (Clopyralid), Polaris (Imazapyr), Stalker (Imazapyr), Envoy Plus (Clethodim), Capstone, and Garlon 4 Ultra. Agi-Fos is a fungicide used to prevent Sudden Oak Death (SOD). Biological methods may include using other organisms to control pests. Flaming of seedlings, burn piles, and prescribed fires may also be used. Invasive plant removal and the controls methods are described in more detail in Chapter 6, *Vegetation Management*. Depending on the target species, surveys, treatments, and monitoring may occur year-round. Prior to invasive species removal, a biologist will evaluate the area for special-status species. If special status species are present, they would be avoided and/or effects would be minimized through the implementation of BMPs. Invasive and non-native plants would be disposed of appropriately by the contractor to reduce and/or avoid their proliferation and spread. Midpen anticipates working on up to 100 invasive plant removal projects per year.

Invasive Animal Removal

Invasive animals threaten Midpen's natural areas by competing for resources with native species and disturbing natural food webs. The most common invasive animal species in Midpen's OSPs include non-native fish, American bullfrogs (*Rana [Lithobates] catesbeiana*), wild (feral) pigs, and non-native turtles. Known species non-native fish include black bass (*Micropterus* sp.), sunfish (*Lepomis* sp.), catfish (*Ameiurus/Ictalurus* sp.) and mosquitofish (*Gambusia* sp.). These species are generally found in humanmade stock ponds and reservoirs but may occur in natural sag ponds. Midpen does not actively manage non-native fish in humanmade water features unless the water body also supports protected native sensitive species, such as the California red-legged frog. Bullfrogs are quite common in ponds and are the most problematic invasive species in Midpen lands because they directly affect the California red-legged frog. In habitats where they exist together, bullfrogs outcompete California red-legged frogs or consume them directly in all forms (i.e., as tadpoles, metamorphs, or as adult frogs). In addition to competition and predation, bullfrogs spread chytrid fungus, which is a lethal skin disease known as chytridmycosis that impacts many of California's native amphibians. Feral pigs are widespread in the central coast of California and impact Midpen lands by digging up meadows and wetlands and by carrying diseases that can affect people and livestock. Since 2000, Midpen has been trapping feral pigs and has substantially reduced their population. Non-native turtles including red-eared slider (*Trachemys scripta elegans*) and eastern snapping turtle (*Chelydra serpentina serpentina*) have been documented to occur on Midpen lands. Midpen selectively manages non-native turtles especially in waterbodies that also support native sensitive species,

such as California red-legged frog. Both bullfrogs and wild pigs are examples of introduced invasive animals found in Midpen lands that displace or consume native plants and wildlife that inhabit natural areas as well as alter natural processes.

Midpen employs several methods to control invasive animal species, including through temporary seasonal draining of ponds to control bullfrogs and/or non-native fish; shooting or trapping to eradicate bullfrogs and feral pigs, and trapping non-native turtles. Because it is challenging to completely eradicate a species (i.e., the removal of all of the pest species, which is typically only achievable for new invasive species and small populations of pests), Midpen typically controls pest numbers, removes individuals that have the greatest impact on critical resources, or excludes a pest species from a defined sensitive area. Programs to control invasive plant and animal species often require a long-term commitment. Midpen anticipates working on up to three invasive animal species removal projects per year. Midpen also responds to abandoned pets (i.e., cats, dogs, rabbits, etc.) on its lands that are then returned to a local animal shelter.

9.4 Road Decommissioning

A former road that is no longer used for access prior to road decommissioning work

Road decommissioning is used to reduce chronic sediment delivery, restore watershed hydrology, and reduce impacts to aquatic, riparian, and terrestrial ecosystems of roads crossings. Remnant ranch, logging, and other former roads are located through Midpen lands that are no longer necessary for access. Midpen has decommissioned and restored approximately 7 miles of old roads. The typical process involves pulling fill from the outboard edge of a road with an excavator and placing the material on the original cut face of the road. Decommissioning starts from the end and works backwards towards the access road. The general goal is to provide a suitable substrate for natural revegetation to stabilize slopes in the longer term and to keep a drainage pattern that is similar to the inferred natural contour. Subtle dips may be installed where prior erosion and soil loss makes reestablishing natural drainage difficult.

A former road after road decommissioning work

Alternatively, where landslides and other features make access to the end of a road impractical, partial decommissioning may occur by installing large rolling dips that are not passable to vehicles and then covering the road with "slash" (i.e., lopped branches and other plant material) from the surrounding area. For Midpen, covering the road with slash also deters trespass or public access and it suppresses invasive species that may occur. Decommissioning roads from within jurisdictional drainage features requires more specific engineering designs based on site conditions and stream morphology. The typical approach is to remove any remnant, artificial crossing part (e.g., rusted culvert, bridge, crib wall, etc.) and to lay back the slopes at stable 2:1 repose. If the crossing itself is not where the stream should naturally occur, further engineering is warranted to determine what geomorphic grade controls are necessary and prudent on the site. Less-active forms of decommissioning may occur as out-of-use roads become naturally revegetated. Midpen Natural Resources staff evaluate these former roads for decommissioning based on the level of disturbance necessary to achieve a beneficial effect on watershed conditions. For example, removing 1,000 linear feet of vegetation to remove an old culvert that has already lost its fill and is relatively stable may be a net negative on the environment. The effectiveness and priority of sediment reduction activities are contextualized within Midpen's "Road and Trail Inventories" that serve as sediment-source inventories and, where applicable, fulfill the requirements of RWQCB regulations on sediment management plans (e.g. Pescadero sediment total maximum daily load [TMDL]). Decommissioning is usually best combined with Midpen's activities that require large heavy equipment.

9.5 Other Restoration Activities

Midpen often acquires rural residential or grazing properties with abandoned/inactive water wells that are required to be decommissioned by State law to protect groundwater per the Public Health and Safety Code, Part 9.5, Section 115700. The standard decommissioning procedure is to pull the pump, remove the well head, and fill the well with concrete or grout to seal it to a certain depth. Capping the water well after decommissioning varies; however, Midpen typically seals the well below grade and returns native soil on top with a t-post to indicate a no-dig zone. Water well decommissioning activities are undertaken to protect surface water and groundwater quality. In addition, these water wells are often entrapment hazards for wildlife, particularly creatures that are attracted to water sources. Water wells are rarely located in jurisdictional areas (they mostly occur in upland areas); however, they may occur near riparian corridors. Decommissioning water wells and capping them prevents impacts to species. Midpen has approximately 50 abandoned/inactive wells that require decommissioning. Once Midpen has decommissioned these existing water wells, Midpen anticipates working on 1 to 3 sites per year as new properties are acquired.

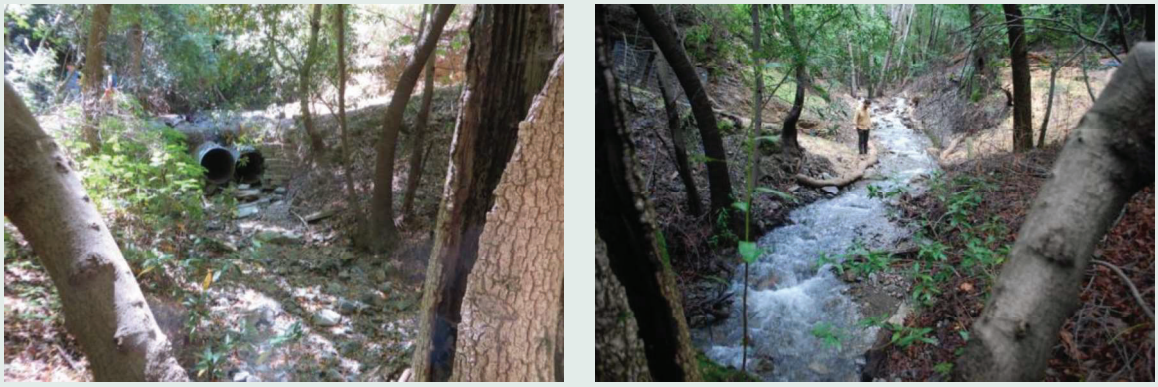
Other restoration activities include installing wildlife friendly spring boxes, troughs, and fences and other structures associated with conservation grazing described in Chapters 6 and 8 and prescribed burns described in Chapter 6.

Table 9-1 summaries that estimated jurisdictional disturbance, projected average number and maximum number of projects, and reasoning for activity per restoration and enhancement activity.

Case Study – Hendry's Creek Restoration Project

Hendry's Creek Restoration Project located adjacent to Lexington Reservoir in the town of Los Gatos involved enhancing habitat at a formal rural residential compound along approximately 4,000 linear feet of Hendry's Creek. Restoration activities included removing old stream crossings, restoring the channel, removing invasive species, and planting native plants. Impacts associated with the project included the removal of trees and understory. Although this project restored the natural habitat in the area, resulting in an overall beneficial effect, mitigation was still required, including high tree replacement ratios.

In this Program, Midpen is proposing to pair restoration projects like Hendry's Creek Restoration Project with the temporary and permanent impacts caused to riparian areas by roads and trail projects, resulting in an overall beneficial effect to Midpen lands.

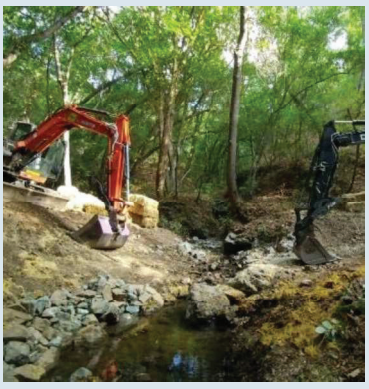
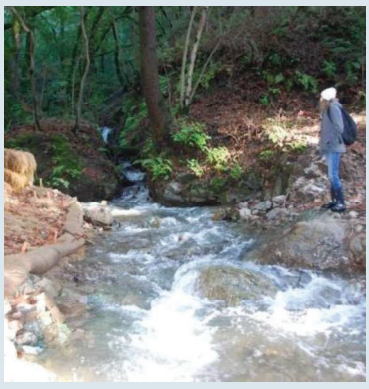


Before photo looking upstream of Hendry's Creek from site H1-1 (left) and an after restoration photo looking upstream of Hendry's Creek from site H1-1 (right).

Before photo looking from left to right bank of Hendry's Creek from site T4 (left) and an after restoration photo from left to right bank of Hendry's Creek from site T4 (right).

Before photo looking from left to right bank of Hendry's Creek from site H1-2 (left) and an after restoration photo from left to right bank of Hendry's Creek from site H1-2 (right).

Before photo looking from left to right bank of Hendry's Creek from site T5 (left) and an after restoration photo from left to right bank of Hendry's Creek from site T5 (right).

Before photo looking upstream of Hendry's Creek from site H4-1 (left), during removal of the stream crossing (center), and after restoration from site H4-1 (right).

Table 9-1. Restoration and Enhancement Activities

Restoration and Enhancement Activity	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Projected Average Number of Projects Per Year	Max Number of Projects Per Year	Reasoning for Activity
Pond and Wetland Restoration		**8**	**13**	
Reconstruction	12,000	1	2	Unsuitable hydroperiod
Berm/Inlet/Outlet Modification	2,000	1	1	Risk of failure, unsuitable hydroperiod, climate adaptation
De-sedimentation/ Vegetation Removal	1 acre 1,000	6 (2 de-sedimentation and 4 vegetation removal projects)	10 (4 de-sedimentation and 6 vegetation removal projects)	Lack of open water or escape habitat, and habitat enhancement for native species and/or California red-legged frog (CRLF) and San Francisco garter snake (SFGS) recovery
Creek and River Restoration		**11**	**28**	
Structure Demolitions in Riparian Areas	1,500	4	8	Attractive nuisances and wildlife entrapment
In-Channel Debris Removal	100	2	6	Stream restoration
Stream Crossing Removal	2,000	4	12	Unnecessary access

Restoration and Enhancement Activity	Estimated Typical Jurisdictional Disturbance Per Project (square feet)	Projected Average Number of Projects Per Year	Max Number of Projects Per Year	Reasoning for Activity
Large Woody Material	2,000	1	2	Salmonid pool habitat, sediment storage, and lateral connectivity
Invasive Species Removal		**51**	**103**	
Invasive Animal Removal (trapping of species or draining ponds)	1,000	1	3	Habitat enhancement for native species and/or CRLF and SFGS recovery
Invasive Plant Removal	50	50	100	Resilient native plants populations
Road Decommissioning		**1**	**4**	
Road Decommissioning	2,000	1	4	Unsuitable access, restore natural hydrology and watershed, reduce sedimentation

Chapter 10. Impact Avoidance and Minimization, BMPs, and Mitigation

10.1 Introduction

The Chapter begins by describing Midpeninsula Regional Open Space District's (Midpen's) general approach to conducting maintenance, small-scale facility improvements, and restoration activities in accordance with the tiered approach described in Chapter 2 followed by a summary of conditions that would trigger maintenance activities. The Chapter then describes impact minimization measures and work limits and best management practices (BMPs) that would be implemented prior to and/or during Open Space Maintenance and Restoration Program (Program) activities to further avoid or reduce potential impacts. The Chapter concludes by describing how residual impacts of the Program would be mitigated.

10.2 Using Impact Tier Categories to Classify Potential Effects

The Program uses a tiered approach to address potential effects on sensitive species and habitats, primarily for the purpose of determining which avoidance and minimization measures are necessary to minimize potential take of species. The tiered approach considers past occurrences or observations of species at or near the site, the general or regional suitability for species and habitats around the site, and the specific resource conditions at the maintenance site to support potential species and habitats, and the specific conditions (e.g., time of day, season) when the maintenance activity will occur to determine the potential for take of individuals. This approach is intended to help both Midpen and regulatory agency staff identify resource and site sensitivity and thereby prioritize impact avoidance and minimization measures and/or BMPs and mitigation needs. The tiering classification may vary from species to species at each location depending upon site specific conditions. To evaluate resource sensitivity at proposed Program work sites, Midpen undertakes the following process:

1. Identify the type of Program activity that is needed and confirm the specific location where work is planned to occur.

2. Conduct a desktop audit to evaluate whether suitable habitat for special-status species is present. A qualified biologist will conduct a desktop audit to evaluate whether suitable habitat for special-status species is present. Additional resources reviewed may include, but are not limited to, aerial photographs of the vicinity, U.S. Geological Survey (USGS) topographic maps, California Natural Diversity Database (CNDDB) records, critical habitat layers, U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory Maps, in-house species data compiled by Midpen from previous activities within Open Space Preserves (OSPs or Preserves), and species data compiled by the California Native Plant Society, the National Audubon Society, or other public interest groups. If determined to be necessary, the qualified biologist or a biological monitor will visit the site and confirm presence or lack of sensitive habitat or special-status species occurrence. During this step, the biologist or biological monitor will determine whether any small aquatic features (such as seeps, springs, or spring boxes) that are not evident on coarser-scale habitat mapping are present within 100 feet of a Program activity area.

3. Based on the desktop audit and site visit (if conducted), classify the Program activity at the site according to one of the following tiers:

    - **Tier 1 (No Effect) –** There is no potential for a special-status species to be present in the maintenance area at any time. Tier 1 is appropriate if the biologist determines that Program activities would occur in creek reaches inaccessible to special-status fish or, for terrestrial special-status species other than birds, in areas where no suitable breeding habitat is present and there is no connectivity between the site and known or potential breeding habitat (so that non-breeding individuals can also be presumed to be absent). Because foraging or roosting birds could easily fly away before being impacted by Program activities, the implementation of Program activities in non-breeding habitat for special-status bird species would also be considered a Tier 1 because such activities would not result in impacts on individuals that rise to the level of "take". No qualified biologist or biological monitor would need to conduct pre-activity surveys or be present during the performance of Tier 1 activities. Tier 1 activities would not result in take of individuals or habitat, even if permanent impacts to habitat conditions occur.

    - **Tier 2 –** A special-status species could occur, at least at times, at a site, but take will not occur. Tier 2 is applicable if the biologist determines that one or more special-status species are known to occur or could possibly occur on-site either because (1) suitable breeding habitat is present, or (2) for terrestrial species and fish, suitable non-breeding habitat is present and there is connectivity between the work site and suitable breeding habitat.

        - **Tier 2A (Not Likely to Adversely Affect) –** The activity will not result in take of special-status species based on the location and timing of work; although

a special-status species could occur at the location at times, none would be present when the work will occur. For example, California red-legged frogs (CRLFs) could potentially occur in numerous work areas during nighttime, wet-season dispersal but are not expected to occur far (e.g., more than 100 feet) from aquatic and wetland habitats during daytime, dry-season activities. During numerous pre-activity surveys and performance of Program activities (including associated biological monitoring), Midpen has not observed any CRLFs under such conditions. Pre-activity surveys and monitoring by a qualified biologist or biological monitor are not required for this tier, though either may be conducted (e.g., they may pre-check a work location and/or monitor as a precautionary measure). Examples are dry-season, daytime brushing, minor facility improvements, mowing, pesticide application consisting of spot-application, or fencing installation or repair that takes place more than 100 feet from wetland or aquatic habitat. During all work, Midpen's personnel (who are well-trained on the biology of special-status species, appropriate avoidance measures, and procedures to follow when they are encountered) will keep an eye out for special-status species and contact the Midpen biologist immediately if any animal that could potentially be a special-status species is observed. If any such individual is encountered, maintenance activities that could potentially affect the species will cease until the species is confirmed to have left the work area on its own, or until a qualified biologist or biological monitor visits the site to determine whether it is a special-status species and whether it is in harm's way from the activity. If so, avoidance and minimization measures will then be implemented as described below for Tier 2B activities.

- **Tier 2B (Not Likely to Adversely Affect for individuals, but may be considered Likely to Adversely Affect if permanent habitat impacts occur) –** This activity will not result in take of special-status species with implementation of BMPs, such as pre-activity surveys, exclusion of individuals from the site, and/or implementation of non-disturbance buffers around active nests of special-status birds. Such BMPs would be implemented or overseen as necessary by a qualified biologist or biological monitor. Depending on the sensitivity of the work area and the likelihood that individuals may move into the work area after the pre-activity surveys are conducted, some of these activities may require a biological monitor. Though a qualified biologist would not necessarily be on-site, they would be assigned to each project and would determine when pre-activity surveys and monitoring are necessary, and would oversee any avoidance and minimization measures implemented by biological monitors. In addition, as discussed for Tier 2A, trained Midpen maintenance personnel will keep an eye out for special-status species and contact the Midpen

biologist immediately if any animal that could potentially be a special-status species is observed.

Some Tier 2B activities may result in a permanent loss of habitat. If permanent habitat loss occurs in holdings where special-status species occur in higher densities and/or with a higher frequency of occurrence, the USFWS would likely consider this loss of habitat to constitute take under Federal Endangered Species Act (FESA), in which case the FESA determination for that activity would be "Likely to Adversely Affect". Permanent habitat loss in holdings where special-status species occur in lower densities and/or with a lower frequency of occurrence and temporary habitat loss in any holding would be considered "Not Likely to Adversely Affect" the species.

- **Tier 3 (Likely to Adversely Affect) –** The activity may result in take of special-status species, even with implementation of BMPs. Tier 3 is applicable if the biologist determines that (1) a special-status species are known to occur or may occur on site either because suitable breeding habitat is present or suitable non-breeding habitat with connectivity between the site and suitable breeding habitat is present; (2) the special-status species may be present at the time of day/season in which the Program activity occurs; and (3) special-status species cannot be effectively excluded from the work area, pre-activity surveys cannot definitively determine the absence of the species, and/or "take" in the form of permanent loss of habitat cannot be avoided. An example Tier 3 project might include culvert replacement activities on streams known for salmonid habitat or pond maintenance activities in CRLF habitat. For these types of activities, Midpen anticipates that BMPs, avoidance and minimization measures, and possibly an on-site qualified biologist would be needed to minimize and/or avoid adverse effects. Compensatory mitigation may be needed to offset permanent effects on sensitive species and/or habitat. However, for CRLF and San Francisco garter snake (SFGS), because the Program will have a net beneficial effect on these species' populations, compensatory mitigation for permanent impacts from one activity (or set of activities) may simply consist of the identification and implementation of enhancement and management activities that offset those permanent impacts. In short, the Program as a whole will be self-mitigating with respect to the CRLF and SFGS.

Knowing which tier is applicable to Program activity sites helps guide the planning and impact avoidance approach. It is also noteworthy that Midpen has been conducting biological resources assessments for many years within its OSPs as part of its ongoing land management; therefore, desktop reviews for Program activities can draw on a lot of existing and specific well documented knowledge regarding habitat suitability for special-status species, as well as the

conditions (including habitat, time of day, and season) in which special-status species have been observed.

The level of qualifications for the monitor is dependent upon the tiering level for a project. **Table 10-1** summarizes the level of qualifications and the sites or situations of when that level of monitor would be required. For Tier 1 projects, no monitor would be required to conduct pre-activity surveys or to be present during the performance of Tier 1 activities. Tier 2A projects do not require pre-activity surveys or monitoring, though either may be conducted by a biological monitor trainee, biological monitor or wildlife handler. Tier 2B projects do not require a qualified/professional biologist to be on-site, but a qualified/professional biologist would be assigned to each project and would oversee pre-activity surveys and monitoring implemented by a qualified biological monitor. Tier 3 projects would require a qualified/professional biologist to be on-site during activities.

Table 10-1. Summary of Midpen's Qualified Monitoring Requirements

Level of Qualification of Monitor	Qualified Sites/Situations	Additional Requirements
None	Tier 1: No Effect	No pre-activity surveys are required
Biological Monitor Trainee Biological Monitor Wildlife Handler	Tier 2A: Not Likely to Adversely Affect ▪ Upland areas ▪ Areas with low potential for special-status species either due to habitat and/or nature of activity ▪ May work in increasingly complex sites/situations (Tiers 2 and 3) under direct supervision of Qualified Monitor/Biologist/Botanists May conduct nesting bird surveys (if trained)	▪ Address general non-special status species ▪ Required to call Natural Resource staff for assistance with special-status species, active bird nests, unusual, or more complex situations ▪ Reports all special-status species observations and project monitoring results to the project lead biologist and/or Natural Resource staff
Qualified Biological Monitor Qualified Biologist/Botanist	Tier 2B: Not Likely to Adversely Affect ▪ Upland areas ▪ Areas with potential for special-status species (for which they have qualification(s))	▪ May direct, lead or supervise biological monitor trainees/biological monitors

Level of Qualification of Monitor	Qualified Sites/Situations	Additional Requirements
	▪ Project sites for which they are regulatory agency approved ▪ Surveys for and may handle of special-status species for which they are qualified to survey and/or handle ▪ Conducts nesting bird surveys	▪ Responsible to report all special-status species observations, survey results, and project monitoring efforts/results to Natural Resource staff
Qualified or Professional Biologist/Botanist	Tier 3: Likely to Adversely Affect ▪ Completes or leads protocol level survey efforts for plant or animal species ▪ Complex situations where a regulatory agency permitted biologist is required ▪ All areas known to have special-status species, where handling or interaction are expected to occur ▪ May lead marking of wildlife or plant collection efforts	▪ Oversees all biological monitoring, species surveys, collection and/or recovery efforts undertaken on Midpen lands ▪ Reviews and approves qualifications of biological monitors and project biologist/botanists ▪ Point of contact with regulatory agencies

10.3 Program Triggering Criteria

Maintenance activities are conducted only when determined to be necessary or in conjunction with other nearby essential work to provide cost saving efficiencies or to minimize equipment entries into an area. On an annual basis, Midpen will conduct site inspections throughout their Preserves to evaluate maintenance needs. The triggers described below will be used by Midpen staff during annual inspections and site evaluations to identify which sites have exceeded the thresholds identified by the triggers, thus requiring maintenance. Midpen will then prioritize maintenance activities according to the degree in which the identified site exceeds the maintenance triggers. Sites that exceed the triggers in a greater or more intense manner will be identified as higher priorities.

This Section describes observed conditions that would trigger the need for maintenance work. The discussion below is organized by facility type.

10.3.1 Maintenance Triggers for Culverts, Channels, Bridges, and Other Facilities

1. **Repair or Replacement of Existing Culverts**: This work is conducted when an existing culvert has been crushed or otherwise damaged and cannot operate properly; is at risk of future failure or deterioration (e.g., bottom of a corrugated metal pipe (CMP) culvert is beginning to rust); is clogged with debris, sediment and/or vegetation; is notably undersized and cannot provide adequate conveyance capacity; or has been dislodged, moved, or positioned in such a way that the culvert cannot function properly. A culvert repair or replacement project may be prioritized based on factors such as whether the damaged culvert is causing other adverse effects like roadway flooding (due to a clogged culvert), increased erosion downstream of a culvert, or contributing large amounts of sediment to nearby creeks.

2. **Bridge Repair/Maintenance**: Bridge maintenance activities are necessary when the bridge structure and/or abutments are deteriorating and protective paint coating have chipped off or cracks on the exterior have noticeably worsened. Erosion protection improvements at the base of a bridge are necessary when scour damage begins to undermine the structural stability of bridge wingwalls and/or abutments. Maintenance along bridge decks is necessary when damage or cracks on the surface have magnified to the degree that the damaged bridge could represent a public safety risk. Debris clearing is necessary when the capacity beneath the bridge has been reduced by 30% or more due to debris build-up.

3. **Road and Trail Drainage Feature Maintenance**. This work is necessary when debris, sediment, or woody debris have reduced the conveyance capacity by 10% to 30%, or if rock or other materials that are part of the drainage feature have washed away. This work is necessary to prevent the washout and flooding of roads and trails, and to prevent excess sediment loading and erosion.

4. **Streambank Stabilization**: This work is necessary when bank failure has occurred and must be repaired to re-establish the banks of a creek, protect the channel's flood conveyance capacity, and prevent additional sediment input to the channel. This work is also necessary when bank erosion or failure poses a threat to existing infrastructure (e.g., utilities, roads, trails). This work is necessary if persistent bank erosion is occurring, leading to excess sediment loading and/or damage to riparian vegetation.

5. **Pond and Lake Berm Stabilization**. This work is necessary when berm erosion or sinking poses a threat to existing infrastructure (e.g., ponds, lakes, roads). This work is also necessary to prevent excess sediment loading and erosion into the pond or lake.

6. **Water Supply Structure Maintenance.** Vegetation removal is necessary when overhanging shrubs and trees pose a safety risk to these structures, prevent proper intake, or impede access for maintenance. Defensible space around water supply facilities is also required per the Board of Forestry Fire Safe Regulations (2021). In addition, mowing is necessary when overgrown weeds and grasses are encroaching on the structures.

7. **Sediment Removal from Creeks, Bridges, and Ponds**: This work is necessary when sediment or debris has reduced channel or pond capacity to the extent that the likelihood of overbank is significantly increased and flooding could damage property or substantially threaten public safety. This work is also necessary when sediment or debris deposits are evidently causing scour erosion of streambanks supporting bridges or other public facilities, like roads and trails. Sediment removal within ponds occurs when needed to maintain habitat for CRLF or storage capacity for cattle.

8. **Sediment Removal/Clearing Culverts, Crossings, and Other Drainage Features**. This work is necessary when culvert inlets, outlets, ditches, rocked fords, rolling dips, and beneath bridges at road, trail, and stream crossings are blocked with debris or sediment so that the conveyance capacity is reduced by at least 10% to 30%. Culverts that are more than 1/3 blocked can be cleaned at any time, even when the channel is wet.

9. **Downed Tree Management:** Downed or standing dead trees will be evaluated for their potential to cause or increase erosion, flooding, bank failure, or negatively impact a public infrastructure facility in a high use area (e.g., bridge, culvert, trail), or threaten public safety. If it is determined that the downed or standing dead tree would increase any of the risks listed above, Midpen will trim and/or reposition the downed or standing dead tree immediately with hand tools or consider removing or reusing the tree elsewhere. If such risks are unlikely, Midpen will explore options for preserving and/or repositioning the tree along the channel to provide habitat functions.

10.3.2 Maintenance Triggers for Roads and Trails

The following maintenance triggers are applied to evaluate and determine when work is required at roads and trails:

1. **Paved Road Surface Maintenance Activities:** Most paved road repairs that entail patching cracks, resurfacing, repaving, and repairing the roadway base are prioritized based on severity of traffic safety risks and are typically conducted outside of the rainy season (between April and October). These activities are conducted to ensure a safe roadway surface for motorists and to prevent further roadway deterioration or failure.

Other paved road maintenance activities, including pothole repairs, occur shortly after they occurred to prevent accidents, vehicle damage, and other traffic safety risks.

2. **Unpaved Road Surface Maintenance Activities:** This work is necessary when a road surface has deteriorated or failed due to erosion or stormwater flows, is contributing sediment and subsequent adverse water quality and/or hydrology impacts, or is leading to erosion downslope.

3. **Trail Maintenance and Repair:** This work is necessary when trail tread has worn down and ruts are evident, thus requiring addition of the proper type of soil or surface material and/or re-compaction. The need for trail tread repair work is determined during periodic inventories. Repair of trail signs and other structures is conducted as needed to address damage.

4. **Roadway/Trail Slip-out/Slide Repairs**: Slide repair is necessary when slope failures have occurred on the cut slope side of a roadway or trail; a slip-out repair is necessary when slope failure has occurred on the fill side. This work is necessary when the roadway/trail slip-out/slide poses a threat to existing roads or other facilities like utilities, or public safety. This work is also necessary when the roadway/trail slip-out/slide has contributed sediment to a nearby drainage, channel, or other waterbodies.

5. **Vegetation and Fuel Management Along Roads:** Mowing, trimming and pruning of vegetation along roads is necessary to maintain appropriate line of sight clearance (usually 6 feet at an intersection), to maintain a 14-foot height clearance for vehicles or equestrians, and to maintain a 7-foot height clearance for pedestrians. Longer line of sight clearance is appropriate for mountain biking intersections. This work is necessary when overhanging limbs or trees pose a public safety risk. This work may also include removal of ladder fuels to reduce the impacts of wildland fires or for the removal of invasive species for ecological reasons. Midpen staff formally inspect trails and roads on a 3-5-year rotation (and almost all are visited for other reasons, providing an opportunity to identify problem issues). Midpen aims to brush approximately 66% of all roads and trails each year. Certain fast-growing vegetation communities require annual management to maintain the access width.

6. **Vegetation and Fuel Management and Maintenance of Fire Breaks Along Roads, Trails, and other Open Space Features (i.e., picnic or rest areas, natural areas, rangeland, staging areas, parking lots, structures):** Midpen will inspect trails, picnic or rest areas, and other recreational amenities on a 3-5-year cycle. Vegetation thinning or pruning along trails is typically necessary when shrubs or trees are overhanging or encroaching on the trail or picnic or rest area. Mowing is needed when overgrown vegetation encroaches the trail or recreational facility. Tree removal is necessary if a particular tree has a higher likelihood of failure along or near facilities and

the situation cannot be fixed by limbing or pruning. The locations of fuel breaks have largely been determined through stakeholder and expert input and are reflected in the 'Tier 1 and Tier 2' maps in the Wildland Fire Resiliency Program. Once established, the fuel breaks will be maintained once every five to ten years. Facilities maintenance ("defensible space") is triggered by general adherence to California Department of Forestry and Fire Protection (CALFIRE) and local fire agency recommendations and is dependent on the growth of the surrounding vegetation community and topography.

10.4 Work Limits

The focus of Midpen's Program activities is to protect, maintain, and enhance the natural environment within its Preserves and managed lands. In support of this, Midpen has developed self-imposing work limits to limit the extent of impacts associated with Program activities. Established site, annual, and 5-year Program work limits per activity type are included in **Table 10-2** below. Table 10-2 also provides an estimate of the typical jurisdictional disturbance per project and quantifies the number of projects of jurisdictional projects per year per activity type. Please note that these values are estimates and may be revised as Midpen acquires new lands and builds new facilities.

10.5 Best Management Practices (BMPs)

The BMPs in **Table 10-3**, presented at the end of this chapter, include general avoidance and minimization practices as well as measures focused on biological resources and habitat protection, cultural resources protection, erosion control, sediment and water quality control, and dewatering. These BMPs reflect current recommended practices. The BMPs in Table 10-3, and this manual as a whole, are intended to be a living document that will be periodically updated to reflect new BMP technologies and maintenance techniques.

Table 10-2. Program Activity Work Limits Per Activity Type

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Culvert, Bridge, Channel, Pond and Other Maintenance							
Culvert repair/replacement	150 LF, 3,000 SF	25	50	20,000 SF	60,000 SF	360 SF	25
	100 CY culvert replacement			5,000 CY	25,000 CY	50 CY	
	10 CY culvert repair			7,500 LF	15,000 LF	90 LF	
Bridge repair/maintenance (railing, decking, minor abutment or armoring)	100 LF; work area is limited to 25 LF upstream/downstream of site	5	10	400 LF	2,500 LF	50 LF; 1,500 SF	5
	5 CY (grading primarily on approach)			20 CY	100 CY	2 CY	
Road and trail ditch clearing and installation	30 CY of sediment and debris removal for every 300 LF; 500 LF	15	50	9,000 LF	45,000 LF	150 LF; 5 CY; 600 SF	5
Fords/ swales replacement, repair, and maintenance	200 LF	2	6	2,000 LF; 5,000 SF	10,000 LF	100 LF; 600 SF	2
	20 CY			120 CY	600 CY	10 CY	
Annual pre-rainstorm preparation and clearing (i.e., hand shovel clearing of fords, rolling dips, ditches, culverts, etc.)	5 CY	100	200	100 CY	500 CY	1 CY	50
Sediment removal from channels (e.g., from landslides, road failures, or slip-outs)	160 LF	10	20	1,000 LF for all sediment removal sites	1,000 LF	40 LF	10
	4,000 SF			Dewatering limit of 1,000 LF for all sites.	20,000 SF	200 SF	
	10 CY			100 CY	1,000 CY	4 CY	
Sediment removal from culverts, crossings, and other drainage features	150 LF Dewatering limit 300 LF	3 sites in an average hydrologic year (based on average seasonal precipitation)	8	23,000 LF; 12,000 SF	15,000 LF; 48,000 SF	100 LF	3

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	10 CY	8 sites in a wet hydrologic year		200 CY	1,000 CY	8 CY	
Streambank Stabilization	100 LF; 1,000 SF	2 projects in an average hydrologic year	4	200 LF	1,000 LF	60 LF; 600 SF	2
		4 projects in wet hydrologic year		400 LF	2,000 LF		
Water supply structure maintenance (instream)	Vegetation removal is limited to 30 to 100 ft buffer; 4 CY removed per site	2	4	500 SF	2,500 SF	100 SF	2
Minor maintenance activities (i.e., repair of fences, gates, signage, and trash rack clearing)	200 SF	3	6	1,000 SF	5,000 SF	80 SF	1
	4 CY			20 CY	100 CY	1 CY	
Vegetation Management Activities							
Riparian or pond adjacent tree removal (inclusive of all Program activities)	Trees between 6" dbh and 24" dbh. No trees greater than 24"dbh would be removed (unless for public safety reasons).	12 trees	36 trees	30 trees	150 trees	750 SF (assumes 30-inch diameter canopy)	12
Tree trimming/pruning (inclusive of all Program activities)	No more than 25% of individual tree canopy would be trimmed/pruned	300 trees	750 trees	750 trees	3,750 trees	500 SF	75
Non-native vegetation removal	4 acres of treatment per site Typical site involves 15% cover over 8 acres	300 acres	450 acres	450 acres	2,250 acres	2,000 SF	35
Vegetation management along roads/trails	Typically, 10 feet on either side of a road or 3 feet along a trail. Steeper side slopes in chaparral and hardwood forest may call for a 10-foot buffer along a road.	230 miles of road/trail	350 miles of road and trail; 665 acres	774 acres	3,870 acres	720 SF (assumed 60-feet along riparian areas with 12-foot treatment area)	50

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Fuels management along roads and trails	Typically 100-foot shaded fuel break and 100-foot lighter fuels treatment beyond in each area every 5 years.	8 sites	12 sites, approximately 1 mile per project	80 acres 12 miles of roads	400 acres 60 miles of roads	*See ecosystem resiliency; all Fuels treatments in jurisdictional areas will follow Resiliency treatments.	2 to 4
Vegetation management around open space facilities (i.e., for defensible space)	100-foot buffer around each building, 15,000 SF	100 sites, 35 acres[1]	150 buildings	50 acres	250 acres	50 SF	10
Ecosystem Resiliency Fuel Treatments	TBD	10	20	500 acres	2,500 acres	720 SF	2 to 4 fuel sites and 2 to 4 ecosystem resiliency sites
Road and Trail Maintenance							
Paved road surface maintenance (major work)	10,000 LF	2	4	20,000 LF	60,000 LF	500 LF (adjacent to ditches)	1
Minor paved road repair (potholes, tack oil, small subgrade failures)	300 SF 200 LF	5	10	3,000 SF 2,000 LF	15,000 SF 10,000 LF	10 LF (adjacent to ditches)	1
Unpaved road surface maintenance (major sites more than 1,000 LF)	20,000 LF 100 CY	15	30	75,000 LF	375,000 LF	150 LF	12
Trail maintenance repair (major sites more than 1,000 LF)	20,000 LF 100 CY	10	15	25,000 LF	125,000 LF	600 LF	8
Road relocation	500 LF	1	2	1,000 LF	5,000 LF	60 LF	1
	10,000 SF			20,000 SF	100,000 SF	850 SF	
	1,500 CY			2,500 CY	12,500 CY	-	
Trail reroutes	500 LF	0	2	1,000 LF	5,000 LF	80 LF	0

[1] These numbers may increase as Midpen acquires new lands and constructs new trails and other facilities.

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	3,000 SF			4,000 SF	20,000 SF	1,500 SF	
	200 CY			200 CY	1,000 CY	40 CY	
Roadway/trail slip-outs and slide repairs	250 LF	5	10 (or 20 sites in a wet hydrologic year)	2,500 LF	12,500 LF	100 LF	3
	4,000 SF			40,000 SF	200,000 SF	2,000 SF	
	100 CY			1,000 CY	5,000 CY	20 CY	
New Small-Scale Facilities Improvements							
New trails and roads construction							
Trail bridge replacements	100 LF	2	4	200 LF	10,000 LF	50 LF	2
	2,000 SF			4,000 SF	20,000 SF	500 SF	
	20 CY			40 CY	200 CY	15 CY	
New trail and trail bridges	100 LF	2	4	400 LF	2,000 LF	100 LF	2
	2,000 SF			8,000 SF	40,000 SF	1,500 SF	
	50 CY			200 CY	1,000 CY	25 CY	
New trail (uplands)	5,800 LF	2	4	10,000 LF	50,000 LF	100 LF	2
	45,000 SF			90,000 SF	450,000 SF	1,500 SF	
	800 CY			16,000 CY	80,000 CY	25 CY	
Vehicle bridge replacement	200 LF	1	2	200 LF	1,000 LF	3,000 SF	1
	4,000 SF			4,000 SF	20,000 SF		
	200 CY			200 CY	1,000 CY		
New Conservation Grazing Infrastructure							
Water lines	6,000 LF	2	4	18,000 LF	90,000 LF	20 SF	1
	60,000 SF			180,000 SF	900,000 SF		
	330 CY			1,000 CY	5,000 CY		
Spring box	200 LF	2	4	400 LF	2,000 LF	30 SF	2
	100 SF			200 SF	1,000 SF		

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	10 CY			20 CY	1000 CY		
Tanks, troughs	200 LF	2	4	8,000 LF		10 SF	1
	300 SF			1,200 SF			
	10 CY			40 CY			
Pond diversion	200 LF	0	2	200 LF		50 SF	0
	100 SF			100 SF			
	10 CY			10 CY			
Building Repairs, Utilities, and Other Misc.							
Electrical, plumbing, or other utility lines	1,000 LF	2	2	1,000 LF	5,000 LF	100 SF	0
	6,000 SF			6,000 SF	30,000 SF		
	55 CY			55 CY	275 CY		
Septic line repair	1,000 LF	2	2	2,000 LF,	10,000 LF	400 SF	0
	6,000 SF			6,000 SF	30,000 SF		
	10 CY			10 CY	50 CY		
New Interpretive Facilities/ Signage	50 LF	2	2	100 LF	500 LF	50 SF	1
	100 SF			200 SF	1,000 SF		
	5 CY			10 CY	50 CY		
Existing building and structure repairs	200 LF	5	10	1,000LF	5,000 LF	50 SF	0
	100 SF			500 SF	25,000 SF		
	10 CY			50 CY	250 CY		
Safe wildlife passages	200 LF	1 large and 2 small	1 large and 8 small	400 LF	20,000 LF	200 LF	1
	1,200 SF			2,500 SF	12,500 SF	1,200 SF	
	100 CY			200 CY	1,000 CY	100 CY	
Restoration and Enhancement Projects							
Pond reconstruction	20,000 SF	1	2	20,000 SF	100,000 SF	12,000 SF	1

Type of Activity	Limits per site (linear feet [LF]; square feet [SF]; cubic yards [CY])	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	1,200 CY			1,200 CY	6,000 CY		
Pond Inlet/Outlet pipe or spillway overflow modification[2]	300LF	1	1	300 LF	1,500 LF	300 LF	1
	2,000 SF			2,000 SF	10,000 SF	2000 SF	
	200 CY			200 CY	1,000 CY	-	
Sediment removal from ponds	600 CY	2	4	1,800 CY 1 acre	9,000 CY 5 acres	900CY, 0.40acres.	2
Pond vegetation removal	2,500 SF	4	6	10,000 SF	50,000 SF	1,000 SF	4
	150 CY			600 CY	3,000 CY		
Pond berm stabilization	200 LF/berm	1	3	600 LF	3,000 LF	200LF/400CY	1
Structure demolitions/ removal in riparian areas	400 CY/berm	4	8	1,200 CY	6,000 CY	1,500 SF	4
In channel debris removal (i.e., removal of tires)	100 LF	2	6	400 LF	2,000 LF	100 SF	2
	3,000 SF			12,000 SF	60,000 SF		
	150 CY			600 CY	3,000 CY		
Road decommissioning	10,000 LF	1	4	20,000 LF	100,000 LF	2,000 SF	1
	160,000 SF			300,000 SF	1,500,000		
	10,000 CY			20,000 CY	100,000 CY		
Stream crossing removal and restoration of natural channel	150 LF	4	12	1,000 LF	5,000 LF	2,000 SF	4
	4,000 SF			24,000 SF	120,000 SF		
	300 CY			1,800 CY	9,000 CY		
Traditional ecological knowledge practices (indigenous stewardship)	24,000 SF	6	12	300,000 SF	1,500,000 SF	100 SF	0

[2] Note that many of these activities are typically aboveground maintenance. Midpen conducts these activities for maintenance or for restoration purposes. These activities may be duplicative to other pond activities listed above and below.

10.6 Mitigation Opportunities

This Section outlines and describes mitigation options available for offsetting the Program's residual impacts on wetlands, waters, riparian resources, and federally- and state-listed species. Once the Program is operating under regulatory approvals and permits, annual mitigation will be identified and implemented as necessary to address any potential impacts, including the need for any compensatory action. Program activities will be notified annually with mitigation needs also identified.

The overall goal of this Program is to avoid or reduce all potential impacts associated with routine maintenance, vegetation management, and small-scale facility improvements with Midpen's restoration and enhancement projects that increase aquatic habitat, enhance native vegetation, and restore natural watershed processes.

The following discussion is intended to provide a context and basis for a variety of mitigation approaches that may be utilized by Midpen.

Ponds and Wetland Restoration

Midpen's pond activities are largely self-mitigating work in support of habitat maintenance. Activities that may require compensatory mitigation, such as decommissioning of ponds that do not support special-status species and raise safety concerns due to poor construction, may be offset by the restoration and maintenance of high-quality habitats. Midpen actively maintains some of the highest quality wetland habitat in the region as parts of its mission. To that end, Midpen is considering evaluating a CRLF mitigation bank to bolster future restoration and ensure effective mitigation for impacts at a regional landscape scale.

Native Vegetation Restoration

Midpen's vegetation treatment activities, though large in scale, have a minimal impact on jurisdictional areas and have been analyzed through the IPM Program EIR and the Wildland Fire Resiliency Program EIR, both of which balance operational needs with ecosystem function. Further, impacts to native vegetation (e.g., from roads and trail brushing or fuels work) are offset by restoration of native plant communities through invasive plant work and seeding and/or planting of Santa Cruz Mountain native species.

Reduction in Sedimentation

Midpen's roads and trails maintenance is the most frequent jurisdictional activity covered by the Program. All temporary impacts to waters are minimized through design (i.e., complying with the design specifications included in *National Marine Fisheries Service (NMFS) Guidelines for Salmonid Passage at Stream Crossings* [NMFS 2019]). Any permanent impacts to waters are only necessary to support geomorphic stability and flow conveyance, correcting a lack of design

from a prior condition and resulting in a net benefit for wildlife, water quality, and natural resource protection. The proactive prevention of failure and reduction of episodic release of road fill reduces in-stream sedimentation over time, improving water quality for the benefit of fish and other wildlife that rely on the creek for survival. For example, over 16 years Midpen treated 25 miles of roads and trails at El Corte de Madero OSP and reduced sediment volume in stream pools by approximately 17% and reduced turbidity leaving the OSP by approximately 1.5 times-2 times (Midpen data collected 2020). Midpen also decommissions old roads and culverts regularly to restore stream habitats, and removes debris and other unnatural features within the creek corridor.

As described in Chapter 9, although the purpose of the Hendry's Creek Restoration Project was to restore a riparian corridor that had been heavily disturbed by a formal rural residential compound, this habitat enhancement project required its own mitigation. In essence, an act to restore the natural values of open space lands can itself require mitigation measures even when the project itself is being conducted to restore native habitat. In this Program, Midpen is proposing to implement future native habitat enhancement projects like the Hendry's Creek Restoration Project to mitigate for potential impacts caused to riparian areas by road and trail projects that create broader and more significant net environmental benefits across the region.

In-Stream Habitat Restoration

In-stream work, such as water diversion maintenance, wood relocation, and hardening to prevent streambank failures, is done infrequently and is designed to minimize impacts. Flood control is not part of Midpen's mission and thus, only minimal instream infrastructure requires maintenance. Restoration of instream habitats, through retention of large wood where possible, conveyance of 100-year flow events under bridges and arched culverts, and removal of other barriers, is an important part of Midpen's mission and is likely to exceed the scale and cost of the in-stream infrastructure maintenance work.

Road Decommissioning

New trails and trail bridges provide an opportunity for Midpen to access areas with equipment and tools that can benefit from active restoration work. New trails are limited to a 6-foot path and supporting features such as retaining walls. The location of trails and bridge or crossings are selected to minimize effects on the environment and species as well as reduce ongoing maintenance. A few approaches that Midpen is exploring to offset impacts associated with new trails and new bridges is through road decommissioning, the preservation or restoration of other habitat in the area, or the designation of "Conservation Management Units" (the CMUs). CMUs are defined in Midpen policies as areas managed for the preservation of natural resources and which generally do not allow public access. The designation is currently found in important CRLF and SFGS habitat, as well as historic logging lands requiring stream restoration.

10.6.1 Summary of Impacts to Wetlands, Waters, and Riparian Resources and the Federally or State Listed Species They Support

Program activities such as culvert repair/replacement, bridge maintenance/replacement, sediment removal, bank stabilization along creeks and ponds, pond maintenance, slip-outs along roads and trails, road and trail maintenance, conservation grazing infrastructure, recreational facility improvements, aquatic habitat restoration, invasive species removal, and road decommissioning may result in temporary and/or permanent impacts on wetlands and waters of the United States (U.S.)/state, as well as the federally- and state-listed species they support. Impacts from culvert repair/replacement projects, streambank stabilization, pond maintenance, road and trail maintenance, conservation grazing infrastructure, and recreational facility improvements could result in the permanent loss of vegetation and reduction in open water areas. Use of rock rip-rap to support culvert outfalls or bank/berm repairs may result in fill of waters of the U.S./state and therefore, require mitigation for resulting impacts, including loss of habitat for federally- or state-listed species.

10.6.2 Timing of Mitigation

Under the Program, at the beginning of each year, Midpen would prepare an annual notification report summarizing proposed Program activities for a given year. The tiering approach described earlier and in Chapter 2 would be applied to classify the types of impacts to federally or state listed species anticipated to occur at each Program activity site.

As discussed in Chapter 11, the notification report will summarize anticipated impacts on wetlands and waters of the U.S./state, riparian resources, and federally and state listed species. The annual notification report will describe avoidance and minimization measures, BMPs, and restoration/enhancement projects (or mitigation) that would be implemented to avoid or reduce the Program's potential impacts to wetlands/waters, riparian resources, and special-status species. The preferred mitigation approach would be to implement mitigation prior to impacts to avoid temporal loss. Compensatory mitigation for impacts to waters of the U.S. would be provided in accordance with the "Mitigation Rule," which was established by the U.S. Environmental Protection Agency (USEPA) and U.S. Army Corps of Engineers (USACE) in 2008. Since then, the USACE published *Guidelines for Preparing a Compensatory Mitigation*

Plan[3], Attachment 12501.6 – SPD Mitigation Ratio Checklist[4], and *2501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios*[5] (2017). Midpen will provide compensatory mitigation for impacts on waters of the U.S. in accordance with the Mitigation Rule and the USACE's guidelines for preparing compensatory mitigation plans and determining mitigation ratios and Attachment 12501.6 – SPD Mitigation Ratio Checklist.

10.6.3 Mitigation Approaches

To compensate for impacts associated with Program activities, Midpen may conduct on-site or off-site mitigation approaches. In general, Midpen prioritizes on-site mitigation in locations that provide suitable habitat to restore the type of habitat that was impacted by the activity in the same vicinity or stream reach of where the disturbance occurred. However in some locations, off-site mitigation is a more suitable option due to the lack of suitable habitat in the surrounding area, re-planting in an already overstocked area (e.g., replacing riparian vegetation in an overstocked forest), or the availability of higher priority areas that would provide better habitat quality for species. Both on-site and off-site mitigation approaches play important roles in the context of Midpen as a whole. These various approaches are described in more detail below.

10.6.4 On-Site Mitigation Approach

For Program activities that take place outside of wetland/other waters habitat within the USACE and/or Regional Water Quality Control Board's (RWQCB's) jurisdiction, one mitigation approach is on-site mitigation. Midpen will evaluate on-site mitigation opportunities to address impacts in the immediate vicinity of the Program activity area.

The general on-site mitigation approach is to restore the type of habitat that is impacted by Program activities in the same project vicinity or stream reach where the disturbance has

[3] U.S. Army Corps of Engineers (USACE). 2010. Guidelines for Preparing a Compensatory Mitigation Plan. Last Revised October 7. Available: www.sac.usace.army.mil/Portals/43/docs/regulatory/Guidelines_for_Preparing_a_Compensatory_Mitigation_Planf.pdf.

[4] USACE. 2013. Attachment 12501.6 – SPD Mitigation Ratio Checklist. Available: www.spd.usace.army.mil/Missions/Regulatory/Public-Notices-and-References/Article/487060/12501-spd/.

[5] USACE. 2017. *2501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios*. Available: www.spd.usace.army.mil/Portals/13/docs/regulatory/qmsref/ratio/12501-SPD.pdf

Onsite mitigation example at Old Harkins Bridge, Purisima Creek, Purisima Creek OSP

occurred. This approach not only compensates for the specific jurisdictional habitat that is potentially impacted, but also results in restoration or enhancement of habitat for any special-status species that may be affected by the Program activity.

If riparian habitats are affected, this mitigation strategy is to re-establish riparian habitat on-site. This could involve planting riparian vegetation, removing non-native plants, or enhancing this type of habitat along or near the impacted site.

Past On-Site Mitigation Examples

An example of when an on-site mitigation approach was appropriate was for the Harkins Bridge Project. This project involved the removal and replacement of a 50-foot-long vehicle bridge over Purisima Creek in the Purisima Creek OSP, outside of Half Moon Bay. A large redwood tree fell immediately downstream of the existing deteriorated bridge, resulting in minimal freeboard under the existing bridge. Rather than move the downed redwood tree, Midpen relocated the bridge 100 feet upstream from the current bridge site and elevated the bridge above the 100-year flood elevation. The old bridge location was then restored with native cuttings, locally collected seeds, and other measures.

10.6.5 Off-Site Mitigation Approach

Off-site mitigation for multiple projects at Bear Creek Redwoods OSP, former Christmas tree farm

Off-site mitigation can provide opportunities for in-kind mitigation that aligns with the functions and values of natural resources that are potentially impacted by the Program but is done at a different location than where the Program activity occurs. The general approach is to conduct off-site mitigation within the same watershed or general region as where the Program activities occur. This type of mitigation is similar to the on-site option in that the focus is to provide in-kind habitat enhancement or restoration, stream functional improvement, water quality benefits, or overall watershed health improvements that

offset Program impacts or, for instance, reduce the need for maintenance. This could involve planting riparian vegetation, removing non-native plants, or enhancing habitat in offsite locations which share similar qualities or conditions to the Program activity site.

Off-Site Mitigation Example

An example of when an off-site mitigation approach is more appropriate was for multiple projects at Bear Creek Redwoods OSP, located near the town of Los Gatos. At the Bear Creek Redwoods OSP, public access projects and pond maintenance activities required upland and riparian off-site mitigation due to the lack of available riparian planting locations c in the densely stocked forest (due to fire exclusion). A former Christmas tree farm in the same watershed was selected for restoration and mitigation plantings. Midpen has many lands that have been historically degraded and require restoration that can benefit from off-site mitigation opportunities.

Potential Off-Site Mitigation Options

Midpen has historically mitigated the vast majority of its projects at the original site. Increased public access projects through bond funding measures and larger scale restoration work has increased mitigation requirements. Critical habitat, impaired watersheds, priority salmonid watersheds, and other regional conservation analysis can be used to identify locations in need of mitigation funds and work. In general, Midpen has focused more of its restoration work in the San Mateo County coastal area due to its relative abundance of important and more intact ecology compared to the more urbanized bay-side areas. Midpen has worked with USFWS in the past to promote restoration projects in support of recovery of listed species, particularly at La Honda OSP and Mindego Ranch within Russian Ridge OSP. The rich habitats found on Midpen's land provide ample restoration opportunities.

Preservation of Habitats

Compensatory plantings and maintenance are very expensive and require significant staff, contractor, and regulatory oversight to ensure a mitigation plan is effective and successful. Further, certain environmental settings (e.g., hardwood forests) typically have an overabundance of woody vegetation that not only pose a fire risk to the ecosystem but also may require compensatory mitigation when affected. This can result in a perverse situation where low quality habitats and mitigation projects receive funding and high quality habitats needing restoration do not receive the needed support. The sum of temporary and permanent impacts Midpen's activities have on the land through the Program would be minimal. Where Program impacts occur in locations that are not suitable for onsite mitigation, Midpen may mitigate these impacts by protecting other offsite habitats that could benefit from this protection. Midpen acquires approximately 500 to 1,000 acres of land each year (i.e., 65,000 acres in 48 years) and dozens of acres of jurisdictional areas. Midpen proposes to offset all permanent removal of

vegetation from jurisdictional areas (the largest cost category to Midpen) through acquisition and permanent protection of new riparian habitats.

10.6.6 Partner with Local Watershed Organizations

Midpen regularly partners with like-minded organizations to facilitate restoration and stewardship. The San Mateo Resource Conservation District (RCD) is a frequent collaborator on fisheries, agricultural best practices, and invasive plant control. The Peninsula Open Space Trust (POST) is a not-for-profit primary partner for the acquisition and preservation of habitats. Where cross-property cooperation and stewardship is required, Midpen engages with these partners for the benefit of the ecosystem. Midpen is also a member of the Santa Cruz Mountain Stewardship Network, which is a blend of public and private organizations representing the largest land managing entities in the region.

Midpen has almost never mitigated for impacts off of Midpen lands as no shortage of opportunities exists within Midpen lands. There may be an instance where a species potential habitat occurs in very limited range within Midpen lands and mitigation is required off of Midpen lands. For example, Midpen purchased mitigation bank credits for work at Ravenswood OSP for a trail project; it is one of only two Midpen OSPs with tidal influenced Bay front habitat and onsite mitigation opportunities were limited. The reverse is more likely to be true; Midpen has facilitated mitigation from impacts caused by other parties on other properties.

10.6.7 Mitigation Monitoring

For any mitigation efforts that Midpen will undertake in support of the Program, Midpen will ensure adequate monitoring to document that the mitigation is operational and successfully providing the functions and valued needed to offset potential Program impacts. Midpen will be responsible to monitor such projects for a period of 3-5 years depending upon the type of mitigation project, as the majority of projects maintain and improve existing conditions. Performance criteria will be used to inform an adaptive management approach. The annual notification and reporting actions are described in Chapter 11 in more detail. Specific details describing the monitoring responsibilities of Midpen will be included in each year's annual notification and summary report of Program activities implemented.

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Table 10-3. Program Best Management Practices

BMP Number	BMP Title	BMP Description
General Avoidance and Minimization Measures		
GEN-1	Staging and Access	▪ Staging, access, and parking areas will be located outside of sensitive habitats to the extent feasible. Where feasible, staging areas will be located 30 feet from the top of bank or on the outboard side of pond levees. Vegetation removal shall be limited to the minimum amount necessary to provide access. ▪ All staging shall occur on adjacent access roads or previously disturbed areas. Soil and riprap shall be staged in areas that have been previously disturbed (i.e., service road, turn-outs, etc.).
GEN-2	Minimize Area of Disturbance and Site Maintenance	▪ Areas of disturbance will be limited to the smallest footprint necessary and a single access pathway, where feasible. For maintenance activities near waterways or other sensitive habitat, the designated work area shall be clearly identified in the field using highly visible material, and work will not be conducted outside this area. ▪ Keep excavated soil and materials on the site where they will not collect into the street or get transported to storm drains or nearby water bodies by rainfall or runoff in order to avoid deleterious effects to fish, wildlife, and beneficial uses. ▪ Transfer excavated materials to dump trucks on the site.
GEN-3	Construction Entrances and Perimeter	▪ Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site. ▪ Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking. ▪ When in-channel work is required, where available use existing ingress or egress points or perform work from the top of the stream banks.
GEN-4	Salvage/Reuse of Plant and Woody Material	▪ Large wood or weed-free topsoil displaced by Program activities may be stockpiled for use during site restoration. Native vegetation displaced by Program activities will be stockpiled if it would be useful during site restoration.

BMP Number	BMP Title	BMP Description
		▪ Stockpiled material shall not be placed over riparian or wetland vegetation. Stockpiled material shall not be placed in areas where it could enter the stream, riparian or wetland areas. ▪ To the extent feasible, all other woody material that is not re-usable should be disposed at a composting facility or left at a suitable location to decompose naturally.
GEN-5	Hazardous Materials Storage/ Disposal	▪ Any hazardous or toxic materials that could be deleterious to aquatic life that could be washed into State waters or its tributaries will be contained in watertight containers or removed from the project site. ▪ Use biodegradable chainsaw bar oil. ▪ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state, and federal regulations. ▪ Store hazardous materials and wastes in watertight containers, store in appropriate secondary containment, and cover them at the end of every workday or during wet weather or when rain is forecast. ▪ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours. ▪ Arrange for appropriate disposal of all hazardous wastes. ▪ Cleanup of all pesticide and adjuvant containers will be triple rinsed with clean water at an approved site, and the rinse water will be disposed of by placing it in the batch tank for application. Used containers will be punctured on the top and bottom to render them unusable, unless said containers are part of a manufacturer's container recycling program, in which case the manufacturer's instructions will be followed, and disposed of at an appropriate facility. Disposal of all pesticides will follow label requirements and local waste disposal regulations.
GEN-6	Spill Prevention and Control	▪ Keep spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times. ▪ Inspect vehicles and equipment frequently for and repair leaks. Vehicle and equipment operators should inspect beneath all vehicles that have been parked more than 15 minutes before they leave the work area. Use drip pans to catch leaks until repairs are made. ▪ Clean up spills or leaks and any contaminated soil immediately, and dispose of cleanup materials properly.

BMP Number	BMP Title	BMP Description
		▪ Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags). ▪ Sweep up spilled dry materials immediately. Do not try to wash them away with water or bury them. If water must be used, Midpen or its contractor shall collect the water and spilled fluids and dispose of it as hazardous waste. ▪ Clean up spills on dirt areas by digging up and properly disposing of contaminated soil. ▪ If a pesticide is spilled, immediately contact one of Midpen's qualified first responders with Hazardous Waste Operations and Emergency Response (HAZWOPER) training. ▪ Small spills (less than 18 inches in diameter) including small quantities of oil, gasoline, paint or other materials should be controlled by a qualified first responder (Midpen staff has several) and do not necessarily require an emergency response team. Medium spills (greater than 18 inches but less than 6 feet in diameter) are typically controlled by the first responder (Midpen staff) but police or fire department Hazardous Materials (HAZMAT) teams may be called based on conditions. Report significant spills (larger than 6 feet in diameter and any "running" spill) immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill, contact the San Mateo County Environmental Health Services Division, or other emergency office (e.g., local fire or police department) as warranted, immediately and document the spill using the spill documentation form. Alternatively, 1) dial 911, the local emergency response number, 2) the National Response Center at (800) 424-8802; or 2) call the Governor's Office of Emergency Services Warning Center, (800) 852-7550 (24 hours). As appropriate, contact other agencies including California Occupational Safety and Health Administration or the Regional Water Quality Control Board. All chemical spills shall be reported as soon as possible to the emergency site contact.
GEN-7	Waste Management	▪ Cover waste disposal containers securely at the end of every workday and during wet weather. ▪ Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on a project site. ▪ Ensure that portable toilets have a secondary containment plan (e.g., a containment pan). ▪ Clean or replace portable toilets and inspect them frequently for leaks and spills.

BMP Number	BMP Title	BMP Description
		▪ Dispose of all wastes and debris properly. Inorganic waste removed and dewatered waste material will be compiled at a material staging yard and taken to a permitted landfill, approved upland sediment disposal site, or at an approved reuse site in accordance with applicable State and federal regulations. Organic debris removed will be distributed in upland areas similar to the surroundings of where the material was removed from. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, pipe, etc.). ▪ All raw construction materials and wastes will be removed from project sites following the completion of maintenance activities. Food-contaminated wastes generated during work shall be removed on a daily basis to avoid attracting predators to project sites. All temporary fences, barriers, and/or flagging shall be completely removed from project sites and properly disposed of upon completion of maintenance activities. ▪ Midpen or its contractor will not dump any litter or construction debris within the project area. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site. ▪ Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste.
GEN-8	Vehicle Maintenance and Parking	▪ All vehicles must stay on designated roads paved and unpaved, and if it is necessary for a vehicle to travel off the designated road (paved or 2-track unpaved), a monitor will precede the vehicle to clear wildlife from the pathway of the vehicle. ▪ Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage. ▪ Perform major maintenance, repair jobs, and vehicle and equipment washing off site. ▪ Conduct vehicle and equipment cleaning at appropriate maintenance yards and ensure that rinse water does not run into gutters, streets, storm drains, or surface waters. ▪ Keep an ample supply of spill clean-up materials near fueling sites and vehicle maintenance and hazardous materials/hazardous waste storage areas. Inventory clean-up materials monthly and restock as needed. ▪ Post proper fueling and spill clean-up instructions at fueling areas. Never leave the area while equipment is being filled. ▪ Recycle or dispose of fluids as hazardous waste.

BMP Number	BMP Title	BMP Description
		▪ Do not clean vehicle or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc. ▪ Perform vehicle and mobile equipment steam cleaning, pressure washing or degreasing only over a containment designed to collect any generated wash water. Collect wash water and properly dispose of wastewater.
GEN-9	Equipment Maintenance & Fueling	▪ Staging and storage areas for equipment, materials, fuels, lubricants and solvents shall be located away from the wetted areas. Stationary equipment such as motors, pumps, generators, compressors and welders, located within or adjacent to the creek shall be positioned over drip-pans. ▪ Any equipment or vehicles driven and/or operated adjacent to a Water of the State and/or U.S. will be checked and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life, wildlife or riparian habitat. Vehicles must be moved away from the watercourse prior to refueling and lubrication. ▪ Refueling of equipment will be conducted at least 150 feet away from streams and other waterbodies using heavy-gauge tarps made of chemically resistant polypropylene or other impervious material with vertical sides for spill containment. These containment tarps will be set up under the equipment prior to servicing or refueling. Once the work is completed, the tarp and its contents must be immediately removed from the property and all contaminants properly disposed of off-site. Standard operating procedures will be implemented immediately in case of fuel spillage. ▪ All vehicles entering the site will carry a functional fire extinguisher. ▪ Equipment should not be stored in areas that will potentially drain to watercourses or drainage facilities. If equipment must be stored in areas with the potential to generate runoff, drip pans, berms, gravel bags, or absorbent booms should be employed to contain any leaks or spills. ▪ In the event of a spill, follow procedures outlined in BMP GEN-6.
GEN-10	Paving and Asphalt Work	▪ Avoid paving and seal coating in wet weather or when rain is in the forecast, to prevent materials that have not cured from contacting stormwater runoff. ▪ Cover adjacent storm drain inlets and manholes when applying seal coat, tack coat, slurry seal or fog seal; and when saw cutting asphalt or concrete.

BMP Number	BMP Title	BMP Description
		▪ Collect and recycle or appropriate dispose of excess abrasive gravel or sand. Do not sweep this material into gutters. ▪ Do not use water to wash down fresh asphalt concrete pavement. ▪ Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system. ▪ Shovel, absorb or vacuum saw-cut slurry and dispose of all waste as soon as work is complete in one location or at the end of the workday. ▪ If sawcut slurry enters a catch basin, clean it up immediately.
GEN-11	Concrete, Grout and Mortar Application	▪ Store concrete, grout, and mortar away from storm drains or waterways, and on pallets under cover to protect them from rain, runoff and wind. ▪ Wash out concrete equipment/trucks offsite or in a designated washout area, where the water will flow into a temporary waste pit, and in a manner that will prevent leaching into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage. ▪ When washing exposed aggregate, prevent wash water from entering storm drains. Block any inlets and vacuum gutters, hose wash water onto dirt areas, or drain onto a bermed surface to be pumped and disposed of properly.
GEN-12	Exclude Concrete from Channel	▪ For Program activities that involve concrete pouring, Midpen shall ensure that poured concrete be excluded from the wetted channel for a period of 30 days after it is poured. During that time, the poured concrete shall be kept moist, and runoff from the concrete shall not be allowed to enter a stream. Containment structures should be installed to control the placement of wet concrete and to prevent it from entering the channel outside of those structures. ▪ Commercial sealants may be applied to the poured concrete surface where difficulty in excluding water flow for a long period may occur. If sealant is used, water shall be excluded from the site until the sealant is dry. ▪ No dry concrete shall be placed on the banks or in a location where it could be carried into the channel by wind or runoff.

BMP Number	BMP Title	BMP Description
GEN-13	Concrete Washout Facilities	▪ Concrete washout facilities should be established for Program activities that require on-site preparation and use of Portland cement concrete, asphalt concrete or cement mortar, establish concrete washout facilities. These facilities capture wash water, concrete and aggregate flushed from concrete mixers, chutes, etc. Concrete washouts may be contained settling basins dug into the ground, raised and contained structures, trailers, etc. They are also applicable for projects that require equipment washouts. ▪ An appropriate area for the washout must be identified at least 50 feet away from watercourses and storm drains in case of accidental breaching. The storage capacity of the basin must be sized correctly for the job. <u>Construction Guidelines:</u> ▪ The location of the concrete washout should be clearly labeled and all employees should be educated about proper concrete disposal. ▪ Avoid mixing excess amounts of fresh concrete or cement mortar on-site. ▪ Wash out concrete mixers only in designated washout areas where the water will flow into temporary sealed basins or onto stockpiles of aggregate base or sand. Use as little water as possible to reduce hardening and evaporation time of waste products. ▪ Construct a basin large enough to contain all liquid and waste concrete materials generated during washout procedures. A minimum basin size is 9 feet x 9 feet and 2 feet deep. Plastic liner materials shall be a minimum of 60-mil polyethylene sheeting free of holes and defects. ▪ Recycle washout by pumping back into mixers for reuse when possible. <u>BMP Maintenance:</u> ▪ The concrete washout should be checked frequently to ensure proper use and effectiveness. ▪ At 75% capacity, the washout must be cleaned or new facilities must be constructed and ready for use. <u>BMP Removal:</u> ▪ The hardened concrete and materials related to the washout must be broken up, removed, and disposed of in accordance with local regulations. ▪ Area disturbed by the concrete washout must be repaired.

BMP Number	BMP Title	BMP Description
GEN-14	Painting and Paint Removal	▪ Never clean brushes or rinse paint containers into a street, gutter, storm drain, or stream. ▪ For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary sewer. Never pour paint down a storm drain. ▪ For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste. ▪ Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash. ▪ Chemical paint stripping residue and chips and dust from marine type paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste. Lead based paint removal requires a state-certified contractor.
GEN-15	Dust Management Controls	Midpen will implement the Bay Area Air Quality Management District (BAAQMD) Basic Dust Control Measures. Current measures stipulated by the BAAQMD Guidelines include the following: 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

BMP Number	BMP Title	BMP Description
GEN-16	Site Stabilization	Earthwork will be completed as quickly as possible, and where practical, site restoration will occur immediately following Program activities. If site restoration involves planting, such activities may commence in late fall or early winter during the onset of rainy season. ▪ Bare soil surfaces resulting from maintenance and/or construction activities shall be covered with suitable erosion controls (seed or plant vegetation, fabrics, hydroseeding, mulch, etc.): ▪ Within 12 hours of any break in work unless Program activities will resume within 7 days. ▪ No later than 3 days following the disturbance during the rainy season (approximately October through April). ▪ No later than 7 days following the disturbance during the dry season (approximately May through September). ▪ Every effort shall be made to immediately cover bare soil surfaces resulting from maintenance and/or construction activities prior to storms.
GEN-17	Fire Prevention	▪ All earthmoving and portable equipment with internal combustion engines will be equipped with spark arrestors. ▪ During the high fire danger period (May 1–November 30), work crews will: 1. Have appropriate fire suppression equipment available at the work site. 2. Keep flammable materials, including flammable vegetation slash, at least 10 feet away from any equipment that could produce a spark, fire, or flame. 3. Not use portable tools powered by gasoline-fueled internal combustion engines within 25 feet of any flammable materials unless a round-point shovel or fire extinguisher is within immediate reach of the work crew (no more 25 feet away from the work area). In high risk fire areas, operations involving mechanical equipment including flailing, masticating, disking, grading in heavy brush, operating a mower or brush cutter equipped with metal blades, welding, grinding, etc. or any other operation that could start a fire within or adjacent to any wildland areas will be conducted using the following protocols:

BMP Number	BMP Title	BMP Description
		▪ Whenever possible, high risk activities in wildland areas will be conducted outside of the high fire danger period (May 1 through November 30). The high fire risk areas will be mowed early in the day when the fire risk is lower. ▪ No high-risk activities will occur within a red flag area during a red flag event or within 24 hours of a predicted red flag event as determined by the National Weather Service (*National Weather Service Monterey Office Website: http://www.wrh.noaa.gov/mtr/)* ▪ Before beginning high-risk activities, weather conditions will be monitored. Weather samples will be taken every 2 hours if the ambient temperature is below 80 degrees Fahrenheit. Weather samples will be taken hourly if ambient temperature is at or over 80 degrees Fahrenheit. If one of the following conditions occurs and the ambient temperature is at or over 80 degrees Fahrenheit, operations will be delayed or if one of these conditions occur while running equipment, all operations will cease immediately. – RH (relative humidity) is at 30 percent or lower. – Sustained wind speeds reach 10 mph or higher. ▪ If ambient temperature is at or over 95 degrees Fahrenheit, all high-risk activities will cease. ▪ Maintenance staff will also assess the surrounding wildland fire risk conditions and make a judgment regarding what would be threatened if a fire was started. Maintenance staff may choose to stop activity at a lower threshold than described above if it is determined to be a risk to life or property. ▪ If a fire district within Midpen boundaries recommends a moratorium on mowing due to conditions, Midpen will not mow within their jurisdiction unless Midpen has coordinated with the fire district and staff are operating within Midpen guidelines. <u>C. Operation</u> 1. Be aware of risks related to driving and parking in tall, dry grass—particularly with catalytic converters. 2. Have an "Action Plan" in mind if a fire starts and have an "Escape Plan" if it gets beyond your ability to control with suppression equipment on-hand. Plan how to communicate with nearby coworkers or others threatened by fire. 3. If possible, plan mowing operations so that prevailing wind will blow over areas that have already been mowed. If a fire starts, it will initially burn in mowed grass with a better chance of stopping the fire early.

BMP Number	BMP Title	BMP Description
		4. Before starting *high-risk* operations using tractor mowers on District roads, a non-divertible pumper-equipped pickup will be assigned to the operation. An observer that is familiar with pumper operations; vehicle radio; must staff the truck. The employee acting as spotter will be in close proximity to *high-risk* operation. 5. Any deviation from having a pumper truck and spotter on site must be approved by Area Manager. 6. When operating a hand mower or small riding mower, staff must have one round point shovel with an overall length of at least forty-six (46) inches backpack pump water-type fire extinguisher available in the immediate area. 7. When on or near a wildland and operating stationary power equipment such as a generator, motor, welder, cutting torch, grinder or similar device from which a spark, fire, or flame may originate, all of the following are required (re: Public Resource Code (PRC) 4427): a. Clear away all flammable material around the area for a distance of 10 feet. b. Have one round point shovel with an overall length of at least forty-six (46) inches backpack pump water-type fire extinguisher available in the immediate area. 8. When operating chainsaws and other portable gas-powered tools in a wildland, one of the following is required for use within 25 feet of the area (re: PRC 4431): a. One round point shovel with an overall length of at least forty-six (46) inches or a fire extinguisher appropriate to provide fire control for the area and conditions. <u>D. Fueling</u> 1. When fueling equipment, allow it to cool where there is no flammable vegetation that can be ignited by the hot exhaust, preferably in a dirt area. 2. See Safety Manual Chapter 1.7.00 regarding fire prevention requirements and Sections 1.6.5.4 to 1.6.5.7 regarding safe fueling of equipment.

BMP Number	BMP Title	BMP Description
GEN-18	Project Completion by End of Work Period	No project shall be initiated unless there is high confidence it can be completed, including installation of any erosion and drainage control features, before the appropriate end of the work windows designated in BMP BIO-21, Salmonid Protection Measures. After September 15 of each year, projects that have not been started, or are still underway, or meet the conditions in BMP BIO-21 shall be evaluated to ensure they can be completed before the end of the applicable seasonal work window. Program activities in streams that support anadromy will occur beginning June 15. Program activities will be at least 50% complete by October 15 of any year, and will be completed by October 31 or before the first significant rainfall occurs. Those projects unlikely to be completed before the end of the seasonal work windows will not be started or will be winterized to be completed in the following year.
GEN-19	Avoid Inclement Weather	▪ The Midpen Project Manager will monitor the seventy-two-hour forecast from the National Weather Service (http://www.nws.noaa.gov and https://www.accuweather.com). When there is a forecast of more than 40% chance of rain, or at the onset of unanticipated precipitation, the Project Manager shall remove all equipment from the creek zone, shall implement erosion and sediment control measures, and all Program activities shall cease. ▪ No earth work shall occur during a dry out period of 24 hours after there has been ¼ inch or more of precipitation. ▪ If, in the opinion of Midpen, conditions arise or change, in such a manner as to be considered deleterious to the stream or wildlife, project activities shall cease until corrective measures are taken.
GEN-20	Aquatic Resource Protection Measures	▪ No equipment shall be operated within the active creek (i.e., wetted channel) except in perennial streams or during wet weather years in which the channel does not dry. In these instances, work will be scheduled during periods of low flow and must adhere to the dewatering BMPs (DW-1, DW-2, and DW-3).

BMP Number	BMP Title	BMP Description
		▪ Surveys for special-status species and monitors will normally not be required for small scale pond maintenance activities using hand tools and fewer than five persons per one half acre. Activities including mechanical dredging, excavating, and bulldozing for shoring up earthen berms or leveling spillways will require pre-activity visual surveys as well as monitoring during the activities. All pond repair and maintenance activity proposals involving mechanized equipment and associated monitoring proposals must be approved by the USFWS prior to implementation. Surveys and monitors during the pond repair and maintenance activities will only be conducted by federal and state permitted biologists in accordance with their permits, or by monitors approved to work under the direction of permitted biologists.
GEN-21	Staged Materials Management and Excavation Ramps	▪ Midpen or their contractor will visually check all construction materials (bridges, pipes, culverts) for the presence of wildlife sheltering within them prior to the materials being moved and placed in their proper locations. ▪ Building materials or equipment will not be stored where they could be washed into the water or where they will cover aquatic or riparian vegetation. ▪ Open trenches or pits, at the end of each workday, will incorporate an escape ramp at each end of the open trench to allow any animals that may have become entrapped in the trench to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than 30 degrees. ▪ Building materials and/or construction equipment shall not be stockpiled or stored where they could be washed into the water or where they will cover aquatic or riparian vegetation.
GEN-22	Spoils Management	Spoils will not be placed where it could enter the stream, riparian or wetland areas. Spoil shall not be placed over riparian or wetland vegetation, unless approved by the Midpen Natural Resources Department.
GEN-23	Vegetation and Tree Removal and Retention	▪ Native soils, rock, gravel, vegetation, and vegetation will be retained to the extent feasible. Avoid removing/thinning the canopy layer in mature, established forests and woodlands to maximize shading (thereby promoting shade and related increased moisture under the canopy level) and increase resistance to non-native plant invasion. ▪ Vegetation will not be removed or intentionally damaged beyond the construction corridor or intended vegetation management area.

BMP Number	BMP Title	BMP Description
		▪ Hand tools (e.g., trimmer, chain saw, etc.) will be used to trim vegetation to the extent necessary to gain access to the work sites. No bulldozers, backhoes, or other heavy equipment will be used to remove vegetation along streambanks or within the stream unless submitted to CDFW during annual project notifications. ▪ The disturbance or removal of vegetation will be restricted to the minimum necessary to complete maintenance activities. Precautions shall be taken to avoid other damage to vegetation by people or equipment. Branches and/or limbs overhanging the trails and channel and impacting trail access and water flows shall be properly pruned. Trees may be removed from natural channels if and only if they are below ordinary high water mark (OHWM) and they are restricting the capacity of the channel and they are causing erosion or flooding. Any trees which will be cut are to be cut at ground level and the root mass left in place to maintain bank stability. ▪ Woody and herbaceous plants, fallen trees, or trunks or limbs lodged in the bed or bank of stream channels causing flow restriction will be cut off at the bed or bank invert with small tools and removed with winch and cable or other equipment operated from top of bank. Root structures will not to be disturbed. ▪ Embedded pieces of large woody material or stumps that potentially serve as basking sites or that encourage pool formation shall be left in place if it does not obstruct the flow of water and there is adequate flood flow capacity. Objects embedded/anchored in the bank, such as tree stumps, shall not be removed during periods of heavy flow if removal would result in release of sediment into the channel. However, protruding objects that could capture additional debris and result in obstruction of the channel (e.g., the branches and trunk of a downed tree) may be trimmed. If an embedded object must be removed to prevent a debris jam, BMPs EC-1 and SWQ-3 will be used to prevent the release of sediment into the channel, and the bank shall be reseeded, revegetated, mulched and/or covered with erosion-control fabric following removal. ▪ The following measures would be implemented for tree removal in riparian areas: – Prior to removal, Midpen will conduct all necessary biological surveys in compliance with regulatory permits.

BMP Number	BMP Title	BMP Description
		– No living trees, shrubs, vegetation, or woody material greater than 6 inches dbh will be removed from within a stream. – All trees that provide canopy cover along the stream will be replanted with native species, unless they are removed for fuels treatment within an overstocked forest, as determined by a qualified ecologist, identified by CALFIRE, or identified as an Ecosystem Resiliency treatment area in the Wildland Fire Resiliency Program. Any trees not providing canopy cover of the stream do not need to be replanted. Native trees less than 6 inches dbh will not be replaced unless native regeneration is not occurring. – 75% of the existing canopy will be maintained over a stream at all times. – Non-native tree removal will not require replanting if the site is regenerating native vegetation.
GEN-24	Vegetation Management with Prescribed Burns	**1.** All burning will be conducted according to prescriptions in the vegetation management plan, and burn developed specifically for the project by the California Department of Forestry and Fire Protection (CALFIRE), or as otherwise described in the forthcoming Wildland Fire Resiliency Program. The fire will be ignited only if the conditions are within the parameters specified in the burn plan. Smoke dispersal, emergency response, safety, and contingency planning are addressed in the burn plan. Other habitat management activities (i.e., invasive plant removal and cattle grazing) may occur year-round if prescriptions are not likely to adversely affect San Francisco garter snake (SFGS) or California red-legged frog (CRLF). **2.** All participants in the burn will be briefed on the endangered species potentially present, where they would likely be found, and who to contact if one is sighted. This briefing will be performed by the Resource Advisor, who is a biologist or cultural resource specialist with fire training. Resource Advisor will work with the ignition teams, and be a part of any ignition sequence planning. Resource Advisors will be in radio contact with either the Ignition Specialist or the Incident Commander directly to ensure quick communication and decision-making regarding the safety of sensitive wildlife.

BMP Number	BMP Title	BMP Description
		3. No more than 350 acres (141.6 hectares) of habitat will be manipulated by prescribed fire per treatment period. An average 20-foot (6.1-meter) buffer will be established around all ponds prior to conducting prescribed burns, depending on the vegetative cover. Those shorelines with vegetation that provide cover for the snake will provide the greatest buffer, while those shore-lines without adequate vegetative cover will be given less buffer. These buffer areas may be managed using other habitat management techniques following each burn (e.g., cattle grazing), but are to remain completely undisturbed during prescribed fire events. Every reasonable attempt will be made to maintain 1/4 to 1/2 acre (0.1 to 0.2 hectare) of unburned area for every 10 acres (4 hectares) of burned habitat (i.e., 4 to 8 acres of refugia habitat are needed for a 160-acre burn, and 9 to 18 acres are needed for a 350-acre burn). When feasible, refugia areas will be conserved randomly throughout the treatment area, especially in areas with known populations of SFGS and CRLF. These refugia areas may be naturally occurring areas such as rock formations, ponds and other wetland/riparian areas, areas with a high density of burrows, and other areas not prone to burn, or these areas may be created and maintained using hand tools or water to create fire-breaks or wet-lines. 4. No more than 24 hours prior to conducting prescribed fires, visual surveys will be conducted by walking transects throughout the proposed burn area in an attempt to locate individual SFGS and CRLF. A trained biologist or biological monitor will capture, transfer, and release in a safe area any SFGS and CRLF deemed to be in danger of being harmed by the prescribed fire activities. If SFGS or CRLF are located during the pre-treatment surveys but escape capture, an area approximately 50 feet (15 meters) in diameter around the individual will be protected from the burn. If necessary, individual SFGS may be held in captivity in a pillowcase for less than 24 hours and may later be released near the point of capture after the burn has been completed. The number of SFGS and CRLF encountered and transferred to safe areas or held in captivity during treatment will be reported to USFWS, and each individual SFGS will be photographed for use in identification. 5. All vehicles involved with the site-specific burn will be retained in a prearranged, marked parking area in a clearing as close to the main road as possible. At least one monitor will ensure wildlife is clear from the parking area while vehicles are arriving and leaving. All vehicles must stay on designated roads, and if it is necessary for a vehicle to travel off the designated main road, a monitor will precede the vehicle to clear wildlife from the pathway of the vehicle. Only biological monitors specifically authorized by the USFWS and CDFW to handle SFGS or CRLF (normally these will be individuals holding a federal recovery permit for the species) will be allowed to handle, transport, and relocate individuals of these species.

BMP Number	BMP Title	BMP Description
		6. Below ground temperature monitoring will be conducted during the burn to monitor air temperatures in San Francisco garter snake refugia. One or more biologists or biological monitors will place "hobo thermocouples" (ground temperature monitoring devices) in rodent burrows throughout the burn area to monitor changes in temperature in the burrows as fire moves across the landscape. The knowledge gained will be useful in determining how to conduct future prescribed fires in San Francisco garter snake habitat in a manner that will minimize potential effects to the species. 7. Immediately following each prescribed fire, the permittee will search the affected post-treatment area to identify dead or injured individuals of all vertebrate taxa. Dead SFGS and CRLF will be salvaged and deposited at an approved repository. Injured individuals will be handled only by a permittee authorized to capture and handle SFGS and CRLF. Medical assistance will be provided to injured animals by a certified wildlife veterinarian familiar with amphibian and reptile care. 8. Ignition will be completed in less than three hours. The fine fuels should be consumed quickly and most coyote brush and grass thatch are expected to bum down within one hour after ignition. Some minor smokes may be evident for one day following the burn. Spot checks of the plot will be conducted until all smokes are out. 9. A pond located to the northeast of the former Wool Ranch has been designated for fire use. Emergency response plans that identify designated water sources for fire use are being developed for all Midpen Preserves. Existing hydrants or fire storage tanks will be targeted first, and ponds that are known to support California red-legged frogs and other protected species will be utilized as a last resort in emergency situations. Midpen currently provides a patrol map book to fire agencies that has all water sources including water storage tanks mapped. In addition, Midpen Natural Resources staff maintains fire training in order to function as resource advisors to the Incident Commander in the event of a large wildland fire. If an emergency situation necessitates the use of water from a CRLF-occupied pond, a striker pump and intake hose may be used to draw water from one of the small wetland ponds in the burn area to fill engines or back pumps. The intake hose will be screened with 1/4-inch mesh to prevent intake of California red-legged frogs. The burn plan details the use of lake and ocean water to fill helicopter buckets to aid suppression efforts. If a helicopter bucket is used, it will draft from the center of the pond, to prevent uptake of California red-legged frogs that may potentially be present.

BMP Number	BMP Title	BMP Description
		10. Within San Francisco garter snake habitat, post-burn monitoring will be conducted as part of the project and will include (1) vegetative response to the burn, (2) wildlife response to the burn, and (3) fire behavior and burn conditions. Because the burn is intended to enhance San Francisco garter snake habitat, the monitoring emphasis for vegetation and wildlife will be on the wildlife and habitat features that are considered to be necessary to support San Francisco garter snakes. The variables measured for San Francisco garter snake response to habitat are pre- and post-burn data on the (1) pre- and post-burn vegetation community in the burn area in order to determine vegetative response to the burn and (2) the frequency of valley pocket gopher (*Thomomys bottae*) burrows and other burrows. As part of its standard post-fire evaluation CALFIRE will provide an analysis of the burn, including how the fire responded to weather and other burn conditions, and percent coverage of the burn within the boundaries of the burn area. Beginning immediately after the burn the frequency (number) of rodent burrows will be measured during the vegetation transect monitoring. Vegetation monitoring will include the establishment of four transects within and three transects outside of the burn area for comparative analysis. Transects will be randomly established in burned and unburned areas and each transect will measure 50 meters in length. A meter-square plot will be established at five-meter intervals along the transects. Vegetative composition and percent cover for all plant species will be recorded for each plot. Transects sampling will take place prior to the burn and at least once per year after the burn for three years. Response of native and non-native grasses and coyote brush to the burn will be of particular interest. Data collected before, during, and after the burn, and the observations made during the evaluation of the burn will be compiled into a report within one year following the burn. Upon completion, the report will be submitted to USFWS.
GEN-25	Vegetation Management with Livestock	▪ Livestock will be used for vegetation management to avoid the use of chemical herbicides, to control invasive vegetation, and promote the growth of native vegetation. Where livestock is used in association with a specific routine maintenance project, vegetation removal will not exceed 2,000 square feet (0.05 acres) in size, 150 adjacent linear feet, or the minimum necessary to complete the operation, whichever is less, and livestock will be managed and prohibited from creating or worsening existing erosion and sedimentation to flowing stream channels.

BMP Number	BMP Title	BMP Description
		▪ Monitor and protect ponds that provide habitat for special-status species, depending on the vegetative cover. Those shorelines with vegetation that provide cover for special-status species will provide the greatest buffer, while those shore-lines without adequate vegetative cover will be given less buffer. ▪ Monitor forage utilization and distribution by grazing animals to assure appropriate amounts of residual dry matter (RDM) remain on the ground to achieve desired resource management objectives. In the course of RDM monitoring, evaluate and report on wildland fire fuel levels that may result in an increased risk of wildland fire. ▪ Manage access to existing water features and where needed supply supplemental drinking water through stock ponds and water troughs to preserve clean water for livestock, protect water quality, and enhance habitat for wildlife.
GEN-26	Non-native Plant Removal and Herbicide Management	▪ Focus vegetation biomass reduction on non-native vegetation and avoid damaging native grasses, and mature shrublands and forests wherever possible. Where active treatment is needed, seek to break the vertical fuel ladder connection between the ground and the canopy layer, and create some horizontal physical separation between plants where possible. Prioritize projects where invasive plant removal alone can result in fire-safe landscapes. ▪ Implement fuel management projects with low impact tools and methods such as hand cutting and pruning rather than vegetation removal or soil disturbance with hand methods or machines. ▪ Prioritize leaving forest duff and organic soil layers undisturbed in all fuel management actions. ▪ For invasive pest management and hazardous fuel reduction activities: 1. Prior to conducting non-native (e.g., pampas grass) and native (e.g., cattail, cocklebur) plant removal or treatments (e.g., spraying with herbicide or fungicide, cutting, pulling, digging out), the permittee will make every reasonable attempt to ensure that SFGS and CRLF are not hidden within the plant or the residual plant matter to be treated. 2. All invasive plant and animal work will be done in accordance with the Midpen's other and Best Management Practices identified in the Midpen Integrated Pest Management Program.

BMP Number	BMP Title	BMP Description
		3. No burrow fumigants will be used. Only pesticides that are part of the Midpen Integrated Pest Management Program will be used, and only if they are used in accordance with the guidelines on the label and if they comply with the restrictions listed in the critical habitat designation. ▪ Midpen will choose site-specific strategies and times of treatment that provide the best combination of protecting preserve resources, human health, and non-target organisms and that are efficient and cost-effective in controlling the target invasive species. Direct the control method narrowly at the target organism to avoid broad impacts on the ecosystem. Modify control methods over time as site conditions and treatment techniques change. Use pesticides only where alternative methods are known to be ineffective. Apply pesticides in an environmentally safe manner. Take all reasonable precautions to protect the environment, the health and safety of employees, adjacent lands and preserve visitors. ▪ Midpen will comply with BMPs and other mandatory measures to protect sensitive resources and employee and public health during pesticide application. All appropriate laws and regulations pertaining to the use of pesticides and safety standards for employees and the public, as governed by the U.S. Environmental Protection Agency, the California Department of Pesticide Regulation, and local jurisdictions will be followed. All applications will adhere to label directions for application rates and methods, storage, transportation, mixing, and container disposal. Midpen staff will coordinate with the County Agricultural Commissioners, and all required licenses and permits will be obtained prior to pesticide application. ▪ All pesticides will be implemented consistent with Pest Control Recommendations prepared annually by a licensed Pest Control Advisor. ▪ Midpen will maintain a minimum 30-foot buffer around special-status species habitats and a 15-foot buffer around all other aquatic and riparian habitats when applying pesticides, unless specially requested to work closer. ▪ All vegetation management activities that could result in the runoff of pesticides that are not registered for aquatic use into waters of the State and/or U.S. will be avoided. Only pesticides and adjuvants registered for aquatic use will be applied to aquatic areas or within the banks of channels. ▪ Only pesticides and adjuvants registered for aquatic use will be applied to aquatic areas or within the banks of channels. All conditions of the herbicide label will be followed.

BMP Number	BMP Title	BMP Description
		▪ Surfactants and other adjuvants will be used and applied consistent with the District's Pest Control Recommendations. ▪ Avoid pesticide drift by not applying pesticides under windy conditions in close proximity to special-status species or their habitat, and by using plastic shields around target weeds and pests, ground-based applicators, low tank pressures and spray nozzles adjusted for larger droplet sizes and to limit the spray area. ▪ Pesticide application will cease when weather parameters exceed label specifications, when wind at site of application exceeds 7 miles per hour, or when precipitation (rain) occurs or is forecasted with greater than a 40 percent probability in the next 24-hour period to prevent sediment and pesticides from entering the water via surface runoff. ▪ None of the following activities will be undertaken in aquatic or riparian areas: mixing, loading and storage of pesticides; rinsing of equipment and pesticide containers. All activities will take place at least 300 feet from aquatic or riparian areas. ▪ Refilling of pesticides will be required to occur at least 300 feet way from any body of water in a contained area and include a secondary containment plan. Any transfer or mixing on the ground shall be within containment pans or over tarps. ▪ A 30-foot buffer will also be maintained when applying pesticides unless previously approved by the regulatory agencies. ▪ Midpen staff, contractors, and tenants will undergo annual pesticide safety training. Pesticide applicators will have or work under the direction of a person with a Qualified Applicator License (QAL) or Qualified Applicator Certificate (QAC). Contractors and grazing and agricultural tenants may apply approved herbicides after review and approval by Midpen and under the direction of QAL/QAC field supervisors. ▪ Appropriate non-toxic colorants or dyes will be added to the pesticide mixture to determine treated areas and prevent over-spraying. ▪ The following general application parameters will be employed during pesticide application: – Spray nozzles will be configured to produce a relatively large droplet size; – Low nozzle pressures (30-70 pounds per square inch) will be observed;

BMP Number	BMP Title	BMP Description
		– Spray nozzles will be kept within 24 inches of vegetation during spraying; ▪ Signs will be posted notifying the public, employees, and contractors of the use of pesticides. The signs will consist of the following information: signal word, product name, and manufacturer; active ingredient; USEPA registration number; target pest; preserve name; treatment location in preserve; date and time of application; date which notification sign may be removed; and contact person with telephone number. Signs will generally be posted 24 hours before the start of treatment and notification will remain in place for 72 hours after treatment ceases, in compliance Midpen's Integrated Pest Management Program.
GEN-27	Snags	To the maximum amount practicable, individual dead or dying trees shall be retained, with modification if appropriate, as snags. This measure should not be considered to apply in areas where removal is warranted to control spread of a disease or for human safety purposes.
GEN-28	Culvert Replacement	▪ The following alternatives and structure types should be considered in order of preference: 1. Streambed simulation strategies - bottomless arch, embedded culvert design, or ford 2. Non-embedded culvert - this is often referred to as a hydraulic design, associated with more traditional culvert design approaches limited to low slopes for fish passage 3. Baffled culvert, or structure designed with a fishway - for steeper slopes. If a segment of stream channel where a crossing is proposed is in an active salmonid spawning area then only full span bridges or streambed simulations are acceptable. ▪ Replacement of any existing concrete, wood, plastic (ABS, HDPE etc.) or metal pipe culvert up to 48 inches inner diameter (unless authorized to be a larger diameter by California Department of Fish and Wildlife [CDFW]) with the following restrictions: 1. Work will be done only when the channel is dry, except in perennial streams or during wet weather years in which the channel does not dry. In these instances, work will be scheduled during periods of low flow and must adhere to the dewatering BMPs (DW-1, DW-2, and DW-3).

BMP Number	BMP Title	BMP Description
		2. The new culvert will typically be as large as or larger than the existing culvert unless the original culvert was oversized or a natural obstruction such as bedrock is encountered. For anything other than an ephemeral drainage, the culvert will be sized where feasible to convey a 100-year flow or cover the entire channel width. 3. Total earthwork will be limited to the extent necessary at each project to complete the work, and will not exceed 80 cubic yards per culvert. 4. The new culvert will be installed at or below grade.
GEN-29	Culvert Maintenance	▪ Culverts with recurring blockages are cleaned annually, regardless of the amount of blockage. Sediment, vegetation or debris will be removed using hand tools in creeks supporting salmonids, unless other methodology is submitted to CDFW in writing during annual project notifications. Sediment, vegetation or debris will be removed with mechanized equipment in creeks that do not provide habitat for salmonids where hand removal is infeasible. ▪ Culverts that are more than 1/3 blocked may be cleaned at any time, even during periods when the channel is wet, with the following restrictions: 1. Up to 32 cubic yards of material may be removed, using hand tools only, under any conditions. 2. Removal of amounts greater than 32 cubic yards requires that the channel be dewatered first and heavy equipment may be used with written approval from CDFW. 3. The total cumulative area of disturbance will not exceed 150 feet of channel or 2,000 square feet of area, whichever is less. 4. After completion of the work, the disturbed area will immediately be treated with erosion control materials BMPs sufficient to control turbidity and sediment loss. 5. Nearby perched or otherwise unstable fill may be removed as well, up to 10 cubic yards. 6. No Coho salmon are present.

BMP Number	BMP Title	BMP Description
GEN-30	Culvert Removal and/or Replacement with Rolling Dips or Fords	▪ If the channel was created by the original emplacement of the culvert, any number may be removed. ▪ Culvert replacements will be installed at or below stream grade. Align the slope and gradient of replacement culverts that will discharge to a ditch, creek, or channel consistent with the direction of the receiving water course.
GEN-31	New Culvert Installation (non-stream crossings)	▪ The following alternatives and structure types should be considered in order of preference: 1. Streambed simulation strategies - bottomless arch, embedded culvert design, or ford 2. Non-embedded culvert - this is often referred to as a hydraulic design, associated with more traditional culvert design approaches limited to low slopes for fish passage 3. Baffled culvert, or structure designed with a fishway - for steeper slopes. If a segment of stream channel where a crossing is proposed is in an active salmonid spawning area then only full span bridges or streambed simulations are acceptable. ▪ Design new culverts to blend in with the surrounding environment and to not interfere with the movement of fish. ▪ Design and install new culverts in fish bearing streams to provide sufficient depth and velocity of water for passage of native fish and other native aquatic species during high and low flow conditions. ▪ Outside of stream crossings, new culverts may be installed to maintain existing roads and trails with the following restrictions: 1. New culverts will not be installed in streams but will be limited to engineered drainage ditches associated with roads and trails. 2. If an existing road or trail has an inadequately drained inboard ditch (excessive length between existing ditch relief culverts or dips), new ditch relief culverts (where rolling dips would be insufficient) may be placed as directed by the project engineer to adequately convey stormwater and reduce sediment to downstream watercourses.

BMP Number	BMP Title	BMP Description
GEN-32	Bridge and Puncheon Replacement	▪ Removal, or replacement of any size bridge (including puncheons) in the same location, on any trail or road, where no channel entry is necessary, no work is proposed to in-channel abutments or supports and vegetation removal is limited to no more than a six (6) foot buffer around the existing bridge structure and to trimming of no more than 20% of any individual tree canopy within that six-foot buffer. ▪ Bridge replacement (not in the same location, such as higher on the bank or upstream/downstream) will be allowable if it reduces overall habitat impacts and/or removes the bridge completely from the stream bed, bank or channel (for example, a bridge for which the current bridge or footings are located below the OHWM) made longer to be placed above the OHWM. ▪ Removal, or replacement of any size bridge in the same location, with limited channel entry to place fabric or other devices to catch debris or place falsework, with the following restrictions: 1. Work may only occur when the channel is dry, except in perennial streams or during wet weather years in which the channel does not dry. In these instances, work will be scheduled during periods of low flow and must adhere to the dewatering BMPs (DW-1, DW-2, and DW-3). 2. Only very limited modifications to the channel surfaces are proposed. 'Very limited' means movement of rocks less than 8 inches in size, less than two hand shovels of earth, footprints and indentations caused by equipment and structures. Any modifications to correctly place falsework will occur to the falsework rather than the channel. 3. Vegetation removal is limited to no more than a six (6) foot buffer around the existing bridge structure and to trimming of no more than 20% of any individual tree canopy within that buffer. ▪ Removal, or replacement of smaller bridges (up to six [6] feet width) on trails, as long as work is completed when the channel is dry or during periods of low flow (for perennial streams) and must adhere to the dewatering BMPs (DW-1, DW-2, and DW-3). The bridge will be supported on mudsills or abutments placed outside of the channel.
GEN-33	Bridge and Puncheon Repair and Maintenance	Repair and maintenance of bridge (including puncheon) parts and grading for drainage correction on the approaches will implement the following conditions: 1. All work shall be done from the bridge or by workers standing in the channel or on a ladder in the channel.

BMP Number	BMP Title	BMP Description
		2. A net or other device (e.g., diaper, underlayment) shall be attached to the underside of the bridge to catch any debris falling from bridge. 3. Pressure treated lumber shall be sealed and coated off-site. Sealants shall be approved by Midpen Natural Resources Department prior to their incorporation into the bridge. Tread material shall not be pressure treated to prevent leaching and breakdown of pressure treated materials into the waterway. 4. Only minor saw work and drilling shall occur; the primary work shall occur off site. 5. Grading on the approaches is limited to a maximum of five (5) cubic yards per bridge. This amount is not cumulative with the culvert replacement standard of five (5) cubic yards.
GEN-34	Ford and Swale (including Drain Lenses and Causeways) Replacement	Full replacement of existing fords or repair/maintenance by replacing rock and removing sediment and woody debris with the following restrictions: 1. No use of chemicals, concrete, mortar or other sealants or adhesives. 2. This category applies only to narrow width trails and emergency vehicle/multi-use trails where the drainage does not support salmonids. 3. The ford is not on an intermittent or perennial drainage or, if it is, the ford has been confirmed by CDFW to not be considered a barrier to the movement of aquatic organisms. 4. Vegetation removal is limited to no more than a five-foot buffer around the existing ford and to trimming of no more than 20% of any individual tree canopy within the five-foot buffer only. 5. All work shall be done when the channel is dry, except in perennial streams or during wet weather years in which the channel does not dry. In these instances, work will be scheduled during periods of low flow and must adhere to the dewatering BMPs (DW-1, DW-2, and DW-3).

BMP Number	BMP Title	BMP Description
Biological Resource Measures		
BIO-1	Environmental Awareness Training	Prior to commencing maintenance activities in a given year, all participating maintenance personnel will attend a worker environmental awareness training program. The training will include a brief review of special-status species, sensitive habitats, and other sensitive resources that may exist in the project area, including species identification, habitat requirements, procedures to follow when encountering any species in the work area, and the legal status and protection of each relevant species, penalties for take, work restrictions, as well as locations of sensitive biological resources. The training will include materials concerning the following topics: sensitive resources, resource avoidance, permit conditions, and possible consequences for violations of State or federal environmental laws. The training will cover the maintenance activity's conservation measures, environmental permits, and regulatory compliance requirements, as well as the roles and authority of the monitors and biologist(s). It will include printed material (with photos of San Francisco garter snake and California red-legged frog) and an oral training session by a qualified biologist or biological monitor.
BIO-2	Biological Monitor	▪ A **qualified biologist** is an individual who has a minimum of five (5) years of academic training and professional experience in biological sciences and related resource management activities, with a minimum of two survey seasons years (e.g., two seasons during the blooming season of sensitive plants) conducting surveys for each species that may be present within the Project area. ▪ A **biological monitor** is an individual who has academic and professional experience in biological sciences and related resource management activities, experience with construction-level biological monitoring, be able to recognize species that may be present within the Project area, and be familiar with the habits and behavior of those species. ▪ The biological monitor(s) or qualified biologist(s) shall have the responsibility and authority of stopping the proposed project if any crews or personnel are not complying with regulatory permit conditions. The biological monitor or qualified biologist will possess necessary agency approvals and/or regulatory permits required for project work, dependent on the location and potential to encounter special-status species, prior to the initiation of Program activities. The biological monitor or qualified biologist will have stop-work authority over Program activities to avoid take or impacts to special-status species or protected biological resources.

BMP Number	BMP Title	BMP Description
		▪ To maintain safety and limit any chance of take or habitat disturbance, a simple system of hand signals will be established for the monitors, truck drivers, equipment operators, and field personnel to use during habitat enhancement and related activities.
BIO-3	Work Area Designation	Prior to Program activities in suitable habitat for special-status species, a biological monitor or qualified biologist shall clearly mark/flag or erect temporary construction fencing to designate the work area and to delineate the areas that shall be avoided. The boundaries shall be inspected on a regular basis to ensure that work has remained within the marked boundaries. If one or more boundary(ies) has/have been violated, work shall cease until the Midpen Project Manager has taken action to ensure there is no recurrence of the trespass. Flagging and/or temporary construction fencing shall be removed immediately after the completion of construction work.
BIO-4	Special-Status Plant Species Avoidance Measures	This measure includes, but is not limited to, Mt. Hamilton fountain thistle (MHFT), western leatherwood (WL), Loma Prieta hoita (LPH), San Francisco popcorn flower, Santa Clara Valley dudleya, and Congdon's tarplant (CT). The following rare plant avoidance measures will be implemented within riparian habitat or Waters of the State and/or U.S. and within one-quarter (1/4) mile of a known rare plant occurrence, or within suitable rare plant habitat but where rare plants are not known to occur: ▪ Prior to the start of Program activities, a qualified biologist will conduct protocol level surveys for sensitive plant species. For information on special status plant survey methodology visit: – https://cnps.org/wp-content/uploads/2018/03/cnps_survey_guidelines.pdf – https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline – https://www.fws.gov/ventura/docs/species/protocols/botanicalinventories.pdf ▪ If at any time MHFT, LW, LPH, popcorn flowers, CT or other rare plant species is found, it will be flagged for avoidance and site-specific avoidance buffers, developed through coordination with CDFW, will be implemented. Rare plants and associated buffer zones shall be avoided during Program activities. ▪ If at any time, MHFT, LW, LPH, CT, or popcorn flower cannot be avoided, Program activities will not be conducted until Midpen coordinates with CDFW and mitigation plan is agreed upon.

BMP Number	BMP Title	BMP Description
BIO-5	Sensitive Natural Communities	Sensitive Natural Communities of plants occur throughout Midpen's lands, but are not well mapped as distinct areas from other vegetation types, and some are too small of scale to accurately map. Many of Midpen's activities will have no effect on the communities (such as grading an existing road). The following measure will take place before vegetation projects covered by the program occur: ▪ During treatment of vegetation within a CDFW designated sensitive natural community, treatments will be implemented to maintain the membership rules of the natural community. Characteristic species will be preferentially retained over other species to maintain the structure and composition consistent with current membership rules for the subject community based on the Manual of California Vegetation Online."
BIO-6	Invasive Plant Material Management and Disposal	▪ All staff, contractors, and volunteer crew leaders will be properly trained to prevent spreading weeds and pests to other sites. Midpen staff will appropriately maintain facilities where tools, equipment, and vehicles are stored free from invasive plants. Midpen staff will inspect rental equipment and project materials (especially soil, rock, erosion control material, and seed) to confirm as much possible that they are free of invasive plant material before their use at a worksite. ▪ All personnel working in infested areas will take appropriate precautions to not carry or spread weed seed outside of the infested area. Such precautions will consist of, as necessary based on site conditions, cleaning of soil and plant materials from tools, equipment, shoes, clothing, or vehicles before entering or leaving the site. ▪ Develop and implement an employee and contractor training program; include aquatic invasive plant identification and cleaning protocols for clothing, tools, vehicles, and boats. Prevent the spread of plant fragments (roots, stems) of certain species that can produce new plants in ditches, canals, and streams. ▪ Construction equipment will arrive at project sites clean and free of soil, seed, and plant parts to reduce the likelihood of introducing new weed species. Invasive weed species occurring within locations of construction clearing and grubbing shall be flagged for removal by the biological monitor or qualified biologist. These species, along with associated duff and topsoil, as appropriate, shall be disposed of by the contractor. These materials shall not be allowed to be integrated with other onsite topsoil materials intended for salvage and replacement. ▪ Target control of invasive species that rank high in the IPM prioritization matrix

BMP Number	BMP Title	BMP Description
		▪ When transporting invasive plant material offsite for disposal, the plant material will be contained in enclosed bins, heavy-duty bags, or a securely covered truck bed. All vehicles used to transport invasive plant material will be cleaned after each use. ▪ Suitable onsite disposal areas shall be identified to prevent the spread of weed seeds. Invasive plant material shall be rendered nonviable when being retained onsite. Midpen staff shall desiccate or decompose plant material until it is nonviable (partially decomposed, very slimy, or brittle). Depending on the type of plant, disposed plant material can be left out in the open as long as roots are not in contact with moist soil, or can be covered with a tarp to prevent material from blowing or washing away. Midpen staff will monitor all sites where invasive plant material is disposed onsite and treat any newly emerged invasive plants. ▪ Inspect recreational facilities (e.g., parking lots, trails, visitor centers) that experience high visitor use often during target invasive plant flowering and seed production times.
BIO-7	Sudden Oak Death and Plant Pathogen Control	▪ All personnel working in infested areas will take appropriate precautions to not carry or sudden oak death (SOD)-associated spores or other plant pathogens outside of the infested area. Such precautions will consist of, as necessary based on site conditions, cleaning of soil and plant materials from tools, equipment, shoes, clothing, or vehicles before entering or leaving the site. ▪ Track the effects of sudden oak death (Phytophthora sp.) (SOD) disease (mapping dead oaks as staffing and budgeting permit), and share this information with the California Oak Mortality Task Force (www.suddenoakdeath.org) as staffing and funding allow. ▪ Removal of California bay trees or their branches within 15 feet of the trunks of high value oaks. Ongoing research at Midpen and other locations in the state are evaluating whether bay removal is effective for managing larger stands or forests infested with SOD or to prevent or slow down the spread of SOD. This option is costly and requires regular maintenance and monitoring and, therefore, is implemented in limited areas. ▪ For individual high value oaks such as very large mature oaks near picnic facilities, consider spot treatment of individual oaks with pest control sprays (e.g., Agri-FosTM) intended to reduce potential for SOD infection.

BMP Number	BMP Title	BMP Description
BIO-8	Non-Native Animal Control	▪ Midpen will attempt to trap non-native turtles and remove them in compliance with CDFW when they share habitat with protected, native species. Midpen will attempt to trap restricted turtles and remove them in compliance with CDFW regulation. ▪ Midpen will continue to capture feral pigs using baited traps and employ humane euthanasia in compliance with CDFW regulations and the Animal Welfare Act. ▪ Midpen will employ public education signage and/or brochures to prevent the intentional release of non-native or feral animals on Midpen lands and feeding of wildlife. Education can be an important tool for Midpen in preventing pets from being intentionally released onto Midpen lands. Public outreach and judiciously placed educational materials such as signs and brochures in Midpen preserves may be a useful strategy to curb intentional releases of animals. ▪ Midpen will continue eradication efforts of non-native fish and bullfrogs compliant with CDFW regulations and the Animal Welfare Act. Eradication of invasive animals (e.g., non-native fish, bullfrogs) by shooting, trapping, or gigging for the purpose of reducing predation on or competition with CRLF, must be authorized in writing by the Sacramento USFWS Office prior to conducting removal activities. Shooting, trapping, and gigging of aquatic species will be conducted only by a qualified biologist with experience in the identification of frog and turtle species. Inadvertently trapped California red-legged frogs will be released immediately upon discovery. ▪ Prohibit contractors, consultants, staff and tenants from feeding feral domestic pets on Midpen property. Develop education programs to encourage the public not to feed wildlife or feral animals on Midpen property. ▪ Ensure outside garbage cans and dumpsters have tight-fitting lids to prevent foraging on human food waste. This is especially important in public gathering areas in parks and open spaces. Cans with domed lids and self-closing, hinged lids are preferred in these outside areas. ▪ Store native seeds, hay, and other vegetation-based materials that can attract animals in properly sealed containers or designated sealed storage facilities. ▪ Store all food properly, in containers with tight fitting lids, or in the refrigerator or freezer. ▪ Do not leave pet food in open bowls overnight. Wash pet food bowls immediately after feeding

BMP Number	BMP Title	BMP Description
BIO-9	General Wildlife Protection Measures	▪ Biological monitors will check for any reptiles, amphibians, or other animals under vehicles and equipment parked for more than 30 minutes. ▪ Vehicles traveling to and from the project sites off of established ranch roads must travel slowly (5 mph) and be preceded by a monitor to ensure that wildlife will not be run over by the passing vehicle. Vehicle monitors need not be trained biologists. ▪ Midpen generally limits the use of exclusion fencing for special-status species to limit habitat disruption and entrapment potential. Midpen more commonly uses exclusion fencing around stockpiled materials or directional fencing to move wildlife away from the worksite. Midpen rarely fences a full work site. ▪ Biological monitors/biological handlers will monitor sites for special-status species and if handling is permitted/authorized, they may relocate the special-status species or halt/modify work to avoid the special-status species as it passed through the active work site. ▪ If a fence is used and if special-status species are found in routine maintenance activity sites using large equipment to remove sediment, they will be excluded from the project site. USFWS and/or CDFW-approved exclusion fencing shall be installed around the sediment removal sites, staging areas and any areas where fill may be dumped. After installation of the fence barrier, a biological monitor or qualified biologist shall inspect the project work area daily, staging and stockpiling areas prior to the commencement of activities. Exclusion fencing will be placed, at a minimum, around the immediate work area where machinery will be operating. During activities involving mechanized equipment, biological monitors will maintain exclusion fencing and evaluate work performed during pond activities. Monitors are required to temporarily stop any work that they believe may harm the San Francisco garter snake or California red-legged frog. Work will not resume until a satisfactory method is agreed upon to minimize take of the snake or frog. ▪ If the biological monitor or qualified biologist determines that sensitive species are not within the work area, equipment or materials may be moved onto the work site and Program activities may commence under the observation of the biological monitor.
BIO-10	Special-status Species Reporting	▪ Information on new localities for special-status species (e.g., SFGS, CRLF, Loma Prieta hoita) will be reported to the Sacramento USFWS Office and the California Natural Diversity Database (CNDDB) annually.

BMP Number	BMP Title	BMP Description
		▪ Any incidental capture, injury or mortality of a federally or state listed species, with the exception of "fully protected" species which are not to be harassed, pursuant to the conditions of federal and State permit conditions shall be recorded and reported in the annual report submitted to the applicable agencies.
BIO-11	San Francisco Garter Snake Protection Measures	▪ Within riparian habitat or Waters of the State and/or U.S. and one (1) mile of a known San Francisco garter snake (SFGS) occurrence: 1. Program activities will be conducted consistent with permit terms and conditions of the current versions of the USFWS Recovery Permit Number: TE225974-2 and CDFW Memorandum of Understanding "Research and Recovery of San Francisco Garter Snake and California Tiger Salamander". ▪ In suitable habitat where SFGS has not been documented: 1. A biological awareness training will be provided by a qualified biologist or biological monitor to all persons prior to beginning work. A biological monitor shall remain onsite in sensitive areas identified during the pre-survey. If at any time a SFGS is observed, work shall stop immediately until a biological monitor is contacted. Biological monitor(s) and/or qualified biologist(s) shall remain on the project site while initial ground disturbing activities are being conducted, after which biological monitor(s) and/or qualified biologists shall be on-call while Program activities are being conducted at these sites. 2. Vegetation Removal by Mechanized Equipment. For vegetation removal on berms around ponds or other areas within or adjacent to wetted/perennial aquatic sites, if vegetation is too tall or dense to allow adequate detection of SFGS, one of two approaches will be used to minimize the potential for impacts to individuals: – Vegetation will be mown with the blade set at least 6 inches above the ground. A qualified biologist or biological monitor will walk ahead of the mower to look for SFGS and will ensure that no impacts to individuals occur. – Vegetation will initially be cut down to three (3) inches by hand tools (weedwhacker, etc.). Once the ground is visible, a visual survey for SFGS will be conducted by a qualified biologist or biological monitor. If no sensitive species are found in the area, removal of vegetation may continue by mowing or mechanized equipment very slowly with a biological monitor walking in front of the equipment present to observe.

BMP Number	BMP Title	BMP Description
		3. If vegetation is short or sparse enough that any SFGS present can be detected by the qualified biologist biological monitor without the need for removal of vegetation by hand tools, mowing can proceed after the biologist/monitor has thoroughly surveyed the areas to be mown. If a SFGS is observed, all activities shall cease and Midpen will coordinate with CDFW immediately. Prior to the start of work, areas will be identified by the biological monitor-in-charge and approved by the USFWS and CDFW as acceptable locations to which SFGS may be relocated if these species are encountered within a work area. Relocation areas will be a minimum of 500 feet from the boundary of any work area and will not include staging areas or roads. No SFGS will be removed from the site or maintained in captivity overnight without prior notification and written approval by the USFWS and CDFW unless the animal is in need of emergency medical assistance. Medical assistance will be provided to injured animals by a certified wildlife veterinarian familiar with amphibian and reptile care. When transporting individual SFGS, precautions will be taken to ensure that the animals are not over-stressed and are maintained in safety. Such measures include: keeping animals in a cool, dark, and safe location (snake bag for SFGS), providing adequate hydration, maintaining a stable cool temperature to avoid over-heating, keeping animals isolated to prevent them from harming one another, and ensuring holding tanks or bags are kept clean to prevent the spread of any diseases. 4. If feasible, mowing will not be conducted during the most active periods for SFGS (mid-March to mid-June and September-October) in areas where SFGS are known to occur. 5. No Stockpiling of Vegetation. Vegetation removed shall be placed directly into a disposal vehicle and removed from the site. Vegetation shall not be piled on the ground unless it is later transferred, piece by piece, under the direct supervision of the biological monitor or qualified biologist or is going to remain on site for erosion control or slash and not be moved or disturbed. ▪ All practicable measures will be taken to avoid killing or injuring SFGS during habitat enhancement activities. Any project-related, human caused injuries to SFGS will be reported to CDFW and USFWS.

BMP Number	BMP Title	BMP Description
		▪ No more than 24 hours prior to conducting pond enhancement activities, visual surveys will be conducted by walking at least a 50-foot buffer area around the pond in an attempt to locate individual SFGS. A trained and permitted biologist will capture, transfer, and release in a safe area any SFGS deemed to be in danger of being harmed by the prescribed enhancement activities. If a SFGS is located during the pre-treatment surveys but escapes capture, the area where the snake was lost will be marked by flag and a 50-foot (15 meter) radius will be actively patrolled during the work. If necessary, individual SFGS may be held in captivity in a pillowcase for less than 24 hours and may later be released near the point of capture after the work has been completed. After the pre-treatment survey, an avoidance strategy will be devised and presented to all individuals involved in the pond enhancement prior to starting any activities. The number of SFGS encountered and transferred to safe areas or held in captivity during treatment will be reported to USFWS, and each individual snake will be photographed for use in identification. ▪ The minimum number of qualified biological monitors required at each pond site will be determined in advance by a qualified biologist based on pond size, the amount and complexity of work to be performed, and the equipment to be used. This number of monitors will be approved by USFWS prior to the start of any work. ▪ Corridors for travel of vehicles and heavy machinery to the pond site will be established at least 24 hours in advance of the proposed work. Corridors that are not established marked improved roads (paved or unpaved) require special consideration for use by any vehicle. During the use of these off-road corridors by vehicles and machinery, a monitor will proceed directly before the vehicle or machinery to ensure all SFGS and observable wildlife is cleared from the pathway of the oncoming vehicle. Monitors will signal vehicles to stop if a SFGS is on the pathway, and will allow the animal to clear the pathway by its own direction. Any handling of the garter snake must only be done by a qualified permitted individual. Measures will be taken to minimize the number of vehicles allowed on the property. All vehicles involved with the site-specific work that are not transported to the work site will be retained in a prearranged, marked parking area in a clearing as close to the main road as possible. At least one monitor will ensure wildlife is clear from the parking area while vehicles are arriving and leaving. All vehicles must stay on designated roads.

BMP Number	BMP Title	BMP Description
BIO-12	California Red-Legged Frog Protection Measures	<u>General Measures</u> ▪ Handling of CRLF will be done by permitted and qualified biologists or biological monitors in an expedient manner with minimal harm to the individuals being handled. Handling of CRLF will be done with wet hands. The hands and arms of all workers handling CRLF will be free of lotions, creams, sunscreen, oils, ointment, insect repellent, or any other material that may harm CRLF. Larval CRLF will not be handled out of the water for longer than 30 seconds unless rewetted, and will not be retained for longer than 5 minutes for processing. If captured CRLF exhibit signs of distress (e.g., lack of response to stimuli or erratic behavior), they will be immediately released at the point of capture. All captured CRLF will be released at the point of capture unless that location puts them in imminent danger, in which case they will be placed in a nearby refugium sufficient to protect them. The number of CRLF to be captured is no more than 30 adults per habitat location per year. No egg masses may be disturbed or injured in any manner for any activity authorized in the USFWS take permit. Amplexing pairs of CRLF will not be captured, handled, or disturbed. The permittee will disinfect sampling and field gear to minimize the spread of pathogens as follows: 1. Sampling and field gear will be disinfected after exiting one aquatic habitat and before entering the next aquatic habitat, unless the waters are hydrologically connected to one another. 2. All organic matter will be removed from nets, traps, boots, vehicle tires and all other surfaces that have come into contact with water or potentially contaminated sediments. These items will then be rinsed with clean water before leaving each study site. 3. Boots, nets, traps, hands, etc., will be scrubbed with a bleach solution (0.5 to 1.0 cup per 1.0 gallon of water), Quat-128™ (1:60), or a 3 to 6 percent sodium hypochlorite solution and thoroughly rinsed clean with water between study sites. Equipment will be rinsed clean with water between study sites. Cleaning equipment in the immediate vicinity of aquatic habitats will be avoided (e.g., clean in an area at least 100 feet from aquatic features). Care will be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat. 4. Used cleaning materials (liquids, etc.) will be disposed of safely, and if necessary, taken back to the lab for proper disposal. Used disposable gloves will be retained for safe disposal in sealed bags.

BMP Number	BMP Title	BMP Description
		5. CRLF will not be removed from the wild and held in captivity for any reason unless prior written approval is acquired by the appropriate USFWS Office or unless the severity of an injury to the CRLF obviates immediate care. Animals will be transported according to accepted methods, in moist cloth bags or in terrarium with moisture gel or non-cellulose sponge to minimize desiccation. Holdings where California Red-Legged Frogs have a Lower Density/Lower Frequency of Occurrence (Tier 2A) For maintenance activities that occur within preserves, easements, and management areas with a lower density/lower frequency of occurrence of California red-legged frogs, Midpen will implement the Tier 2A BMPs described below to avoid and minimize impacts on individual California red-legged frogs. Tier 2A BMPs ▪ Biological awareness training shall be provided to all maintenance personnel prior to beginning work. ▪ During all work, Midpen maintenance personnel (who are well-trained on the biology of California red-legged frogs, appropriate avoidance measures, and procedures to follow when they are encountered) will keep an eye out for California red-legged frogs and contact the Midpen biologist immediately if a California red-legged frog, or an individual that could potentially be a California red-legged frog, is observed. ▪ If an animal believed to be a California red-legged frog is detected during maintenance activities, those activities that could potentially affect the animal will cease until the frog is confirmed to have left the work area on its own, or until a qualified biologist or biological monitor visits the site to determine whether it is a California red-legged frog and whether it is in harm's way from the activity. If so, avoidance and minimization measures will then be implemented as described below for Tier 2B activities below, and Midpen will re-evaluate the likelihood of occurrence of California red-legged frogs in the work area vicinity for future Program activities. Any project-related, human-caused injuries to California red-legged frogs will be reported to USFWS and CDFW.

		Holdings where California Red-Legged Frogs have a Higher Density/Higher Frequency of Occurrence (Tier 2A, Tier 2B, or Tier 3) ▪ For preserves, easements, and management areas with a higher density/higher frequency of occurrence of California red-legged frogs, as shown on Figure 1 or based on updated mapping by Midpen, Midpen will identify streams, waterbodies, riparian habitats, and other features that support perennial water (e.g., wetlands, seeps, and spring boxes) within the maintenance activity work area and a surrounding buffer of 100 feet during the desktop audit and field review described under Impact Tiers above. Areas within 100 feet of perennial water will be identified as areas where California red-legged frogs are most likely to occur during the dry season. ▪ Midpen will then determine if the proposed maintenance activity is likely to result in take of California red-legged frogs, if frogs are present within the work area. For instance, if the activity consists of hand work or is located entirely within developed areas (e.g., roads and buildings) where no cover for California red-legged frogs is present, the likelihood of take of California red-legged frogs would be very low, even within 100 feet of perennial water. ▪ If (1) the proposed maintenance activity is not located within 100 feet of perennial water, or (2) the activity is located within 100 feet of perennial water but is not likely to result in take of California red-legged frogs, Midpen will implement the Tier 2A BMPs described above. ▪ If (1) the proposed maintenance activity is located in upland areas within 100 feet of perennial water, wet areas, or riparian vegetation; (2) no wet areas, riparian vegetation, or refugia for California red-legged frogs (e.g., woody debris and burrows) are present within the work area; and (3) no take of individuals is anticipated due to the proposed activities, Midpen will implement the Tier 2B BMPs described below. ▪ If (1) the proposed maintenance activity is located in wet areas or riparian areas, or in upland areas within 100 feet of these areas; (2) refugia for California red-legged frogs are present in the work area; and/or (3) take of California red-legged frog individuals may occur due to the proposed activities, Midpen will implement the Tier 3 BMPs described below. Tier 2B BMPs ▪ Prior to and within 48 hours of the planned start of Program activities, a focused survey for California red-legged frogs using an agency-approved protocol will be conducted by a qualified biologist or biological monitor to determine if they are in the area. ▪ A biological awareness training shall be provided to all persons prior to beginning work. This training will

BMP Number	BMP Title	BMP Description
		include a discussion of all practicable measures to be taken to avoid killing or injuring any life stage of California red-legged frogs during Program activities. ▪ Based on the results of the desktop audit and field visit, Midpen's biologist will determine if a qualified biologist or biological monitor is needed to monitor some (e.g., initial ground disturbance) or all activities. Regardless of whether a biologist is present, during all work, Midpen maintenance personnel (who are well-trained on the biology of California red-legged frogs, appropriate avoidance measures, and procedures to follow when they are encountered) will keep an eye out for California red-legged frogs and contact the Midpen biologist immediately if a California red-legged frog, or an individual that could potentially be a California red-legged frog, is observed. ▪ Midpen generally limits the use of exclusion fencing for special-status species to limit habitat impacts. However, if Midpen's biologist determines that the benefits of installing wildlife exclusion fencing around the work area (i.e., in terms of reducing the potential for take of individuals and/or reducing the need for a full-time biological monitor) outweigh any impacts on habitat, exclusion fencing will be installed around the work area prior to the initiation of maintenance. ▪ Any vehicle parked on-site for more than 15 minutes will be inspected by the biological monitor, qualified biologist, or a trained member of the work crew before it is moved to ensure that a California red-legged frog has not moved under the vehicle. Any parking areas must also be checked in advance by the biological monitor, qualified biologist, or trained crew member. ▪ For vegetation removal on berms around ponds or other areas within or adjacent to wetted/perennial aquatic sites, if vegetation is too tall or dense to allow adequate detection of frogs, one of two approaches will be used to minimize the potential for impacts to individuals: – Vegetation will be mown with the blade set at least 6 inches above the ground. A qualified biologist or biological monitor will walk ahead of the mower to look for red-legged frogs and will move any detected frogs out of harm's way. – Vegetation will be initially cut down to three (3) inches by hand tools (weedwhacker, etc.). Once the ground is visible, a visual survey for California red-legged frogs will be conducted by a qualified biologist or biological monitor. If no sensitive species are found in the area, removal of vegetation may continue by mowing or mechanized equipment with a biological monitor present to observe.

BMP Number	BMP Title	BMP Description
		▪ If vegetation is short or sparse enough that any frogs present can be detected by the qualified biologist or biological monitor without the need for removal of vegetation by hand tools, mowing can proceed after the biologist/monitor has thoroughly surveyed the areas to be mown. ▪ Vegetation removed shall be placed directly into a disposal vehicle and removed from the site. Vegetation shall not be piled on the ground unless it is later transferred, piece by piece, under the direct supervision of the biological monitor or qualified biologist or is going to remain on site for erosion control or slash and not be moved or disturbed. ▪ Soil shall not be stockpiled on the ground unless it is on a paved surface or staging area where there aren't burrows. ▪ General Avoidance if a California Red-legged Frog Enters the Project Area: – All work that may harm the frog shall stop until the animal is confirmed to have left on its own, or until personnel approved by USFWS under Midpen's 10(a)(1)(A) or any other project-specific approval (e.g., if a qualified consultant is assisting Midpen and is approved by USFWS to relocate California red-legged frogs for Program activities) has captured the individual. Midpen will coordinate with USFWS and CDFW prior to the start of work to identify acceptable relocation sites if California red-legged frogs are encountered within a work area. No California red-legged frogs will be held in captivity overnight without prior notification and written approval by the USFWS and CDFW unless the animal is in need of emergency medical assistance. Medical assistance will be provided to injured animals by a certified wildlife veterinarian familiar with amphibian and reptile care. When transporting individual California red-legged frogs, precautions will be taken to ensure that the animals are not over-stressed and are maintained in safety. Such measures include: keeping animals in a cool, dark, and safe location (e.g., a terrarium), providing adequate hydration, maintaining a stable cool temperature to avoid over-heating, keeping animals isolated to prevent them from harming one another, and ensuring holding tanks or bags are kept clean to prevent the spread of any diseases. – All practicable measures will be taken to avoid killing or injuring any life stage of California red-legged frogs during work activities.

BMP Number	BMP Title	BMP Description
		– The biological monitor and/or qualified biologist shall have the authority to halt work activities that may affect California red-legged frog adults, tadpoles or egg masses until they can be moved out of harm's way. – Any project-related, human-caused injuries to California red-legged frogs will be reported to USFWS and CDFW. <u>Tier 3 BMPs</u> ▪ Prior to and within 48 hours of the planned start of Program activities, a focused survey for California red-legged frogs using an agency-approved protocol will be conducted by a qualified biologist or biological monitor to determine if they are in the area. ▪ A biological awareness training shall be provided to all persons prior to beginning work. This training will include a discussion of all practicable measures to be taken to avoid killing or injuring any life stage of California red-legged frogs during Program activities. ▪ A biological monitor or qualified biologist will be on the project site while Program activities are being conducted. ▪ Midpen generally limits the use of exclusion fencing for special-status species in order to limit habitat impacts. However, if Midpen's biologist determines that the benefits of installing wildlife exclusion fencing around the work area (i.e., in terms of reducing the potential for take of individuals and) outweigh any impacts on habitat, exclusion fencing will be installed around the work area prior to the initiation of maintenance. For example, California red-legged frogs will typically be excluded from the project site prior to Program activities at sites involving the use of large equipment for sediment removal. USFWS and CDFW-approved exclusion fencing will be installed around the sediment removal site, staging areas, and any areas where fill may be dumped. After installation of the fence barrier, a biological monitor or qualified biologist will inspect the project work area, staging and stockpiling areas daily prior to the commencement of activities. If the biological monitor or qualified biologist determines that California red-legged frogs are not within the work area, equipment or materials may be moved into the project site and Program activities may commence under the observation of the biological monitor.

BMP Number	BMP Title	BMP Description
		▪ Any vehicle parked on site for more than 15 minutes will be inspected by the biological monitor or qualified biologist before it is moved to ensure that a California red-legged frog has not moved under the vehicle. Any parking areas must be checked in advance by the biological monitor or qualified biologist. ▪ For vegetation removal on berms or other sites, vegetation will be cut down to three (3) inches by hand tools (weedwhacker, etc.). Once the ground is visible, a visual survey for California red-legged frogs will be conducted. If no sensitive species are found in the area, removal of vegetation may continue by mowing or mechanized equipment very slowly with a biological monitor walking in front of the equipment to observe. California red-legged frogs can be relocated only if a person is permitted by the USFWS to handle the species. ▪ Vegetation removed shall be placed directly into a disposal vehicle and removed from the site. Vegetation shall not be piled on the ground unless it is later transferred, piece by piece, under the direct supervision of the biological monitor or qualified biologist or is going to remain on site for erosion control or slash and not be moved or disturbed. ▪ Soil shall not be stockpiled on the ground unless it is on a paved surface or staging area where there aren't burrows. ▪ California Red-Legged Frog Measures for Work in Ponds – During the focused pre-activity survey within 48 hours of the planned start of Program activities, the pond will be sampled by a qualified biologist to ensure that all California red-legged frogs from that pond are in the post metamorphic stage and will be minimally affected by draining the pond. If a California red-legged frog is located during the pre-treatment surveys but escapes capture, the area where the frog was lost will be marked by flag and a 50-foot (15 meter) radius will be actively patrolled during the work. After the pre-project survey, an avoidance strategy will be devised and presented to all individuals involved in the pond enhancement prior to starting any activities. The number of California red-legged frogs encountered and transferred to safe areas or held in captivity by a permitted and qualified biologist during treatment will be reported to the Sacramento USFWS Office and CDFW.

BMP Number	BMP Title	BMP Description
		– The minimum number of qualified biological monitors required at each pond site will be determined in advance by a qualified biologist based on pond size, the amount and complexity of work to be performed, and the equipment to be used. – Corridors for travel of vehicles and heavy machinery to the pond site will be established at least 24 hours in advance of the proposed work. Corridors that are not established marked improved roads (paved or unpaved) require special consideration for use by any vehicle. During the use of these off-road corridors by vehicles and machinery, a monitor will proceed directly before the vehicle or machinery to ensure all California red-legged frogs and observable wildlife are cleared from the pathway of the oncoming vehicle. Monitors will signal vehicles to stop if a California red-legged frog is on the pathway, and will allow the animal to clear the pathway by its own direction. Any handling of the red-legged frog must only be done by a qualified permitted individual. Measures will be taken to minimize the number of vehicles allowed on the property. All vehicles involved with the site-specific work that are not transported to the work site will be retained in a prearranged, marked parking area in a clearing as close to the main road as possible. At least one monitor will ensure wildlife is clear from the parking area while vehicles are arriving and leaving. All vehicles must stay on designated roads. – Seasonal Work Period in Ponds. If California red-legged frogs are found in the pond and water is present in the pond, sediment removal and berm or outfall repair activities will be performed from August 15 to November 1. Midpen will coordinate with USFWS and CDFW prior to dredging or de-watering activities. Sediment will be removed from ponds by hand to the extent feasible. Sediment removal from ponds will occur as soon as the ponds are dry (if prior to August 15). – Vegetation Removal at Ponds. If California red-legged frogs are found, tule and emergent vegetation will be removed by hand when feasible. If mechanized equipment is used, one or more biological monitors or qualified biologists will be onsite monitoring the scoop bucket while scooping and watching each load unload. Midpen will coordinate with USFWS and CDFW during the annual project notification process regarding anticipated mechanized equipment use for vegetation removal at ponds. In areas where egg masses are known, Midpen and contractor personnel will not enter the channel/pond to avoid dislodging egg masses (except as noted in the following bullet to salvage egg masses for purposes unrelated to Program activities). Trimming activities shall be performed from the banks, if possible.

BMP Number	BMP Title	BMP Description
		– Inspection for Egg Masses. In work areas containing emergent vegetation (e.g., tules, cattails), vegetation will be inspected for California red-legged frog egg masses prior to Program activities. If work cannot be postponed, a buffer of vegetation at least ten (10) feet in diameter shall be left around any egg masses found. Midpen will keep a record of sites where egg masses are found and conduct vegetation removal at these sites prior to November 1 in subsequent years. In the course of monitoring associated with the activities, if egg masses are observed in ponds or wetted areas that are going to dry naturally before tadpoles develop (as determined by a qualified biologist), emergency salvage of egg masses by the qualified biologist is permitted to relocate egg masses into deeper waters that will not be affected by the proposed activities. USFWS shall be notified of the emergency salvage per the terms of the recovery permit. ▪ General Avoidance if a California Red-legged Frog Enters the Project Area: – All work that may harm the frog shall stop until the animal is confirmed to have left on its own, or until personnel approved by USFWS under Midpen's 10(a)(1)(A) or any other project-specific approval (e.g., if a qualified consultant is assisting Midpen and is approved by USFWS to relocate California red-legged frogs for Program activities) has captured the individual. Midpen will coordinate with USFWS and CDFW prior to the start of work to identify acceptable relocation sites if California red-legged frogs are encountered within a work area. No California red-legged frogs will be held in captivity overnight without prior notification and written approval by the USFWS and CDFW unless the animal is in need of emergency medical assistance. Medical assistance will be provided to injured animals by a certified wildlife veterinarian familiar with amphibian and reptile care. When transporting individual California red-legged frogs, precautions will be taken to ensure that the animals are not over-stressed and are maintained in safety. Such measures include: keeping animals in a cool, dark, and safe location (e.g., a terrarium), providing adequate hydration, maintaining a stable cool temperature to avoid over-heating, keeping animals isolated to prevent them from harming one another, and ensuring holding tanks or bags are kept clean to prevent the spread of any diseases. – All practicable measures will be taken to avoid killing or injuring any life stage of California red-legged frogs during work activities.

BMP Number	BMP Title	BMP Description
		– The biological monitor and/or qualified biologist shall have the authority to halt work activities that may affect California red-legged frog adults, tadpoles or egg masses until they can be moved out of harm's way. – Any project-related, human-caused injuries to California red-legged frogs will be reported to USFWS and CDFW.
BIO-13	Foothill Yellow-Legged Frog Protection Measures	If foothill yellow-legged frog (FYLF) enters the project area, all work shall stop in that area until the animal leaves on its own. Midpen will coordinate with CDFW to develop site appropriate avoidance measures that will be implemented prior to resumption of Program activities at that location.
BIO-14	Western Pond Turtle Protection Measures	Within riparian habitat or Waters of the State and/or U.S. and one (1) mile of a known western pond turtle (WPT) occurrence: 1. Prior to and within 48 hours of the planned start of Program activities, a focused survey for WPT and WPT nests will be conducted by a qualified biologist or biological monitor to determine if they are in the area. In the event WPT are found in the project area, Midpen will exercise measures to avoid direct injury to WPT as well as avoid areas where they are observed to occur. If a WPT is observed, it shall be left alone to move out of the area on its own. If it does not move on its own, it can be relocated to a safe location at least 100 meters (m) distant from the project location. Relocation areas will be of suitable habitat, on shallow banks with slow moving water and will be far enough away so as not to be affected by Program activities. If a WPT nest is found, all activities will cease and Midpen will coordinate with CDFW to develop site appropriate avoidance and minimization measures.
BIO-15	California Giant Salamander, Santa Cruz Black Salamander Protection Measures	▪ In suitable habitat where Santa Cruz black salamander (SCBS) and/or California giant salamander (CGS) are known to occur: 1. A biological awareness training provided by a qualified biologist or biological monitor will be provided prior to starting work. 2. A qualified biologist and biological monitor will be available and on-call for the duration of the project. 3. A biological monitor will be present onsite when working within or immediately adjacent to wetted areas including stream channels, seeps, and springs.

BMP Number	BMP Title	BMP Description
		4. For SCBS only, a biological monitor is also required in areas of talus slopes or areas having human stacked rocks and other suitable materials acting as talus. 5. The biologist and/or biological monitor has the authority to stop work at any time. 6. Dismantling of talus and human-stacked rocks and other suitable materials acting as artificial talus will be avoided and minimized whenever possible. If removal is required to meet project objectives, these materials will be dismantled by hand whenever possible. 7. Whenever possible individual SCBS and CGS shall be allowed to leave the area on their own. 8. Individual SCBS or CGS (not with eggs) that are in harm's way or do not leave the work site on their own may be relocated by a qualified biologist or biological monitor to predetermined sites located outside of the work area but within the same subwatershed. 9. Work in wetted areas, talus slopes, or human stacked rocks or other suitable materials acting as artificial talus should be completed prior to July to avoid displacement of SCBS females laying eggs and attending to clutches. 10. If heavy equipment is required to remove talus, human stacked rocks or other suitable materials acting as artificial talus, this will be done in the presence of a qualified biological monitor. 11. If at any time, SCBS or CGS eggs are found, the area shall be flagged for avoidance. If the area cannot be avoided to meet project objectives, Midpen will coordinate with CDFW to determine the best course of action. ▪ In all other areas of suitable habitat for SCBS and CGS: 1. A pre-survey of the project site is required prior to starting work. If no SCBS or CGS are observed, work may proceed. 2. If an individual SCBS or CGS are observed at any time, all project work shall stop and the biologist and/or biological monitor will be notified and the above measures will be implemented.

BMP Number	BMP Title	BMP Description
BIO-16	San Francisco Dusky-footed Woodrat and Nest Protection Measures	▪ Projects occurring in suitable San Francisco dusky-footed woodrat (SFDFW) habitat, prior to project implementation, a qualified biologist or biological monitor shall survey the site for evidence of nesting SFDFW (i.e., large stick nests). ▪ Any SFDFW and/or nest that are found within project boundaries, will implement the measures listed below: 1. In natural areas: – All SFDFW nests will be flagged in the field and delineated on project site maps. In all instances, every effort should be made to avoid impacts to SFDFW nests. Avoidance, even with a small buffer area is considered preferable to relocation. Avoidance buffers of a minimum of 3-10 feet shall be implemented, flagged where appropriate, and avoided during project implementation. As evaluated by the project biologist, where appropriate to minimize impacts from Program activities, fencing will be installed around the nest and include the buffer area. Whenever possible, materials associated with an individual SFDFW nest will be left in place. – All SFDFW nests that cannot be avoided by Program activities (i.e., will require relocation), a qualified biologist shall live trap to determine if the nest is in use. Trapping activities should occur prior to April and after mid-July each year to prevent impacts to SFDFW rearing young or young SFDFW s. If a nest is found to be unoccupied or not in use for 3 full days (2 nights of trapping), then it may be removed. The nest shall be relocated or a pile of replacement sticks shall be placed outside of the project footprint for future colonization or re-use. If a lactating female is trapped, Program activities shall be postponed until young have become independent. Trapped SFDFW may be kept in captivity by a qualified biologist for the minimal time necessary until their nests are relocated to suitable habitat outside of the project footprint. The qualified biologist will complete and submit a CNDDB form to CDFW for any SFDFW trapped. Once trapped, nests shall be torn down and rebuilt surrounding a log-based structure, an inverted wooden planter, or similar structure that is slightly buried into the ground and has at least one entrance and exit hole. Cached food and nest material encountered shall be placed within the new structure during nest rebuilding. Whenever possible, the structure shall be "over-built" by adding larger branches for predator protection to create an area for the individual to safely emerge outside of the nest. One or more persons shall remain outside the release structure for up to 10 minutes to

BMP Number	BMP Title	BMP Description
		mimic a predator. Trapped woodrats should be released into the reconstructed nest by plugging the individual into the shelter using loose dirt over the entrance. Relocated SFDFW nests will be monitored (visual and/or wildlife camera) for one year following relocation, and the biologist will submit a monitoring report to CDFW. 2. In non-natural areas (e.g., structures, abandoned vehicles, human debris piles): – If individuals cannot be live-trapped consistently (especially if there is a risk to human health) and/or there is a lack of woody materials for nest reconstruction, live trapping is not required. Work at these locations must occur prior to April and after mid-July to prevent impacts to SFDFW rearing young. If SFDFW is observed, work at the location shall cease until the individual leaves the area on its own. If the SFDFW does not leave the area, work shall continue to cease at the location and the qualified biologist will be notified. If nests are present that cannot be trapped or removed, woody debris piles that look like woodrat houses can be constructed to provide opportunities for sheltering and colonization by displaced SFDFW under the direction of the qualified biologist or onsite biological monitor. Nest replacement ratios will be determined based on the number of SFDFW and/or nests observed, as well as the size and number of undisturbed nests in the surrounding area.
BIO-17	Migratory Bird Nest Protection Measures (excludes Marbled Murrelet)	▪ To avoid potential impacts to tree or shrub-nesting birds, any trimming or pruning of trees or shrubs will be conducted during the time period of September 1 to February 14 unless a preconstruction nesting bird survey has been conducted by a qualified biologist or biological monitor. Work will be done during the non-breeding season whenever possible. The bird nesting seasons are defined as follows: 1. March 15 to August 30 for smaller bird species such as passerines; and 2. February 15 to August 30 for raptors. 3. Earlier surveys may be needed for specific species such as owls, hummingbirds, herons and egrets and/or other species if nesting activity shifts due to climate change.

BMP Number	BMP Title	BMP Description
		▪ If Program activities are scheduled during the nesting season of raptors and/or migratory birds, a focused survey for active nests of such birds will be conducted by the qualified biologist or biological monitor within 15 days prior to the beginning of project-related activities. Surveys will be conducted in all suitable habitat located at project sites and in staging and storage areas. The minimum survey radii surrounding the work area shall be the following: 1. 250 feet for passerines; 2. 500 feet for other small raptors such as accipiters; 3. 1,000 feet for larger raptors such as buteos and eagles. The bird survey methodology and the results of the survey shall be submitted to the CDFW prior to commencement of Program activities. ▪ If an active nest (i.e., a nest having eggs or chicks present, or a nest that adult birds have staked a territory and are displaying, constructing a nest, or are repairing an old nest) is found and work cannot be postponed, Midpen will designate active nest sites as "Ecologically Sensitive Areas" and protected (while occupied) during Program activities with the establishment of flagging or a fence barrier surrounding the nest site. No trees or shrubs that contain active bird nests will be disturbed until all eggs have hatched, and young have fully fledged (are no longer being fed by the adults, and have completely left the nest site). No habitat removal or modification shall occur within the Ecologically Sensitive Area fenced nest zone even if the nest continues to be active beyond the typical nesting season for the species, until the young have fully fledged and will no longer be adversely affected by the project. The minimum distances of the protective buffers surrounding each identified nest site will be the following, with some considerations depending on nest location and substrate: 1. 500 feet for large raptors such as buteos; 2. 250 feet for small raptors such as accipiters; 3. 250 feet for passerines; and 4. 1,000 feet for eagles. A biological monitor or qualified biologist will monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by project-related activities. Nest monitoring

<table>
<tr><th>BMP Number</th><th>BMP Title</th><th>BMP Description</th></tr>
<tr><td></td><td></td><td>will continue during project-related construction work until the young have fully fledged, are no longer being fed by the parents and have left the nest site and surrounding area, as determined by a biological monitor. If a protective buffer must be modified, Midpen will coordinate with the CDFW and/or the USFWS as appropriate prior to resumption of Program activities.
▪ If a lapse in project-related work of 15 days or longer occurs, another focused survey will be conducted before project work is reinitiated.</td></tr>
<tr><td>BIO-18</td><td>Marbled Murrelet Nest Protection Measures</td><td>In areas within the range of marbled murrelet (MAMU) habitat as identified in the Midpen 2007 maps, Midpen will conduct a survey of habitats within ¼-mile of the project area for trees that meet the Pacific Seabird Group definition of potential MAMU nesting trees. If such trees are present within 300 feet of the project area or if a MAMU nest is detected, Midpen will coordinate with CDFW and USFWS before proceeding. If habitat trees are present within ¼-mile of the project site but are greater than 300 feet from the work area, Midpen will implement the following conditions:
▪ Work within the project area shall be confined to the period of September 16 to March 23. If maintenance activities cannot be conducted during this seasonal work period, Midpen will coordinate with CDFW and USFWS during the February 1 notification and implement the following conditions:
1. If construction activities occur during the marbled murrelet breeding season (March 24 to September 15), seasonal disturbance minimization buffers as listed in the table below and in the October 28, 2020 document, *Revised Transmittal of Guidance: Estimation of the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California* (table below), shall be followed:
<table>
<tr><th></th><th colspan="4">Anticipated Action Generated Sound Level (decibels [dB])2</th></tr>
<tr><th>Existing Pre-Project (Ambient) Sound Level1</th><th>Moderate (71-80 dB)</th><th>High (81-90 dB)</th><th>Very High (91-100 dB)</th><th>Extreme (101-110 dB)</th></tr>
<tr><td>Natural Ambient (<=50 dB)3</td><td>165</td><td>500</td><td>1,320</td><td>1,320</td></tr>
<tr><td>Very Low (51-60 dB)</td><td>0</td><td>330</td><td>825</td><td>1,320</td></tr>
</table></td></tr>
</table>

BMP Number	BMP Title	BMP Description

Low (61-70 dB)	0	165	825	1,320
Moderate (71-80 dB)	0	165	330	1,320
High (81-90 dB)	0	165	165	500

1. Existing (ambient) sound level includes all natural and human-induced sounds occurring at the project site prior to the proposed action, and are not causally related to the proposed action.
2. Action-generated sound levels are given in decibels (dB) experienced by a receiver, when measured at 15.2 m from the sound source.
3. "Natural Ambient" refers to sound levels generally experienced in habitats not substantially influenced by human activities.

Midpen will conduct a sound level monitoring study to determine level of ambient and construction activity noise anticipated during construction activities to calculate seasonal disturbance minimization buffer widths. Disturbance distances listed in the table above apply to noise generating activities that are not within 2 hours of sunrise or sunset; project generated noise impacts will be calculated accordingly. Midpen will provide a description of methods and results of the study to USFWS and CDFW to coordinate site-specific avoidance measures 30 days prior to commencement of Program activities at the applicable location(s). In order to alert work crews to their presence, marbled murrelet seasonal disturbance buffers, as determined by the sound study and table above, shall be flagged in the field where they enter the project area. If Midpen chooses not to conduct the sound study, no maintenance activities shall occur within 0.25-mile of potential nest trees during the marbled murrelet breeding season (March 24 to September 15).

2. If noise generating construction activity takes place during the breeding season (March 24 to September 15) within suitable Redwood and Redwood/Douglas-fir forests, construction activities will be restricted to 2 hours after sunrise to 2 hours before sunset to minimize disturbance of potential nesting MAMU using forest habitat as a travel corridor between inland nesting and coastal habitat.

BMP Number	BMP Title	BMP Description
		3. Midpen or its contractor will not conduct Program activities within a visual line-of-sight distance of 40 m or less from a suitable nest tree as designated by a qualified biologist or biological monitor. Additionally, Midpen or its contractors will not conduct Program activities within a visual line-of-site distance of 100 meters or less from a known or active nest tree confirmed by a qualified biologist. If MAMU protocol level surveys are conducted and do not indicate that the habitat is occupied by MAMU, the seasonal and distance work restrictions may be lifted with approval from CDFW and USFWS. Protocol level survey procedures and information can be found at: http://www.pacificseabirdgroup.org/publications/PSG_TechPub2_MAMU_ISP.pdf. If Midpen chooses to conduct marbled murrelet protocol level surveys, Midpen will coordinate with CDFW and USFWS regarding the survey stations to ensure all contiguous suitable habitat is covered and good visuals of the sky and nearby flyways, if present, are provided. If marbled murrelet protocol level surveys are conducted, Midpen will submit the report consistent with *Methods for Surveying Marbled Murrelets in Forests: A Revised Protocol for Land Management and Research*.
BIO-19	Bay Checkerspot Butterfly and Santa Clara Valley Dudleya Protection Measures	▪ For all ponds and wetland, creeks and rivers, prescribed fire and property clean up and building removal, sites will be pre-surveyed by a qualified botanist for Santa Clara Valley dudleya and Bay checkerspot butterfly host plants prior to implementing recovery actions. In certain cases, prescribed fire may be used to enhance a native species or to control nonnative species, but site-specific recommendations will be made based on the species composition and the objectives for the site. ▪ All prescribed grazing areas within Midpen have been mapped for sensitive status plant species and there are not currently any federally or State-listed plants within grazed properties. To ensure no newly listed species or previously undiscovered species are present, Midpen rangeland ecologist will perform annual monitoring and reporting to agencies. ▪ For all roads and trail maintenance activities, grassland areas will be surveyed by a qualified botanist for sensitive status plant species every 3 years. Woodland, hardwood, shrub and scrub, and forested areas will be mapped by a qualified botanist every 5 years.

BMP Number	BMP Title	BMP Description
		▪ All areas having known occurrences of Santa Clara Valley dudleya or Bay checkerspot butterfly host plants for which recovery actions are proposed will be surveyed prior to treatment. Listed and host plants will be avoided either through timed activities (for example mowing after annuals set seed) or flagging individual plants for avoidance. In any areas in which host plants cannot be avoided, seed will be collected and the area reseeded under approvals from the USFWS and CDFW. ▪ Prior to conducting any manual, mechanical, or chemical IPM treatment in serpentine habitats, surveys will be conducted for dwarf plantain (*Plantago erecta*), purple owl's clover (*Castilleja densiflora*), and exserted paintbrush (*Castilleja exserta*) during the appropriate blooming period, and host plants containing eggs, larva, or pupa of Bay checkerspot butterfly will not be treated.
BIO-20	Bat Colony Protection Measures	▪ In areas of suitable habitat, preconstruction surveys are required for the following bat species: – Pallid Bat (*Antrozous pallidus*) – Townsend's Big-eared Bat (*Corynorhinus townsendii*) – Bat surveys should take place during the April 15 through August 31 maternity roost season whenever possible. Surveys may also take place between February 16 and April 14, or between September 1 and November 15. Findings during spring and fall surveys may indicate that a second summer survey is necessary ▪ Bats generally breed April through Aug, no building or tree work (over 16" dbh) is allowable during this time if surveys determine that special status bats or maternity roosts are present ▪ Bats may go into a deep torpor period November 16 through February 15, no building or tree work (over 16" dbh) is allowable during this time if surveys determine that special status bats or hibernaculum roosts are present ▪ If individual nonbreeding and non-special status bats are present, a qualified biologist may be retained to remove the bats and work may proceed year round ▪ If maternity roosting or special status bat species are present at any time, no work is allowed without first excluding and providing alternate roost site(s), or identifying suitable nearby existing roosting sites, outside of the breeding season

BMP Number	BMP Title	BMP Description
		▪ Alternate roost site(s) must be determined by District Natural Resources staff or a consulting biologist and submitted to California Department of Fish and Wildlife before installation ▪ Whenever possible alternative roost site(s) will be provided 6 months to 1 year prior to the removal of maternity roosting habitat to allow bats adequate time to discover the new locations ▪ Alternative roost site(s) shall be monitored for occupancy by a qualified biologist within one year of installation ▪ Contractors, Midpen staff, and others working in areas known to support maternity roost site(s) and/or special status bat species will be provided biological awareness training by a qualified biologist prior to the commencement of work *Mitigation for impacts to maternity roost(s) and special status bat species:* Buildings and Other Human Structures: ▪ To mitigate for demolition activities, fumigation, or other activities that involve the removal or disturbance of roosting bats in buildings, bridges, outbuildings, dilapidated structures, old vehicles (buses, trailers etc.), or other human created structures (including debris piles): ▪ If signs of bats are evident and removal or disturbance of bats is necessary, a qualified biologist will conduct surveys for roosting bats prior to beginning work. Surveys will consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of bat roosting is found, the number and species of roosting bats will be determined. If congregations of more than five bats are found within a single human-made structure during the maternity roosting season it may be assumed that the colony constitutes a maternity roost and the location will be recorded in the District's wildlife database. If no evidence of bat roosts is found, then no further study will be required. Bat detectors and/or infrared detectors may be used to supplement survey efforts, but are not required. ▪ When bat roosting sites are located in buildings, exclusion of bats from the building will occur outside of the April through August nursery season.

BMP Number	BMP Title	BMP Description
		▪ If roosts of special-status bats are determined to be present and must be removed, a bat exclusion plan will be prepared and submitted to CDFW. The exclusion plan will describe the method of exclusion, which may include the use of one-way doors at roost entrances (bats may leave but not re-enter), or sealing roost entrances when the site can be confirmed by a bat expert to contain no bats. No bats will be excluded until the plan is approved by CDFW and alternative roosting habitat is approved. The bats will be excluded from the roosting site before the site is disturbed or modified in any way. <u>Tree Removal:</u> ▪ Avoid removal of trees greater than sixteen inches dbh during the April through August nursery season whenever possible. ▪ If removal of trees greater than sixteen inches dbh during the nursery season cannot be avoided, a qualified biologist will conduct surveys for roosting bats where suitable large trees are to be removed. Surveys will consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If evidence of roosting bats is found, the number and species of roosting bats will be determined. If no evidence of bat roosts is found, then no further study will be required. Bat detectors and/or infrared detectors may be used to supplement survey efforts, but are not required. ▪ If roosts of special-status bats are determined to be present and must be removed during the April through August nursery season, a bat exclusion plan shall be prepared and submitted to CDFW. The exclusion plan will describe the method of exclusion, which may include the use of one-way doors at roost entrances (bats may leave but not re-enter), or sealing roost entrances when the site can be confirmed by a bat expert to contain no bats. The use of sonic bat deterrents may also be allowed when called for by a qualified biologist. No bats will be excluded until the plan is approved by CDFW and alternative roosting habitat is approved. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The bats will be excluded from the roosting site before the site is disturbed, closed or modified in any way. When possible, alternative roosting sites will be provided 6 months to a year prior to the removal of existing roosts. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the structures may be removed or sealed.

BMP Number	BMP Title	BMP Description
		Work in or adjacent to areas known to support special status bats and/or maternity roosts: ▪ Whenever possible work shall take place outside of the April through August nursing season. ▪ Natural Resources staff shall provide and/or consult with qualified biologists having knowledge specific to the bat species present at the site. Species specific noise tolerance levels (including high frequency noise) shall be established for work taking place within a determined buffer around the maternity roost. All equipment working within the site during the nursing season must be tested for high frequency noise outputs prior to use on the site. If equipment is determined to produce any noise that is expected to cause bats to abandon a maternity roost it will not be used on the site within the biologist established buffer during the nursing season. Relocation of bat boxes: ▪ Relocation requires the approval of the Natural Resources department and may be performed by a qualified biologist. ▪ Bat boxes may be relocated between mid-September to mid-October, or from mid-February to mid-March (during warm periods outside of the nursing season). Bat boxes may be relocated outside of these recommended time periods with sign off from a qualified biologist. ▪ Relocation of boxes that support special status bat species requires notification to CDFW before implementation. ▪ If a bat box is determined to be unoccupied by a qualified biologist, it may be relocated at any time without modification. If occupied, a one-way door shall be installed on the entrance/exit of the bat box, preferably during a warm period when bats are likely to be active. The one-way door shall remain in place for a period of 3-7 days. After this period a qualified biologist shall arrive on site and check the box for occupancy. If the box is still occupied then the one-way door shall remain in place for an additional 3-7 days. Once the box is determined to be unoccupied then it may be relocated with direction from Natural Resources or a qualified biologist to a nearby suitable habitat. The new location will be recorded and added to the Districts' GIS database. The one-way door shall then be removed to allow bats to access the box. Relocated bat boxes shall be monitored for occupancy by a qualified biologist within one year of installation.

BMP Number	BMP Title	BMP Description
BIO-21	Salmonid (Coho and Steelhead) Protection Measures	▪ Dewatering will not occur in stream reaches where known occurrences of Coho salmon exist. Midpen will coordinate with USFWS and CDFW in the event that dewatering such a stream reach becomes necessary. ▪ Seasonal Work Period for Salmonids: Work within and around NOAA designated critical habitat for steelhead and Coho salmon streams that provide habitat for salmonids shall be limited to June 15 to October 31. Revegetation activities are not confined to this period. ▪ Alternative Seasonal Work Period. Work within and around creeks that do not provide habitat for salmonids and reaches that are 1,000 feet or more upstream of discharge points which do not discharge directly into such drainages will be limited to April 15 to October 31, or is permissible from November 1 to April 14 under the following conditions: 1. Work will not occur until the site has received no rainfall for a period of 10 days and there is no rain in the forecast for a period of 7 or more days, and work requires no greater than 5 days to complete. 2. Work started during this period must be at least 50% complete within 2.5 days of beginning work. 3. Winterization materials must be on hand and installed if unanticipated rainfall begins (defined as 0.5 inches of rain in a 24-hour period). 4. Corrective actions are allowable year-round for the following situations: – To correct improperly installed and/or unauthorized work on Midpen lands that occurred during the same calendar year that result in sediment delivery. – To correct damage from winter storms that threatens access to homes, ponds, water systems, and other critical infrastructure.
BIO-22	Biological Monitoring for Stranded Aquatic Life	▪ For all projects within watercourses that are known to support or have the potential to support threatened and/or endangered species, a qualified biologist or biological monitor shall conduct a pre-construction survey.

BMP Number	BMP Title	BMP Description
		▪ A biological monitor or qualified biologist will check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts will be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life will be released immediately in the closest body of water adjacent to the work site. This measure does not allow for the take or disturbance of any state or federally listed species. ▪ Any aquatic nonnative invasive species found will be disposed of properly and will not be placed back into the creek where work is being conducted or any other drainages, creeks or streams. The Midpen Project Manager will send a list to CDFW of species found and the location they were found after completion of Program activities.
BIO-23	Large Woody Material Management	Large Woody Material management and removal will be undertaken only as a last resort to mitigate ongoing or imminent damage. Large wood is defined as logs with a diameter of 6 inches or greater and a length of 10 feet or longer, rootwads and stumps. Locations will be assessed for sensitive species prior to beginning any work at the site. Smaller pieces of large woody material shall be removed to above the OHWM of the channel, and will be stacked or spread for terrestrial habitat
BIO-24	Riparian Avoidance	Riparian trees shall be protected from damage to the greatest extent possible during repair and replacement. Vegetation management activities will not adversely impact the riparian zone, shade, canopy coverage, or habitat.
BIO-25	Riparian Restoration	▪ **Restoration Area.** Where feasible, restoration will take place in the same Preserve and preferably on the same waterway or watershed and adhere to the conditions below. Planting or seeding of riparian vegetation may be done at any time provided there is no erosion and sedimentation that may cause an adverse impact to water quality. ▪ **Tree Replacement**. In suitable areas, trees shall be replaced at the following ratios (replacement trees to removed trees) to mitigate for permanent net loss of habitat and canopy cover: 1. For non-native trees that provide canopy cover to the creek: 1:1 (compensation to impact) ratio 2. For native trees: 2:1 ratio unless approved otherwise by CDFW. In certain areas where regeneration will occur or overcrowding is an issue, a 1:1 ratio is acceptable.

BMP Number	BMP Title	BMP Description
		▪ **Re-vegetation Ratio**. In suitable areas, other vegetation shall be replaced with the following ratios: wetlands, 1:1; general riparian vegetation, 3:1; sycamore alluvial woodland or other rare habitat types: 5:1; other general habitat types, 1:1. ▪ **Native Species for Re-vegetation**. Replacement trees and vegetation will be local native species adapted to the lighting, soil and hydrological conditions at the replanting site, except in cases where non-native trees are considered culturally significant. In these areas, non-native trees may be replaced with the same species of non-native tree to preserve the cultural landscape in ongoing maintenance to prevent the spread of the non-native is provided. If replanting within the work area is infeasible due to lack of space, slope steepness or other physical constraints, replacement trees and vegetation may be planted at an alternate location along the stream corridor. Vegetation will be replaced by December 31 of the year impacts occur in a location that is not subject to future maintenance or construction work. ▪ **Re-vegetation Plan**. Where active restoration is warranted, Midpen will submit a re-vegetation plan to CDFW with the annual February notification. The plan will describe the project site and vegetative community, including the conditions warranting active re-vegetation. Proposed restoration measures will be described, including location, number, size and type of replacement plantings, installation specifications and irrigation specifications if warranted. ▪ **Re-vegetation Survivorship**. Any re-vegetation plan will include success criteria specific to the circumstance. The re-vegetation effort will replace or improve on the habitat value of the impacted area in a reasonable amount of time. The term 'Reasonable amount of time' means a return to the pre-project baseline in approximately the same period of time that the pre-existing habitat took to establish naturally. For habitats where this is not feasible (such as oak woodland), success criteria should focus on attributes that will provide a reasonable assurance that the re-vegetation will eventually result in the required replacement value. These attributes could include plant vigor, establishment of minimal species diversity, cover, lack of limiting factors and others.

BMP Number	BMP Title	BMP Description
		▪ **Re-vegetation Success Criteria**. For every project where habitat is removed, whether active re-vegetation is removed or not, the annual February notification should provide an estimate of the time necessary to re-establish the baseline habitat value lost. Midpen will monitor the site for that period (as modified by CDFW where warranted). If the site reaches the pre-project habitat baseline prior to the end of the projected monitoring period and keeps that habitat value for two consecutive years, Midpen can request CDFW to waive further monitoring. For sites requiring longer terms to reasonably reach a pre-project baseline and which are clearly doing well and therefore can reasonably be considered likely to reach the site habitat goals (such as oak woodland or redwood forest), Midpen can request CDFW to reduce or end the monitoring after five years. ▪ **Re-vegetation Remediation**. If re-vegetation success criteria requirements do not meet established goals, Midpen is responsible for replacement planting, additional watering, weeding, invasive exotic eradication, or any other practice, to achieve these requirements. All plants that die within the monitoring period will be replaced during the fall the year the plant was determined to have failed, or as soon as replacement nursery stock can be grown, on site seed collected, or whichever propagation method is most effective, as necessary to satisfy success criteria. Replacement plants will be monitored with the same goal as initial planting until habitat goals are met. If the problem(s) is/are larger in scope, are likely to recur and cannot be corrected, Midpen will coordinate with CDFW to develop a modified plan for the site. ▪ **Sedimentation**. Primary sedimentation control will be provided by implementation of the best management practices under *Sediment/Water Quality Control* and *Erosion Control*. For any project where erosion and sedimentation cannot be completely controlled by these measures (such as clearing a plugged culvert in a live channel), additional measures will be implemented as necessary. Midpen will identify any projects where this condition occurred during the preceding calendar year and estimate the amount of sediment that bypassed protective measures, if any. To compensate, as part of the annual February notification, Midpen will propose sufficient erosion control projects to halt chronic sedimentation from other sources of a similar or greater amount. This annual quantity of erosion control projects will be determined through coordinate between Midpen and CDFW.

BMP Number	BMP Title	BMP Description
Cultural Resources Measures		
CUL-1	Review Sensitivity Maps	During the early phases of Annual Work Plan development, for all locations where ground-disturbing activities are proposed where excavation would be required beyond the facility's as-built design or otherwise reach previously undisturbed soils beyond existing engineered depths or extent, Midpen will review the Cultural Sensitivity Maps (Appendix C of the Manual). If the foregoing conditions are not applicable to the maintenance activity being performed, only BMP CUL-5 and CUL-6 will be required. Based on the location of projects, and whether or not excavation or ground disturbance will occur beyond existing engineered depths or extent, BMPs CUL-2 through CUL-4 shall be implemented as follows: ▪ High Sensitivity: BMPs CUL-2, CUL-3, and CUL-4 ▪ Moderate Sensitivity: BMP CUL-2 and CUL-3 ▪ Low Sensitivity: BMPs CUL-2 through CUL- 4 not required ▪ Unknown Sensitivity: BMP CUL-2 and CUL-3 ▪ BMPs CUL-6 is applicable to all ground-disturbing activities in natural channels or native soils, regardless of the sensitivity level of the work area.
CUL-2	Record Search and Field Inventory for Highly or Moderately Sensitive Areas, and Areas of Unknown Sensitivity	▪ Midpen will retain a qualified cultural resources specialist to conduct a review and evaluation of locations that involve soil disturbance/excavation in natural channels or native soils identified as Highly to Moderately Sensitive to determine the potential for these activities to affect significant cultural resources. ▪ The initial evaluation will be based on a review of archival information maintained by Midpen. If there is no information in Midpen's archives that indicates Midpen ever received comprehensive cultural resources data on the project area, or that the project area has previously ever been subject to pedestrian archaeological survey, the qualified cultural resources specialist will request a record search by the Northwest Information Center (NWIC) of the California Historical Resources Information System to cover the project area and on a 0.25-mile search radius. This initial archival review will be completed by the professional archaeologist who will be able to view confidential site location data and literature to arrive at a preliminary sensitivity determination.

BMP Number	BMP Title	BMP Description
		▪ It is recommended that Midpen conduct a review of the Sacred Lands Inventory of the Native American Heritage Commission (NAHC) and due diligence outreach with individuals identified by the NAHC and/or local historical societies or groups. This outreach would involve sending a letter with a request for pertinent information about cultural resources within the project area and to identify any concerns. This outreach is in addition to notification under PRC 21080.3.1 (i.e., CUL-3), and may be appropriate for projects that would not otherwise require Assembly Bill 52 notification. Such outreach is also encouraged under Section 106 implementing regulations at 36 CFR 800.4(a)(3) for identification of historic properties. ▪ The qualified archaeologist will conduct field inventory of the project area to determine the presence/absence of surface cultural materials. The results, along with any mitigation and/or management recommendations, will be presented to Midpen in an appropriate report format that includes any necessary maps, figures, and correspondence with interested parties. The report will also include a summary of the records search and archival research data, and pertinent geoarchaeological overviews and studies, and regional research designs, as appropriate. ▪ A summary table indicating appropriate management actions (e.g., monitoring during construction, presence/absence testing for subsurface resources, and data recovery) will be developed for each project work area reviewed. ▪ The maintenance activities will be implemented to avoid significant impacts to cultural resources, if possible. ▪ **EXCEPTIONS:** After the Midpen archival search, NWIC record search, and NAHC sacred lands search have been conducted, the qualified archaeologist may determine that a field review is not necessary under the following circumstances: ▪ Locales that have previously been subject to cultural resource studies where no previously identified cultural resources or historical resources were documented. ▪ Locales that have previously been subject to cultural resources studies, but identified cultural resources have been determined by a qualified archaeologist/resource specialist as not eligible for listing in the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP). ▪ A short report would be required to document the decision not to conduct a field study.

BMP Number	BMP Title	BMP Description
CUL-3	Consult with Native American Tribes	Midpen, as the lead CEQA agency, has notified Native American tribes about the Program according to PRC 21080.3.1 (also referred to as Assembly Bill 52); *only Native American tribes that have previously requested notification from Midpen pursuant to PRC 21080.3.1(b) require notification*. For tribes that request consultation under PRC 21080.3.1(b)(2), Midpen will consult with those tribes pursuant to PRC 21080.3.2 for projects in areas of high, moderate, and unknown sensitivity.
CUL-4	Construction Monitoring	▪ Midpen will retain a qualified archaeologist to be present on-site during ground-disturbing activities within areas identified as highly sensitive for cultural areas, unless the qualified archaeologist determines otherwise after the field inventory conducted under CUL-2. Similarly, after conducting the field study under CUL-2, the qualified archaeologist may determine that areas originally identified as moderately sensitive for cultural resources warrant monitoring during construction. The reasons for conducting monitoring in areas initially considered of moderate sensitivity would be discussed in the inventory report. ▪ The qualified archaeologist will have the authority to stop work if cultural resources are discovered. ▪ If any cultural resources are discovered during construction monitoring, BMP CUL-7 would be implemented as appropriate.
CUL-5	Conduct Pre-Maintenance Educational Training	At the beginning of each maintenance season, and in concert with implementing BMP BIO-1, as well as before conducting activities subject to BMP CUL-2 through BMP CUL-5, all maintenance personnel will participate in an educational training session conducted by a qualified cultural resources specialist. This training will include instruction on how to identify historic and prehistoric resources that may be encountered, and will describe the appropriate protocol to be followed if resources are discovered during maintenance work.
CUL-6	Address Discovery of Cultural Remains	Unanticipated discoveries of cultural and paleontological resources may occur during maintenance construction activities. Examples of prehistoric Native American cultural remains are obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or significant areas of tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period artifacts may include stone, concrete, or adobe footings, foundations, and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. Paleontological resources are fossilized remains of plants and animals.

BMP Number	BMP Title	BMP Description
		Work will be restricted or stopped in areas where remains or artifacts are found until proper protocols are met, as described below. Protocol for treatment of prehistoric or historic cultural resources, or human remains: 1. Work at the location of the find will halt immediately within 50 feet of the find. A "no work" zone will be established utilizing appropriate flagging to delineate the boundary of this zone, which will measure at least 50 feet in all directions from the find. 2. Midpen will retain the services of a consulting archaeologist, who will visit the discovery site as soon as practicable and perform minor hand excavation to describe the archaeological resources present and assess the amount of disturbance. 3. The consulting archaeologist will provide to Midpen and USACE, at a minimum, written and digital-photographic documentation of all observed materials, utilizing the CRHR and NRHP guidelines for evaluating archaeological resources. Based on the assessment, Midpen and USACE will identify the CEQA and Section 106 cultural resources compliance procedures to be implemented. 4. If the consulting archaeologist determines that the find appears not to meet the CRHR or NRHP criteria of significance, and a USACE archaeologist concurs with the consulting archaeologist's conclusions, construction may continue while monitored by the consulting archaeologist. The authorized Program work will resume at the discovery site only after Midpen has retained a consulting archaeologist to monitor and the Program Manager has received notification from USACE allowing work to continue. 5. If the find appears significant, avoidance of additional impacts is the preferred alternative. The consulting archaeologist will determine if adverse impacts to the resources can be avoided. 6. Where avoidance is not practical (e.g., maintenance activities cannot be deferred or must be completed to satisfy the Program objective), Midpen will develop an action plan (also known as a data recovery plan) and submit it to USACE within 48 hours of determining that maintenance activities cannot be deferred. The action plan will be submitted by email to the appropriate archeological/cultural resources contact at the USACE. The action plan is equivalent to a data recovery plan. It will be prepared in accordance with the current professional standards and state guidelines for reporting the results of the work, and will describe the services of a Native American consultant, if appropriate, and a proposal for curation of cultural materials recovered from a non-grave context.

BMP Number	BMP Title	BMP Description
		7. The recovery effort will be documented in a report prepared by the consulting archaeologist in accordance with current archaeological standards. Any non-grave artifacts will be placed with an appropriate repository. 8. In the event of discovery of human remains (or if a find consists of bones suspected to be human), the field crew supervisor will take immediate steps to secure and protect such remains from vandalism during periods when work crews are absent.) 9. The maintenance crew supervisor will immediately notify the San Mateo County Coroner and provide any information that identifies the remains as Native American. If the remains are determined to be those of a prehistoric Native American or a Native American from the ethnographic period, the Coroner will contact NAHC within 24 hours of being notified about the remains. NAHC will designate and notify a most likely descendant (MLD) within 24 hours. The MLD will have 48 hours to consult and provide recommendations for the treatment or disposition, with proper dignity, of the human remains and grave goods. 10. Preservation in situ is the preferred option for human remains. Human remains will be preserved in situ if continuation of the maintenance work, as determined by the consulting archaeologist and MLD, will not cause further damage to the remains. The remains and artifacts will be documented, the find location carefully backfilled (with protective geo-fabric if desirable), and the information recorded in Midpen Program files. 11. If human remains or cultural items are exposed during maintenance that cannot be protected from further damage, they will be exhumed by the consulting archaeologist at the discretion of the MLD and reburied, with the concurrence of the MLD, in a place mutually agreed upon by all parties.
Geology/Paleontological Resources Measures		
GEO-1	Address Discovery of Paleontological Resources	<u>Protocol for treatment of paleontological resources:</u> 1. Work at the location of the find will halt immediately within 50 feet of the find. A "no work" zone will be established utilizing appropriate flagging to delineate the boundary of this zone, which will measure at least 50 feet in all directions from the find.

BMP Number	BMP Title	BMP Description
		2. Midpen will retain the services of a consulting paleontologist who meets the Society for Vertebrate Paleontology's criteria for a "qualified professional paleontologist" (Society of Vertebrate Paleontology 1995). The consulting paleontologist will follow the Society for Vertebrate Paleontology's guidelines for treatment of the find. Treatment may include preparation and recovery of fossil materials for donation to an appropriate museum or university collection, and may include preparation of a report describing the find. Midpen will be responsible for ensuring that the paleontologist's recommendations are implemented.
Erosion Control Measures		
EC-1	General Erosion Control Measures	▪ All exposed soils within a project site will be stabilized immediately following the completion of earthmoving activities to prevent erosion into the stream channel. Erosion control BMPs, such as silt fences, certified weed-free straw hay bales, gravel or rock lined ditches, water check bars, certified weed-free wattles, forest duff or mulches, and broadcasted certified weed-free straw will be used as necessary (Refer to Appendix D and E for detailed descriptions of erosion control BMPs). Erosion control fabrics will be constructed of biodegradable materials, such as coir or jute. Erosion control products will not contain monofilament material. The effectiveness of erosion control BMPs will be monitored during and after each storm event. Modifications, repairs and improvements to erosion control BMPs shall be made as needed to protect water quality. At no time shall silt laden runoff be allowed to enter the stream or directed to where it may enter the stream. ▪ Soil accumulated behind erosion control features will be removed promptly to an erosionally safe location and controlled for erosion. Erosion control measures will be monitored following significant storm events and modifications, repairs, and improvements to erosion controls measures will be made whenever they are needed. ▪ Erosion control measures will be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter Waters of the State and/or U.S. This may require the construction at the toe of the slope below the construction site, of silt catch basins, silt fencing, certified weed free straw bale dikes, or other siltation barriers. At no time shall silt laden runoff be allowed to enter the stream or directed to where it may enter a stream.

BMP Number	BMP Title	BMP Description
EC-2	Slope or Bank Stabilization	▪ Implement bio-compatible bank stabilization methods such as brush layering (live cut branches interspersed between layers of soil wrapped in natural geotextile materials with branches in alternative crisscrossing or overlapping pattern), brush mattresses, and live siltation to stabilize slopes and banks where feasible. The finished slopes should be seeded with native seed and mulched with a biodegradable tackifier. ▪ Riprap of proper size and weight to withstand high water flows, where necessary, will be set below grade and keyed into the bank such that it is above the OHWM to the extent feasible. Work will be confined to the damaged or failed sections and immediate adjacent bank area affected by the damage failure. No more than 40% of bank repairs in a given year will use "hard" or impervious structure design. Incorporate rootwad revetments, live stakes, and pole planting at suitable locations to encourage vegetation growth over rip-rap where feasible. The following measures will be implemented during Program activities. 1. Streambank areas receiving rock slope protection will be back-filled with appropriate native or clean imported topsoil. The topsoil will fill some portions of the voids in the rock slope protection above the normal high water mark and provide a substrate for revegetation efforts. This work will be done manually using hand tools and power tools such as a toter or mule for single-track trail environments or an excavator or dump truck when needed for multiuse trails or roads. 2. Other bank stabilization measures that may be employed include broadcast and hydro-seeding, riparian vegetation planting, slopes armored with rocks or sandbags staked with live willow and other bioengineering techniques such as willow staking, live willow pole drains, vegetated crib walls, log or rock weirs. 3. Riparian trees will be protected from damage to the greatest extent possible during repair and replacement.
EC-3	Road and Trail Drainage Maintenance	▪ Minimize fine sediment contributions from roads, cutbanks, and ditches through seasonal closures and installing a variety of surface drainage techniques including berm removal, road surface shaping (outsloping, insloping, or crowning), rolling dips, ditch relief culverts, water bars, and other measures to disperse road surface runoff and reduce or eliminate sediment delivery to streams. ▪ Implement "live pole drains" where feasible to prevent landslides, unstable slopes, and slumping.

BMP Number	BMP Title	BMP Description
		▪ Cleaning roadside/trailside ditches will be limited to no more than 10 cubic yards of soil per 100-yard length of road/trail and allows associated vegetation removal. ▪ Sloughs and berms may be occasionally removed (every 3-5 years) from trails and roads, but material removed will not exceed 5 cubic yards per 100-yard length of trail and 10 cubic yards per 100-yard length of road. ▪ Up to two (2) cubic yards of accumulated sediment will be removed from rolling dips per 100-yard length of road/trail that is located within a drainage subject to CDFW jurisdiction. ▪ In the event of a landslide, up to five (5) cubic yards per event or up to two (2) cubic yards under any conditions will be removed per the following conditions: 1. Up to 2 cubic yards of material may be removed, using hand tools only, under any conditions. 2. Removal of amounts greater than 2 cubic yards requires that the channel be dewatered first and heavy equipment may be used if submitted to CDFW in writing through annual notification process with written approval from CDFW and where no Coho salmon are present. 3. The total area of disturbance shall not exceed 150 feet of channel or 2,000 square feet of area, whichever is less. 4. The disturbed area shall immediately be treated with erosion control materials sufficient to control turbidity. 5. Nearby perched or otherwise unstable fill shall be removed as well, up to 5 cubic yards.
EC-4	Road and Trail Minor Relocation	<u>Narrow-width Trails:</u> ▪ The new location will be no more than 400' upslope or downslope of the existing location. ▪ New crossings shall be free span bridges in creeks providing salmonid habitat or free span bridges or mortar or concrete free fords in creek without salmonid habitat. ▪ Vegetation removal is limited to no more than a six (6) foot buffer around the new crossing and to trimming of no more than 20% of any individual tree canopy in that six-foot buffer. Vegetation removal shall be limited to the minimum amount necessary to provide access. ▪ All work will be done when the work area is dry and the work period is outside the rainy season.

BMP Number	BMP Title	BMP Description
		▪ Work must be completed during the appropriate fish and aquatic habitat avoidance times (BMP DW-2). <u>Other Trails and Roads:</u> ▪ The new location must be no more than 400' upslope or downslope of the existing location ▪ The total amount of earthwork will not exceed 75 cubic yards per year. ▪ New crossings shall be free span bridges in creeks providing salmonid habitat or free span bridges or mortar or concrete free fords in creeks without salmonid habitat. ▪ All work is to be done when the work area is dry, during the appropriate fish and aquatic habitat avoidance times (BMP DW-2). When work will be done within or around perennial streams or during wet weather years in which the channel does not dry, work will be scheduled during periods of low flow and will adhere to the dewatering BMPs (DW-1, DW-2, and DW-3). ▪ Vegetation removal is limited to no more than a five-foot buffer around the new crossing and to trimming of no more than 20% of any individual tree canopy with the five-foot buffer.
EC-5	Revegetation of Disturbed Areas	Disturbed areas shall be re-vegetated according to Midpen's BMPs for Revegetation (Refer to Appendix D and E for detailed descriptions) and will use native plants whenever possible. If locally collected native plants are not available, sterile revegetation plants shall be used (e.g., cereal barley, Regreen, Trios). Disturbed areas shall be protected with correctly installed erosion control measures (e.g., jute, certified weed free straw, coconut fiber, or coir logs). Materials containing monofilament or plastic shall not be used.
Sediment/Water Quality Control Measures		
SWQ-1	Water Body Protection Measures	▪ Midpen will divert any flow at the project around the active maintenance site in a nonerosive manner. ▪ Limit work activities outside of a stream channel to the extent feasible to minimize stream disturbance and turbidity. ▪ If work within an inundated water body is necessary, conduct applicable dewater procedures to minimize water body disturbance and turbidity. ▪ During Program activities, silt control measures will be used during all phases of the project to prevent silt or earthen fill from entering the aquatic environment. In addition, exposed or disturbed areas within the project site will be stabilized to the greatest extent possible.

BMP Number	BMP Title	BMP Description
		▪ BMPs will be used on temporarily stockpiled excavated sediment prior to disposal or reuse to protect water quality and beneficial uses. The excavated sediment may be stockpiled onsite so that it can be loaded into trucks for off-site disposal within three (3) working days. The excavated sediment may also be temporarily stockpiled at an off-site location so that runoff, sediment, or decant water from the excavated materials will not contact waters of the State and/or U.S. ▪ Implement a debris catchment system (e.g., nets, tarping) during bridge work to avoid the introduction of materials into a water way.
SWQ-2	Turbidity Monitoring	▪ When working within wet channels there will be a designated water quality monitor to monitor and document turbidity entering and exiting the work site. ▪ During Program activities in wetted stream channels or other aquatic habitat, Midpen or their contractor will monitor turbidity levels up and downstream of the project area before and during Program activities, and shall keep a log of turbidity data. Maintenance activities will not result in increases in turbidity of the stream of more than 20 percent of upstream sampling locations, as measured visually or by Nephelometric turbidity units (NTU) as approved by the RWQCB Waste Discharge Requirements and Water Quality Certification covering the project. ▪ Upon Midpen's determination that turbidity/siltation levels resulting from project-related activities constitute a threat to aquatic life, activities associated with the turbidity/siltation will be halted until effective approved control devices are installed or abatement procedures are initiated.
SWQ-3	Sediment Filtering Measures	Midpen or their contractor will deploy silt curtains or other appropriate silt filtering devices, such as straw bales, around the excavation site to prevent heavily silted water from impacting areas around the project area. The silt curtain or silt filtering devices shall be maintained throughout all phases of the excavation and construction activities.

BMP Number	BMP Title	BMP Description
Dewatering Measure		
DW-1	Stream/Aquatic Habitat Isolation	▪ If repair activities affect the active channel, the work area shall be isolated from flowing stream segments using silt fences, wattles, and/or cofferdams and restored to pre-project conditions after maintenance is complete. All stream diversions shall be closely maintained and monitored. Pumped diversions shall be continuously monitored (24-hours). Upon completion of work in diverted channels, the stream diversion shall be removed and flow shall be re-directed through the new culvert or back into the original stream channel. ▪ Stream or aquatic habitat diversion systems will maintain as much instream or aquatic habitat connectivity as possible to allow for movement of aquatic organisms. Diversion will be conducted such that water at the downstream end does not scour the channel bed or banks. Coffer dams, if used, will be constructed upstream and downstream of the work area as close as practicable to the work site. Coffer dams shall be constructed of a non-erodible material which does not contain soil or fine sediment and shall be constructed with clean gravel and bags, and may be sealed with sheet plastic. All materials shall be removed from the stream or aquatic habitat upon project completion. Normal flows shall be restored to the affected stream immediately upon completion of work at that location. Coffer dams and the stream diversion system will remain in place and functional throughout the construction period. If, the coffer dams or stream diversion fail, they shall be repaired immediately. ▪ During dewatering of the channel, the decrease in water surface elevation (WSE) shall be controlled such that WSE does not change at a rate that increases turbidity to the creek that could be deleterious to aquatic life and the likelihood of stranding aquatic life up- and downstream of the creek. Flows shall be provided to downstream reaches during all times the natural flow would have supported aquatic life. Said flows shall be sufficient quality and quantity, and of appropriate temperature to support fish and other aquatic life both above and below the diversion.
DW-2	Pond Dewatering	When pond draining is required, work will occur between August 15 and November 1, prior to the beginning of California red-legged frog breeding season.
DW-3	Pumps	All pump intakes will be fitted with ¼ inch mesh screens to prevent aquatic species injury, mortality, or impingement.

BMPs above include components of the source documents below.
Sources: Midpen , 2012, 2014, 2021; CDFG 2002; Best 2006-2012; Salix Applied Earthcare 2004; USFWS 2016a, 2016b; San Francisco Bay RWQCB 2010, 2018; CDFW 2017a, 2017b, 2018; NMFS 2019.

Chapter 11. Program Administration and Reporting

11.1 Introduction

This chapter describes how the Open Space Maintenance and Restoration Program (OSMRP or Program) will be implemented and administered by Midpeninsula Regional Open Space District (Midpen). Routine maintenance activities, including removal of sediment and vegetation in channels and ponds/lakes; clearing debris, woody debris, and sediment from culverts and ditches; culvert replacement; bank stabilization and slip-out repairs; water supply maintenance; vegetation management (including fire and fuel management) along roads, trails, channels, and other facilities; road grading; trail relocation; bridge maintenance and replacement; and existing structure maintenance represent the majority of Midpen's routine maintenance work. Less frequent activities also described and covered under this Program include the installation of new facilities and conducting improvements as new land is acquired and managed as an Open Space Preserve (OSP). Typically, when Midpen acquires new land, the land is in a degraded condition and these activities are necessary in order to protect and enhance the natural environment and improve public access throughout Midpen lands. All activities under the Program incorporate impact minimization measures, work limits, and best management practices (BMPs) to further avoid or reduce potential impacts per the approach described in Chapter 10 of this Manual.

11.2 Annual Maintenance and Facilities Improvements Cycle

Activities in the Program originate in response to winter storms, facilities inspections, scheduled re-occurring maintenance (e.g., trail brushing), and annual work plan development. Road related activities are prioritized by the condition of the facility, the volume of chronic and episodic sediment to be mitigated, or an operational problem. In some cases, an otherwise lower priority activity next to a high-priority may be undertaken to save costs and increase work efficiency. Maintenance, grazing management, and Natural Resources staff all identify maintenance activities to be undertaken.

Facilities improvements largely originate from the Conservation Grazing Program and from the public access programs' within Midpen. The priority and development of facilities improvement projects are based on site-specific plans. Grazing facility activities address an operational need for the grazing operations, but also serve to improve an ecological goal (e.g., replacing a spring box, water line, and trough to facilitate even grazing). New trails are developed as part of a site-specific plan and are constructed with the least impacting methods, are located to avoid sensitive resources, and are designed to minimize disturbance to riparian areas at stream crossings. New trail projects are typically conducted in conjunction with larger capital projects.

Restoration projects are identified by Natural Resources, grazing management, and maintenance staff. Wetland and species-specific recovery projects (e.g., for California red-legged frog [CRLF] or San Francisco garter snake [SFGS]) are undertaken as part of the current Recovery Permit; where applicable (e.g., on grazing lands), these projects are completed in consultation with the grazing staff to ensure that the modifications meet the operational needs of grazing. Approximately 100 ponds are located throughout Midpen lands. Thus, Midpen routinely conducts annual pond maintenance and pond improvement projects to maintain the ecological function and support recovery work. A subset of ponds is inspected annually from January through September as part of Midpen's CRLF population studies. The priority of a pond project is dependent upon either the physical condition or ecological data.

11.3 Project Site Definitions

For the purposes of this program, project sites can be defined in several ways. Project sites are defined as work within an area that is hydrologically connected to or within the area of potential effect of a defined, jurisdictional feature. For example, replacing a culvert entails adjacent work such as staging, installing critical dips, and shaping the road around the drainage, all of which would be considered one project site in the annual notification. If a linear project is within a different sub-watershed or drainage, it would be noticed as a separate, discrete project site. Projects without a nexus to waters of the United States (U.S.)/state (i.e., uplands) would be noticed as one individual project, unless there are discrete sub-areas that are disconnected, within different habitats, and different watersheds, in which case two or more sites would be noticed (e.g., fuels treatment project with three separated treatment areas would be noticed as three sites unless they are within the same watershed in the same habitat).

Some Program activities, such as annual mowing, are part of the baseline condition of the Program and are not noticed individually. Any new disturbance that is part of an annual process/project (such as opening a new property acquisition) would be noticed and analyzed.

11.4 Annual Work Plan Notification

At the beginning of each year, Midpen will prepare an annual notification report summarizing proposed activities for that upcoming given year. The notification report will describe the locations, natural resource conditions, and other key resource issues as well as summarize anticipated impacts on wetlands and waters of the U.S. and state, riparian resources, and federally and state listed species. The annual notification will also describe avoidance and minimization measures, BMPs, and proposed mitigation that will be implemented. If requested, Midpen is available to host a tour of the identified Program sites.

The annual notification report will also distinguish activities for which take of federally listed species will be covered via Midpen's U.S. Fish and Wildlife Service (USFWS) 10(a)(1)(A) Recovery Permit from those for which take will be covered via the USFWS Biological Opinion (BO) that will be issued pursuant to Section 7 consultation between the U.S. Army Corps of Engineers (USACE) and USFWS. This distinction will be made based on whether the proposed activity has a direct recovery benefit for federally listed species, in which case take would be covered by the Recovery Permit. If there is no direct recovery benefit for federally listed species but the activity is covered in the USFWS BO, take will be covered via the BO. Some activities do not have a direct recovery benefit and will not be included in the USFWS BO because they are not regulated by the USACE (or interdependent/interrelated with USACE-regulated activities); for these activities, implementation of avoidance and minimization measures will avoid take of federally listed species, as described below.

Midpen's biologist will determine the tiering category for each project according to the definitions described in Section 2.3 to classify the type of impacts to federally or state listed species anticipated to occur at each Program activity site. These tiering categories will help guide Midpen in determining appropriate impact avoidance measures and activity-specific BMPs (listed in Chapter 10, Table 10-3). Note that all projects (both Tier 1 projects and Tier 2A, 2B and 3 projects) will utilize appropriate program-wide BMPs for impact avoidance and minimization as identified in Chapter 10; however, the precise BMPs considered appropriate or necessary may vary by tier. For example, the tiering categories will assist Midpen in determining which Program activities will require pre-activity surveys or monitoring by a qualified/professional biologist or biological monitor (e.g., Tier 1 and Tier 2A activities would not require these tasks, whereas Tier 2B and Tier 3 activities may) and which will require compensatory mitigation. The tiering approach will guide development of the mitigation plan described below in Section 11.8. In general, Program activities take place on an annual cycle, as shown in **Table 11-1**, depending on whether they are located away from wetlands and waters of the U.S. and state, riparian resources, and/or federally or state listed species (Tier 1 projects); or activities near such resources (Tier 2 and 3 projects) (**Table 11-2**).

Table 11-1. Timeline for Tier 1 Program Activities

January to December	January to December	March to November	December
Assess Midpen facilities and conditions	Prioritize Program activities and develop work plan	▪ Notify regulatory agencies for certain activities ▪ Conduct necessary pre-activity resource surveys ▪ Conduct Program activities ▪ Vegetation: generally March-August ▪ Culvert and water feature maintenance: typically late spring or early summer ▪ Grazing: late spring or early summer	Prepare annual summary report

Note: Tier 1 – No Effect

Table 11-2. Timeline for Tier 2A, Tier 2B, and Tier 3 Program Activities

January to February	February	March and April	May to October	November to December
Assess facility maintenance, improvement, or restoration needs and site conditions	Prioritize Program activities and develop work plan (including resource/site-specific BMPs)	Notify regulatory agencies Regulatory agency coordination	Conduct maintenance, facility improvement, or restoration activities	Prepare annual summary report Update database & BMP list

Notes: Tier 2A – Not Likely to Adversely Affect; Tier 2B – Not Likely to Adversely Affect for individuals, but may be considered Likely to Adversely Affect if permanent habitat impacts occur; Tier 3 – Likely to Adversely Affect

11.5 Tier 1 Program Activities

Tier 1 Program activities would be located in creek reaches inaccessible to special-status fish or, for terrestrial special-status species other than birds, in areas where no suitable breeding habitat is present and there is no connectivity between the site and known or potential breeding habitat (so that non-breeding individuals can also be presumed to be absent). The implementation of Program activities at Tier 1 sites is not expected to result in impacts on individuals that rise to the level of "take" and; therefore, no compensatory mitigation is necessary for such activities. No qualified biologist or biological monitor would be needed to conduct pre-activity surveys or to be present during the performance of Tier 1 activities. Tier 1 activities would not result in take of individuals or habitat, even if permanent impacts to habitat conditions occur.

Tier 1 Program activities generally include mowing, controlled burning, grazing, vegetation trimming, and invasive vegetation management in uplands or along Midpen roads, trails, and facilities. These activities will generally follow the timeline shown in Table 11-1 and will typically be conducted between March and December with summary reporting in the winter. Depending on the targeted invasive plant species, limited herbicide application (above ordinary high water mark [OHWM]) occurs at various times of the year to control the target species. For example, oxalis is treated in November through February, whereas most other non-native plants are targeted between the spring and early fall season. Other minor maintenance activities such as removing trash and debris from culverts, minor maintenance work occurring at bridges (above OHWM), non-bridge structure maintenance, trail maintenance, or any other non-ground-disturbing activities may occur year-round, although the bulk of such activities would take place in the spring and summer season (Table 11-1). For vegetation management and fuel reduction activities, a reconnaissance evaluation precedes such activities and is typically conducted every three to five years in the winter months. Vegetation thinning, mowing, and removal of dead branches or understory, where determined necessary, are typically conducted in the spring and summer, once the primary wet months are over and before the drier conditions in the fall, when the maintenance activities themselves can be a source of fire ignition. Tree trimming is conducted in the fall and winter to protect tree vigor and health.

Activities that will be exempt from regulatory agency notification include the following:

- Fence, gate, and signage repair;
- Trash rack clearing;
- Minor repair/maintenance of scientific instrumentation (i.e., gages, sensors, etc.) and wildlife habitat structures (i.e., turtle platforms, exclusion screens, and spring box features);
- Routine vegetation management activities conducted in the same place each year to maintain the status quo (e.g., maintenance of established shaded fuel breaks on existing Midpen lands);
- Debris and trash removal (unless above 0.01 acre or 436 sq ft);
- Water supply structure maintenance where activities will not impact waters of the U.S./state;
- Maintenance of roads and trails located above the top of bank where there will be no impact on waters of the U.S./state or without the potential to impacts waters of the U.S./state;

- Maintenance of drainage ditches along existing roads where all work is above the level of top of bank of adjacent stream, and there will be no impact to waters of the U.S./state.
- Pre-storm checks conducted with hand shovels to prevent clogging and reduce sedimentation

This list may be modified and revised throughout implementation of the Program.

11.6 Tier 2A, 2B and 3 Program Activities

Tier 2A, 2B, and 3 Program activities would occur in areas where special-status species are known to occur or could possibly occur, either because suitable breeding habitat is present or, for terrestrial species and fish, suitable non-breeding habitat is present and there is connectivity between the project site and suitable breeding habitat. Activities may involve ground disturbance near wetlands or waters of the U.S. and state, riparian resources, and/or near federally or state listed species, such as sediment removal from channels and ponds/lakes, culvert replacement, bridge replacement, trail stream crossings, and bank stabilization or slip-out repairs. Tier 2A activities are those that would not result in "take" of special-status species based on the location and timing of work (i.e., although a special-status species could occur at the site at times, none would be present when the work will occur). Tier 2B activities are those that would not result in "take" of special-status species with the implementation of BMPs, such as pre-activity surveys, exclusion of individuals from the site, and/or implementation of non-disturbance buffers around active nests of special-status birds. However, some Tier 2B activities may result in permanent loss of habitat. If permanent habitat loss occurs in holdings where special-status species occur in higher densities and/or with a higher frequency of occurrence, the USFWS would likely consider this loss of habitat to constitute take under Federal Endangered Species Act (FESA), in which case the FESA determination for that activity would be "Likely to Adversely Affect". Permanent habitat loss in holdings where special-status species occur in lower densities and/or with a lower frequency of occurrence and temporary habitat loss in any holding would be considered "Not Likely to Adversely Affect" the species. Tier 3 activities are those where "take", either in the form of handling, injury, or mortality of individuals or permanent loss of habitat, cannot be avoided. Tier 2A and 2B activities would not require compensatory mitigation, while Tier 3 activities may require some form of compensatory mitigation to offset impacts.

Midpen conducts routine facility assessments periodically throughout the year to ensure functional integrity, public access, and environmental resource protection. If not previously done, Midpen will conduct an evaluation at each site during January and February (as shown in Table 11-2). The majority of road sites have been evaluated by an engineering geologist or civil engineer as part of sediment source inventory. Those evaluations specify the size of a facility to

accommodate flow events. Maintenance staff revisits these sites regularly and may prioritize work based on an observed deterioration (such as a rusting culvert).

During February to March, an annual work plan will be developed for activities that are occurring in wetlands and waters of the U.S. and state, riparian resources, near federally/state-listed species, or other facilities that involve Tier 2A, 2B, and 3 project activities based on the assessment and prioritization process. The number of activities prioritized for the annual work plan will be dependent on factors such as the climatic and hydrologic conditions in the preceding years. The history of past maintenance activities and specific resource conditions at individual facilities will be reviewed as upcoming tasks are identified and prioritized. Projects marked as low priority and not included in the current year's work plan will be noted for inspection and reassessment during the next annual work cycle. As appropriate, regulatory agencies would be notified of the planned Tier 2A, 2B, and 3 maintenance activities in March/April. The work window for this maintenance work that takes place in sensitive habitat and/or in regulated jurisdiction (e.g., wetlands and waters of the U.S. and state, riparian resources) would be implemented between May 15 and October 31 with at least 50% of project activities completed by October 15, as dictated by local site conditions and resource avoidance measures.

The annual work plan for Tier 2A, 2B, and 3 project activities will identify specific treatment approaches, conceptual plans, and/or design plans for each treatment that will be implemented. A summary description of design treatments selected, construction equipment to be used, access and staging, and discussion of why the treatment was selected will be implemented. Details including the linear feet of channel to be disturbed, linear feet of the replacement culvert/bridge/crossing, length of the bank repair, and volume of sediment to be removed will be provided. In addition, the area (in acres) of wetlands, waters of the U.S., and waters of the state will be described.

Midpen will oversee the Program throughout all steps of the above-described work cycle. Continuity in oversight and attention will enable the Program to run effectively. A designated staff person from Midpen will serve as the Midpen Project Manager. The Midpen Project Manager's primary responsibility will be to supervise and guide Program activities, including implementation of mitigation necessary. A key responsibility for the Midpen Project Manager will be to provide communication and coordination between Midpen departments and the relevant regulatory agencies throughout all steps of the work cycle. The Program will be administered to be consistent with the objectives and activities described in this Manual.

11.7 Special Review Process

Unanticipated project needs may arise during the course of the permit term. An activity that meets the 'spirit' of the Program, and has the appropriate mitigations developed, may require

consultation with agency staff to discuss whether it can and should be permitted through this Program. Every effort has been made to describe the Program's needs and activities, but some activities may require consultation because they are not expressly described or because certain quantitative limits may be exceeded. Should the need arise, Midpen proposes to include these as a separate submittal in the Tier 2/3 annual notification and will note the consistency issues with each activity. Midpen will track these exceptions, whether approved or not for inclusion, and seek to amend the permits as necessary upon the future renewal process.

11.8 Projects on Properties Not Under Fee Ownership of Midpen

Midpen owns easements, works with neighbors, and conservation partners on a variety of projects that occur adjacent to or off Midpen's Preserves (i.e., lands owned in fee title by Midpen). Certain projects on Midpen lands may partially extend onto private lands. Work done as a part of a private road association, defensible space projects, other wildland fire fuel resiliency work, species recovery, or on lands Midpen is about to acquire in fee are the most likely uses. Midpen also works in the right-of-way of local, County, and state agencies (e.g., installing a wildlife crossing). As a government agency, Midpen is required to make a finding of public benefit in any activity that is undertaken, including these types of projects. These projects are expected to be limited to a few projects each year at most.

11.9 New Lands

The Program analyzes the whole of Midpen's boundary (i.e., Sphere of Influence) (with the exception of Bay-front lands). Midpen acquires new lands annually, which are often acquired in a degraded condition, and manages and restores those lands to protect and enhance the natural environment. As part of the annual work plan submission, Midpen will include an updated map of Midpen's boundary and highlight all newly acquired parcels/lands. Projects occurring on these new lands would be included in the annual notification report, reviewed for consistency with the Program, and would then be added to the Manual as part of the baseline condition.

11.10 Develop Mitigation Plan

In parallel with developing the annual Program work plan, Midpen will develop the annual mitigation plan for Program activities considered as "Tier 2A", "Tier 2B", and "Tier 3", as well as any "Tier 1" projects that result in unavoidable impacts to wetlands, waters of the U.S. and state, or riparian resources. The mitigation plan will describe the on-site and/or off-site (elsewhere within the Midpen Preserve System) planned mitigation activities led by Midpen. The mitigation plan will include the following types of information:

- A description of on-site and off-site habitat restoration or enhancement activities planned for the coming year including the locations, lengths, areas, and other project details;
- A description of how restoration and enhancement projects will address watershed processes and functions that will provide suitable mitigation for the year's Program activities;
- Schedule for implementing mitigation project activities;
- A statement describing the status of permit approvals necessary to perform project (if applicable); and
- A mitigation and reporting plan.

Permitting agencies will have the opportunity to review and comment on the proposed annual mitigation plan. The annual mitigation plans will be consistent with the mitigation approaches outlined above and in Chapter 10.

11.11 Project Implementation

Once Midpen receives a notice to proceed from the relevant regulatory agencies, regulated Program activities may be initiated. Ground disturbing work in or adjacent to wetlands, waters of the U.S. and state, riparian resources, or sensitive habitats for federally and state listed species would take place after May 15. Ground-disturbing work outside of channels and creeks and sensitive habitat would take place after March 1. All Program activities will be conducted in accordance with the project description, program-wide and resource/activity-specific BMPs, and terms of the Program permits. This includes conducting any necessary pre-activity surveys for federally or state listed fish, wildlife, plants, and other resources, if Tier 2 and 3 project activities may affect these resources. An on-site biologist or biological monitor trained in using the Program Manual will oversee and guide all Program activities and ensure that the proper Program principals and avoidance and minimization measures and/or BMPs and mitigation, as described in Chapter 10, are employed.

As described previously, some vegetation management activities must take place early in the work season (e.g., riparian planting, invasive plant control, mowing, tree thinning, and removal of dead branches), before the fuel load is too dry and the fire ignition risk increases. Most fuel and vegetation management activities (including mowing, and weed and brush control) that are not subject to regulatory approvals may be conducted as early as March. As previously described, herbicide application occurs at various times of the year depending on plant phenology and is timed to be most effective. For some plants above OHWM and outside of riparian resources, herbicide application occurs during the spring and for others, it occurs

during the fall or early winter. As previously described, other minor maintenance activities that occur above OHWM may occur during both spring and fall. Culverts more than 30% clogged could significantly reduce channel capacity may be cleaned at any time, even when the channel is wet, as such situations could threaten Midpen facilities, infrastructure, environmental functions and values, and may present safety issues to Midpen staff or the public.

During implementation of Program activities, if an issue arises that requires a different treatment or approach than that described in the notification package and that change would result in a greater impact (e.g., conversion from Tier 1 to Tier 2 or Tier 3, or greater magnitude of take of individuals, or extent of impacts to listed species or habitat increased by more than 10%), then the agencies will be notified immediately by the Midpen Project Manager. If the change in treatment or approach would not result in greater impacts or an increase in tiering, then the Midpen Project Manager will notify the relevant agencies in a quarterly update or in the annual summary report. If Program activities near waters of the U.S. and state are unable to be completed by October 31, Midpen will winterize the project site until work can resume during the following year consistent with relevant BMPs and permit conditions.

When projects are implemented, data will be collected at the project site before, during, and immediately after project implementation or as required by regulatory permits or the protocols described in this Manual. Data collected may include before, during, and after photographs; quantification of material removed (for sediment removal projects) or placed (for bank/berm stabilization projects); the length and area of vegetation maintenance activities (e.g., herbicide application, tree trimming); and the location or occurrence of any federally or state listed species or other resources encountered at the site during pre-activity survey(s) or project implementation. Monitoring data will be collected shortly after the completion of Program activities at each site.

11.12 Annual Maintenance Summary Report

At the conclusion of the Program implementation season (generally after October 31 and before December 31), Midpen will prepare and submit to the relevant regulatory agencies an annual summary report describing the work plan status and confirm which projects were completed. The report will comply with permitting requirements issued by the relevant regulatory agencies and may include the following information:

- Description of the extent to which the work plan was completed during the prior season (i.e., projects that were and were not implemented) and, for any projects that were not implemented, a brief explanation of why, and whether the project will be incorporated into the next year's work plan or placed on a watch list;
- Statement of whether activities were conducted according to the project description and, if not, how the actual project varied from the project description;

- Site photographs taken before and after project completion;
- A record, if applicable, of how much sediment and vegetation was removed and the number of acres affected;
- A record, if applicable, of how much material was disposed of off-site, the disposal locations, and the approximate footprint area affected;
- Description of whether any federally or state listed species or other sensitive resources were encountered during construction and, if so, what impact avoidance steps were taken in response;
- Description of any take of federally or state listed species that occurred;
- A brief description of site monitoring activities;
- Any lessons learned from that year's activities, including treatments that were not effective, administrative difficulties, and proposed steps to facilitate the process; and
- Recommended updates (if any) to the Program BMPs.

The annual report will also include status reporting on the Program's mitigation activities, including the submittal of follow-up monitoring reports. Topics to be addressed in the monitoring reports are addressed in Chapter 10, Section 10.7.6.

At the end of the annual work cycle, Midpen will update its Program tracking database and the BMP list (Table 10-3), as appropriate, to include any updates or changes made over the recent work cycle. By doing so, development of the next year's work plan will be built on updated information across Midpen lands under the Program Manual.

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Chapter 12. Acronyms and Abbreviations

A		**Chapter**
ACHP	Advisory Council on Historic Preservation	2
ATV	all-terrain vehicle	7
B		
BA	Biological Assessment	2
BAAQMD	Bay Area Air Quality Management District	10
Basin Plan	water quality control plan	2, 3
Bd	*Batrachochytrium dendrobatidis* is a species of chytrid fungus only found in amphibians.	4
BGEPA	Bald and Golden Eagle Protection Act	2
BMP	best management practice	1, 2, 6, 9, 10, 11
BO	Biological Opinion	2, 11
C		
CALFIRE	California Department of Forestry and Fire Protection	6, 10
Cal-IPC	California Invasive Plant Council	4
CALVEG	Classification and Assessment with Landsat of Visible Ecological Groupings	4
CCC	California Coastal Commission	2
CCH1	Consortium of California Herbaria	4
CCR	California Code of Regulations	10
CDFA	California Department of Food and Agriculture	4
CDFW	California Department of Fish and Wildlife (since 2012)	1, 2, 4, 9, 10
CEQA	California Environmental Quality Act	1, 2

CESA	California Endangered Species Act	2, 4
CFR	Code of Federal Regulations	2
CGS	California giant salamander	10
CIP	Capital Improvement Project	2
CMP	corrugated metal pipe	5, 10
CNDDB	California Natural Diversity Database	4, 10
CNPS	California Native Plant Society	4, 6
CRLF	California red-legged frog	1, 2, 10, 11
CRPR	California Rare Plant Rank	4
CT	Congdon's tarplant	10
CTS	California tiger salamander	2
CWA	Clean Water Act	2, 3
CWHR	California Wildlife Habitat Relationship System	4
cy	cubic yards	10
D		
dB	Decibels	10
dbh	diameter at breast height	6, 10
DDT	Dichlorodiphenyltrichloroethane	3
DOC	California Department of Conservation	3
DWR	California Department of Water Resources	3
E		
EA	Environmental Assessment	2
EFH	essential fish habitat	
EIR	Environmental Impact Report	6, 10
F		
F&G Code	California Fish and Game Code	2
FEMA	Federal Emergency Management Agency	10
FESA	Federal Endangered Species Act	2, 4, 10
FMP	Federal Fishery Management Plan	2
FONSI	finding of no significant impact	2
FRA	Fuel Reduction Area	6
FWCA	Fish and Wildlife Coordination Act	2
FYLF	foothill yellow-legged frog	10
G		
GAMA	Groundwater Ambient Monitoring and Assessment	3
GGNPC	Golden Gate National Parks Conservancy	4

GIS	Geographic Information System	4
H		
HAZMAT	hazardous materials	10
HAZWOPER	Hazardous Waste Operations and Emergency Response	10
HDPE	high-density polyethylene	5
HUC	Hydrologic Unit Code	3
I		
IPM	Integrated Pest Management	1, 2, 4, 6, 8, 9, 10
ITP	Incidental Take Permit	2
L		
LCP	Local Coastal Program	2
LF	linear feet	10
LPH	Loma Prieta hoita	10
M		
MAMU	marbled murrelet	10
Manual	Open Space Maintenance and Restoration Program Manual	1
MBTA	Migratory Bird Treaty Act	2
MHFT	Mt. Hamilton fountain thistle	10
MidPen	Midpeninsula Regional Open Space District	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
MOU	Memorandum of Understanding	2
MS4	municipal separate storm sewer systems	2, 3
MSA	Magnuson-Stevens Fishery Conservation and Management Act	2
N		
NCCP	Natural Community Conservation Plan	2
NEPA	National Environmental Policy Act	2
NHPA	National Historic Preservation Act	2
NMFS	National Marine Fisheries Service	2, 4, 10
NOAA	National Oceanic Atmospheric Administration	2, 9
NPDES	National Pollutant Discharge Elimination System	2
NRCS	Natural Resource Conservation Service	3
NRHP	National Register of Historic Places	2
O		
OHV	off-highway vehicle	7

OHWM	ordinary high water mark	1, 2, 10, 11
OSMRP	Open Space Maintenance and Restoration Program	1, 6, 10, 11
OSP	Open Space Preserve	1, 2, 4, 5, 6, 7, 8, 9, 10, 11
P		
PCB	Polychlorinated Biphenyls	3
PCR	Public Resource Code	10
Porter-Cologne Act	Porter-Cologne Water Quality Control Act	2
POST	Peninsula Open Space Trust	1
Preserves	Open Space Preserves	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
Program	Open Space Maintenance and Restoration Program	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
Q		
QAC	Qualified Applicator Certificate	10
QAL	Qualified Applicator's License	10
R		
RCD	resource conservation district	1
RDM	residual dry matter	6, 10
RGP	Regional General Permit	2
RH	relative humidity	10
RMA	Routine Maintenance Agreement	1, 2
RWQCB	California Regional Water Quality Control Board	1, 2, 3, 10
S		
SAA	Streambed Alteration Agreement	2
SCBS	Santa Cruz black salamander	10
SCP	Scientific Collecting Permit	2
SFDFW	San Francisco dusky-footed woodrat	10
SFGS	San Francisco garter snake	2, 10, 11
SFPUC	San Francisco Public Utilities Commission	3
SHPO	State Historic Preservation Officer	2
SOD	sudden oak death	4, 6, 9, 10
SWRCB	State Water Resources Control Board	2, 3

T		
TEK	traditional ecological knowledge	6
TMDL	total maximum daily load	2, 3, 6
U		
U.S.	United States	2, 6, 10, 11
USACE	U.S. Army Corps of Engineers	1, 2, 10
USC	U.S. Code	2
USDA	U.S. Department of Agriculture	4
USEPA	U.S. Environmental Protection Agency	2, 3, 10
USFS	U.S. Forest Service	4
USFWS	U.S. Fish and Wildlife Service	1, 2, 4, 7, 9, 10
USGS	U.S. Geological Survey	10
V		
Valley Water	Santa Clara Valley Water District	3
VMP	Vegetation Management Plan	6
VOC	volatile organic compound	3
W		
WDR	Waste Discharge Requirement	1, 2
WL	western leatherwood	10
WPT	known western pond turtle	10
WQC	Water Quality Certification	2
WSE	water surface elevation	10
WUI	wildland urban interface	6

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Chapter 13. Reference

Chapter 1 Introduction

Midpen. *See* Midpeninsula Regional Open Space District.

Midpeninsula Regional Open Space District. 1993. Ordinance for Use of Midpeninsula Regional Open Space District Lands. July 1993. Available at: https://www.openspace.org/sites/default/files/District_Regulations.pdf.

Midpeninsula Regional Open Space District. 2012 (August). La Honda Creek Open Space Preserve Master Plan. Available at: https://www.openspace.org/sites/default/files/2012.08.21.LHCMP_.pdf.

Midpeninsula Regional Open Space District. 2014a. Vision Plan Summary. Available at: https://www.openspace.org/our-work/projects/vision-plan.

Midpeninsula Regional Open Space District. 2014b. Top 25 Open Space Projects. Available at: http://www.top25.openspace.org/#.

Midpeninsula Regional Open Space District. 2014c (September). *Integrated Pest Management Program Guidance Manual.* Prepared by May & Associates., Shelterbelt Builders., and Ascent Environmental., Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf.

Midpeninsula Regional Open Space District. 2017 (January). Bear Creek Redwoods Open Space Preserve Plan. Available at: https://www.openspace.org/sites/default/files/BCRPreservePlan.pdf.

Midpeninsula Regional Open Space District. 2021 (February). Resource Management Policies. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf.

Midpeninsula Regional Open Space District. 2021. Draft Wildland Fire Resiliency Program. January 2021. Available at: https://www.openspace.org/our-work/projects/wfrp#DraftWFRP.

Midpeninsula Regional Open Space District. 2003. Service Plan for the San Mateo Coastal Annexation Area. June 2003. Available at: https://www.openspace.org/sites/default/files/Coastal_Service_Plan.pdf.

Chapter 2 Regulatory Framework

No references cited.

Chapter 3 Physical Setting

California Department of Conservation. 2019. *Data Viewer*. Available at: https://maps.conservation.ca.gov/geologichazards/DataViewer/index.html. Accessed December 30, 2019.

California Department of Water Resources. 2020. Groundwater Basin Boundary Assessment Tool. Available at: https://gis.water.ca.gov/app/bbat/. Accessed January 16, 2020.

Central Coast Regional Water Quality Control Board. 2019. Water Quality Control Plan for the Central Coast Basin. June 2019 Edition. Available at: https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/docs/2019_basin_plan_r3_complete.pdf. Accessed January 14, 2020.

Central Coast RWQCB. *See* Central Coast Regional Water Quality Control Board

DOC. *See* California Department of Conservation.

DWR. *See* California Department of Water Resources.

Midpen. *See* Midpeninsula Regional Open Space District.

Midpeninsula Regional Open Space District. 2002 (June). *San Mateo Costal Annexation Draft EIR*.

Midpeninsula Regional Open Space District. 2014 (September). *Draft Environmental Impact Report for the Midpeninsula Regional Open Space District Integrated Pest Management Program*. SCH# 2013092033. Prepared by Ascent Environmental. Available at: https://www.openspace.org/sites/default/files/IPM_EIR.pdf.

Midpeninsula Regional Open Space District. 2019. *Winter 2019—Open Space Views*. Available at: https://www.openspace.org/newsletter/winter-2019. Accessed December 30, 2019.

Natural Resources Conservation Service. 2019. Web Soil Survey. Available at: websoilsurvey.sc.egov.usda.gov/App/HomePage.htm. Accessed December 30, 2019.

Natural Resources Conservation Science. 2020. Official Soil Series Description. Available at: https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/geo/?cid=nrcs142p2_053587. Accessed March 10, 2020.

NRCS. *See* Natural Resources Conservation Service.

San Francisco Bay Regional Water Quality Control Board. 2017. San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). May 2017. Available at: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/BP_all_chapters.pdf. Accessed January 14, 2020.

San Francisco RWQCB. San Francisco Bay Regional Water Quality Control Board.

State Water Resources Control Board. 2020. Diazinon and Pesticide-Related Toxicity in Urban Creeks TMDL. Available at: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/urbancrksdiazinontmdl.html. Accessed January 15, 2020.

State Water Resources Control Board. 2019a. 2014 and 2016 California Integrated Report Clean Water Act Sections 303(d) and 305(b). Final Staff Report. October. Available at: www.waterboards.ca.gov/water_issues/programs/tmdl/docs/final_staff_report.pdf. Accessed January 15, 2020.

State Water Resources Control Board 2019b. Stevens Creek Toxicity TMDL. Available at: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/stevenscktoxicity.html. Accessed January 15, 2020.

State Water Resources Control Board. 2019c. Guadalupe River Watershed Mercury TMDL. Available at: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/guadaluperivermercurytmdl.html. Accessed January 16, 2020.

State Water Resources Control Board. 2018. Permanente Creek Selenium TMDL. Available at: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/permanenteselenium.html. Accessed January 16, 2020.

SWRCB. *See* State Water Resources Control Board.

Timothy C. Best, CEG. 2011. Mercury Mine Waste Erosion Inventory: Rancho de Guadalupe Area, Sierra Azul Open Space Preserve. April 13. Available at: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/guadalupe_river_mercury/MidPen_2_AmendFinalReport%20_April_2012.pdf. Accessed January 16, 2020.

Chapter 4 Biological Resources

Altman and Sallabanks 2000. Olive-sided Flycatcher (*Contopus cooperi*). *In*The birds of North America, No. 502 (A. Poole and F. Gill, eds.). The Birds of North America, Inc., Philadelphia, PA.

AmphibianArk. 2019. Available at: www.amphibianark.org/the-crisis/chytrid-fungus/#WhatIsBd. Accessed November 7, 2019.

AmphibiaWeb. 2008. Introduced species. Available at: amphibiaweb.org/declines/IntroSp.html. Accessed October 31, 2019.

Barrios-Garcia and Ballari. 2012. Impact of wild boar (Sus scrofa) in its introduced and native range: a review. Biological Invasions 14: 2283–2300.

Barry, S. J. 1994. The distribution, habitat, and evolution of the San Francisco garter snake, *Thamnophis sirtalis tetrataenia*. Unpublished M.A. Thesis. University of California, Davis.

Baskin, L., and K. Danell. 2003. Ecology of ungulates: a handbook of species in Eastern Europe and Northern and Central Asia. Springer Science & Business Media.

Black, S. H., and D. M. Vaughan. 2005a. Species Profile: *Icaricia icarioides missionensis*. In Shepherd, M. D., D. M. Vaughan, and S. H. Black (Eds). Red List of Pollinator Insects of North America. CD-ROM Version 1 (May 2005). Portland, OR: The Xerces Society for Invertebrate Conservation.

Black, S.H. and D.M. Vaughan. 2005b. Species profile: *Speyeria callippe callippe* in M.D. Shepard, D.M. Vaughan, and S.H. Black, editors. Red list of pollinator insects of North America. Xerces Society for Invertebrate Conservation, Portland, Oregon.

Black, S.H. and D.M. Vaughan. 2005c. Species profile: *Speyeria zerene myrtleae* In Shepard, M. D., D. M. Vaughn, and S. H. Black (eds.). Red List of Pollinator Insects of North America. CD-ROM version 1 (May 2005). Portland, OR: Xerces Society for Invertebrate Conservation.

Black, S.H. and D.M. Vaughan. 2005d. Species profile: *Euphydryas editha bayensis* in M.D. Shepard, D.M. Vaughan, and S.H. Black, editors. Red list of pollinator insects of North America. Xerces Society for Invertebrate Conservation, Portland, Oregon.

Bossard, C.C., J. M. Randall, and M.C. Hoshovsky, editors. 2000. Invasive Plants of California's Wildlands. Wiley, Hoboken, New Jersey.

Bourret, T. B. 2018. Efforts to detect exotic Phytophthora species reveal unexpected diversity. Ph.D. Dissertation. Davis: University of California. 181p.

Bousman, W.G. 2007. Yellow warbler *Dendroica petechia*. Pages 376-377 in W.G. Bousman, editor. Breeding bird atlas of Santa Clara County. Santa Clara Valley Audubon Society, Cupertino, California.

California Department of Food and Agriculture. 2019. Encycloweedia. Available at: www.cdfa.ca.gov/plant/ipc/encycloweedia/weedinfo/winfo_table-sciname.html. Accessed October 2019.

California Department of Fish and Game. 2008. CWHR version 8.2 personal computer program in California Department of Fish and Game, California Interagency Wildlife Task Group.

California Department of Fish and Wildlife. 2015. Recovery Strategy for California Coho Salmon Progress Report 2004–2012.

California Department of Fish and Wildlife. 2019a. Rarefind 5.0. California Natural Diversity Database. Available at: www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp. Accessed September 2019.

California Department of Fish and Wildlife. 2019b. Fishing for black bass. https://wildlife.ca.gov/Fishing/Inland/Black-Bass. Accessed September 2019.

California Department of Fish and Wildlife. 2019c. California Department of Fish and Wildlife Invasive Species Program Information. Available at: www.wildlife.ca.gov/Conservation/Invasives/About. Accessed September 2019.

California Department of Fish and Wildlife. 2020. California Department of Fish and Wildlife Invasive Species Program Information. Available at: wildlife.ca.gov/Conservation/Plants/Endangered/Lessingia-germanorum. Accessed February 2020.

CDFW. *See* California Department of Fish and Wildlife.

California Fish Website. 2019. Available at: calfish.ucdavis.edu/. Accessed through October 31, 2019.

California Invasive Plant Council. 2019. California Invasive Plant Inventory Database. Available at: www.cal-ipc.org/paf/. Accessed September 2019.

Cal-IPC. *See* California Invasive Plant Council.

California Native Plant Society. 2019a. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). Available at: www.cnps.org/inventory. Accessed September 2019.

California Native Plant Society [Calflora web application]. 2019b. The Calflora Database: Information on California plants for education, research and conservation, with data contributed by public and private institutions and individuals, including the Consortium of California Herbaria. Berkeley, California. Available at: www.calflora.org/. Accessed September 2019.

CNPS. *See* California Native Plant Society.

California Native Plant Society. 2019c. Calscape [online database]. Available at: calscape.org/. Accessed through October 31.

CaliforniaHerps. 2019. Available at: www.californiaherps.com/. Accessed through October 31, 2019.

CEMAR. 2008. Steelhead/Rainbow Trout Resources of San Mateo County. Prepared for the California Coastal Conservancy.

Center for Biological Diversity 2019. Smith's blue butterfly. Available at: www.biologicaldiversity.org/species/invertebrates/Smiths_blue_butterfly/index.html. Accessed through October 31, 2019.

Chan, Y. and H. Spautz. 2008. Alameda Song Sparrow (Melospiza melodia pusillula). In: Shuford, W.D. and T. Gardali (eds.). California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California; and California Department of Fish and Game, Sacramento.

Consortium of California Herbaria. 2019. Data provided by the participants of the Consortium of California Herbaria. Regents of the University of California, Berkeley. Website. Available at: ucjeps.berkeley.edu/consortium/. Accessed in September 2019.

CCH. *See* Consortium of California Herbaria. 2019.

Cornell Lab of Ornithology. 2019. eBird database. https://ebird.org/home. Accessed in September 2019.

County of San Mateo. 1982. San Bruno Mountain Area Habitat Conservation Plan: Final. Distributed by the San Bruno Mountain Habitat Conservation Plan Steering Committee. November 1982.

Cushman, J. H., T. A. Tierney, and J. M. Hinds. 2004. Variable effects of feral pig disturbances on native and exotic plants in a California grassland. Ecological Applications 14:1746–1756.

DeSante et al. 2007. The distribution and relative abundance of Burrowing Owls in California during 1991-1993: evidence for a declining population and thoughts on its conservation. Pages 1-41 in: Proceedings of The California Burrowing Owl Symposium. Bird Populations Monograph No. 1.

Frederick, J. M. 1998. Overview of wild pig damage in California. Proceedings of the Eighteenth Vertebrate Pest Conference 18:82–86.

Friends of Edgewood [website]. 2015. Friends of Edgewood. Available at: friendsofedgewood.org/learn-about-edgewood-park/bay-checkerspot-butterfly. Accessed October 31, 2019.

Gamradt, S. C., and L.B. Kats 1996. Effect of Introduced Crayfish and Mosquitofish on California Newts. Conservation Biology 10:1155-1162.

Graber, D.M. 1996. Status of terrestrial vertebrates. In Sierra Nevada Ecosystem Project: Final report to Congress. Chapter 25. Davis, California: Centers for Water and Wildland Resources.

Gregory, S. V., F. J. Swanson, W. A. McKee, and K. W. Cummins. 1991. An ecosystem perspective of riparian zones. Bioscience, 540-551.

Hatfield, Rich, Sarina Jepsen, Sarah Foltz, Jordan, Michele Blackburn, and Aimée Code. 2019. The Xerces Society petition to list four bumblebees as endangered under the CESA. A petition to the State of California Fish And Game Commission. For action pursuant to Section 670.1, Title 14, California Code of Regulations (CCR) and Sections 2072 and 2073 of the Fish and Game Code relating to listing and delisting endangered and threatened species of plants and animals.

Holland, R. 1986. Preliminary descriptions of the terrestrial natural communities of California. Unpublished document, California Department of Fish and Game, Natural Heritage Division. Sacramento, CA.

iNaturalist [website]. 2019. Available at: www.inaturalist.org/. Accessed October 31, 2019.

Jolley, D. B., S. S. Ditchkoff, B. D. Sparklin, L. B. Hanson, M. S. Mitchell, and J. B. Grand. 2010. Estimate of herpetofauna depredation by a population of wild pigs. Journal of Mammalogy 91:519–524.

Kreith, M. 2007. Wild Pigs in California: The Issues. Agricultural Issues Center Issues Brief: 1–6.

Lawler, S. P., Dritz, D., Strange, T., and M. Holyoak. 1999. Effects of Introduced Mosquitofish and Bullfrogs on the Threatened California red-legged frog. Conservation Biology 13:613-622.

Leidy, R. A., G. S. Becker, B. N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (Oncorhynchus mykiss) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, CA.

Leidy, R.A. 2007. Ecology, Assemblage Structure, Distribution, and Status of Fishes in Streams Tributary to the San Francisco Estuary, California. San Francisco Estuary Institute.

Lips, K.R., F. Brem, R. Brenes, J.D. Reeve, R.A. Alford, J. Voyles, C. Carey, L. Livo, A.P. Pessier, and J.P. Collins. 2006. Emerging infectious disease and the loss of biodiversity in a Neotropical amphibian community. Proceedings of the National Academy of Sciences of the United States of America 103:3165-3170.

Mayer, J. J., and I. L. Brisbin. 1991. Wild pigs of the United States: Their history, comparative morphology and current status. University of Georgia, Athens, Georgia, USA..

Meyer, K. E., and W. F. Laudenslayer. 1988. A guide to wildlife habitats of California. 1988. Sacramento. California Dept. of Fish and Game.

Midpen. *See* Midpeninsula Regional Open Space District.

Midpeninsula Regional Open Space District. 2014 (September). *Integrated Pest Management Program Guidance Manual*. Prepared by Ascent Environmental., May & Associates., and Shelterbelt Builders. Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf.

Midpeninsula Regional Open Space District. 2017. Sensitive species list.

Midpeninsula Regional Open Space District. 2019. Sensitive species occurrence data provided to H.T. Harvey & Associates.

Moyle, P. B. 2002. Inland Fishes of California. University of California Press, Davis, California.

National Marine Fisheries Service. 1999. Designated Critical Habitat; Central California Coast and Southern Oregon/Northern California Coasts Coho Salmon. Federal Register 64(86):24049–24062.

National Marine Fisheries Service. 2000. Designated Critical Habitat: Critical Habitat for 19 Evolutionarily Significant Units of Salmon and Steelhead in Washington, Oregon, Idaho, and California. Final rule. Federal Register 65(22): 7764-7787.

National Marine Fisheries Service. 2005. Endangered and threatened species: Designation of critical habitat for seven evolutionarily significant units of Pacific steelhead and salmon in California. Final rule. Federal Register 70:52488-52626.National Marine Fisheries Service. 2016. 2016 5-Year Review: Summary & Evaluation of Central California Coast Steelhead. April 2016.

NMFS. *See* National Marine Fisheries Service.

Peninsula Open Space Trust. 2019. Coho Salmon Return to Pescadero Creek. Available at: openspacetrust.org/coho-salmon-pescadero/. Accessed October 28, 2019.

POST. *See* Peninsula Open Space Trust.

Phytosphere Research. 2018. Evaluating threats posed by exotic Phytophthora species to endangered Coyote ceanothus and selected natural communities in the Santa Clara NCCP area. Prepared for the Santa Clara Valley Habitat Agency.

Rana Creek Habitat Restoration. 2002. San Mateo County Parks Vegetation Resources. Prepared for County of San Mateo Environmental Services Agency Parks & Recreation Division. March 2002.

Reilly, Sean B., Daniel M. Portik, Michelle S. Koo, and David B. Wake. 2014. Journal of Herpetology, Vol. 48, No. 3, 371–379.

Robertson, B.A., and R.L. Hutto. 2007. Is selectively harvested forest an ecological trap for olive-sided flycatchers? Condor 109:109-121.

Rooney-Latham, S., Blomquist, C.L., Guo, Y.Y., Soriano, M.C., Kosta, K.L., Swiecki, T.J., Bernhardt, E.A., Frankel, S.J. 2015. An update on Phytophthora species in native plant nurseries and outplanted material in restoration areas. Presentation. Annual meeting of the California Forest Pest Council, November 5, 2015. Available at: caforestpestcouncil.org/wp-content/uploads/2015/11/2015-CFPC-11.5.15-AM-Latham.pdf.

Rottenborn, S. 2007a. Vaux's swift. pp. 244–245 in Breeding Bird Atlas of Santa Clara County, California. Santa Clara Valley Audubon Society, Cupertino, California. 547 p.

Rottenborn, S. 2007b. Alameda song sparrow. pp. 412–413 in Breeding Bird Atlas of Santa Clara County, California. Santa Clara Valley Audubon Society, Cupertino, California. 547 p.

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation Second Edition. California Native Plant Society Press, Sacramento, CA.

Sequoia Audubon Society. 2001. San Mateo County Breeding Bird Atlas. 224 p.

SAS. *See* Sequoia Audubon Society.

Smith, K.G., K.R. Lips, and J.M. Chase. 2009 Selecting for extinction: nonrandom disease-associated extinction homogenizes amphibian biotas. Ecology Letters 12:1069-1078

Spence B.C., Bjorkstedt E.P., Garza J.C., Smith J.J., Hankin D.G., Fuller D, Jones W.E., Macedo R, Williams T.H., Mora E. 2008. A framework for assessing the viability of threatened and endangered salmon and steelhead in the North-Central California Coast recovery domain. NOAA Tech Memo NMFS NOAA-TM-NM

Spinks, P.Q., G.B. Pauly, J. J. Crayon, and H. B. Shaffer. 2003. Survival of the western pond turtle (Emys marmorata) in an urban environment. Biological Conservation 113:257-267.

Steiner, J., R. A. Arnold, S. Mattoon, D. V. McCorkle and K. H. Osborne. 1994. Pages 436-437. In Thelander, C. G., and M. Crabtree, editors. Life on the Edge: A Guide to California's Endangered Natural Resources: Wildlife. BioSystems Books, Santa Cruz, CA. 550 p.

Swiecki, T., and E. Bernhardt. 2014. Phytophthora species move from native plant nurseries into restoration plantings [presentation]. Available at: caforestpestcouncil.org/wp-content/uploads/2014/12 /Swiecki.pdf.

Thomson, R.C., P.Q. Spinks, and H.B. Shaffer. 2010. Distribution and abundance of invasive red-eared sliders (*Trachemys scripta elegans*) in California's Sacramento River Basin and possible impacts on native western pond turtles (*Emys marmorata*). Chelonian Conservation and Biology 9:297-302.

Unitt, P. 2008. Grasshopper sparrow (*Ammodramus savannarum*) in W.D. Shuford and T. Gardali, editors. California bird species of special concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Western Field Ornithologists and California Department of Fish and Game, Camarillo, California.

U.S. Department of Agriculture, U.S. Forest Service. 2004. Existing Vegetation - CALVEG, [ESRI personal geodatabase]. USDA, Forest Service, Pacific Southwest Region, Remote Sensing Lab, McClellan, CA. EvegTile03B_99_04_v2.

USDA USFS. *See* U.S. Department of Agriculture, U.S. Forest Service.

U.S. Fish and Wildlife Service. 1992. Endangered and Threatened Wildlife and Plants; Six Plants and Myrtle's Silverspot Butterfly from Coastal Dunes in Northern and Central California Determined to Be Endangered Status; Final Rule. Federal Register 57(120): 27848-27859.

U.S. Fish and Wildlife Service. 1998a. Seven Coastal Plants and the Myrtle's Silverspot Butterfly Recovery Plan. Portland, Oregon. 141 pp.

U.S. Fish and Wildlife Service. 1998b. Recovery plan for serpentine soil species of the San Francisco Bay Area.

U.S. Fish and Wildlife Service. 1998c. Recovery Plan for Insect and Plant Taxa from the Santa Cruz Mountains in California. Portland, Oregon. 83 pp.

U.S. Fish and Wildlife Service. 2005. Recovery Plan for the Tidewater Goby (*Eucyclogobius newberryi*). Portland, Oregon.

U.S. Fish and Wildlife Service. 2007. Species account: Callippe silverspot butterfly (*Speyeria callippe callippe*). Available at: www.fws.gov/sacramento/es/animal_spp_acct/callippe_silverspot_butterfly.pdf. Accessed October 31, 2019.

U.S. Fish and Wildlife Service. 2016. Intra-Service Biological Opinion on the issuance of a 10(a)(1)(A) permit to Midpeninsula Regional Open Space District for the San Francisco Garter Snake and California Red-legged Frog Habitat Enhancement Projects at their Open Space Preserves in San Mateo and Santa Clara Counties, California. December 9, 2016.

USFWS. *See* U.S. Fish and Wildlife Service

Voyles, J., S. Young, L. Berger, C. Campbell, W.F. Voyles, A. Dinudom, D. Cook, R. Webb, R.A. Alford, L.F. Skerratt, and R. Speare. 2009. Pathogenesis of chytridiomycosis, a cause of catastrophic amphibian declines. Science 326:582-585.

Chapter 5 Culvert, Channel, and Bridge, and Other Facility Maintenance

No references cited.

Chapter 6 Vegetation Management

Marin County. 2015 (April). Administrative Draft Vegetation and Biodiversity Management Plan. Prepared by May & Associates. Available at: https://www.marincounty.org/-/media/files/maringov/board-actions/2013/2013jul/20130716mcp_vmbp_admindraft.pdf.

Midpeninsula Regional Open Space District. 2008. Grazing Management Policy.

Midpeninsula Regional Open Space District. 2011 (November). Defensible Space Clearing Guidelines.

Midpeninsula Regional Open Space District. 2014a (September). *Integrated Pest Management Program Guidance Manual*. Prepared by Ascent Environmental, May & Associates, and Shelterbelt Builders. Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf.

Midpeninsula Regional Open Space District. 2014b (September). *Draft Environmental Impact Report for the Midpeninsula Regional Open Space District Integrated Pest Management Program*. SCH# 2013092033. Prepared by Ascent Environmental. Available at: https://www.openspace.org/sites/default/files/IPM_EIR.pdf.

Midpeninsula Regional Open Space District. 2019 (January). *Addendum to the Environmental Impact Report for the Midpeninsula Regional Open Space District Integrated Pest Management Program*. SCH #2013092033. Prepared by Blankinship & Associates, Inc. Available at: https://www.openspace.org/sites/default/files/IPM_EIR_Addendum.pdf.

Midpeninsula Regional Open Space District. 2021a (February). Resource Management Policies. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf.

Midpeninsula Regional Open Space District. 2021b (January). Wildland Fire Resiliency Program Environmental Impact Report. SCH # 2020049059. Prepared by Panorama Environmental.

Midpen. *See* Midpeninsula Regional Open Space District.

Chapter 7 Road and Trail Maintenance

No references cited.

Chapter 8 New Small Scale Facilities and Improvements

California Department of Transportation. 2017. Tiger salamander Undercrossing nearing completion on Hwy 246 west of Buellton. Available at: https://lompocrecord.com/news/local/tiger-salamander-undercrossings-nearing-completion-on-hwy-west-of-buellton/article_54d962a6-c40b-5adb-b323-0cb3e4e8b461.html. Accessed December 8, 2020.

Caltrans. *See* California Department of Transportation.

Midpeninsula Regional Open Space District. 2008. Grazing Management Policy.

Midpen. *See* Midpeninsula Regional Open Space District.

Chapter 9 Restoration and Enhancement Projects

Midpeninsula Regional Open Space District. 2014 (September). *Integrated Pest Management Program Guidance Manual*. Prepared by Ascent Environmental., May & Associates., and Shelterbelt Builders. Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf.

Midpen. *See* Midpeninsula Regional Open Space District.

Chapter 10 Impact Avoidance and Minimization, BMPs, and Mitigation

Best, Timothy C. Certified Engineering Geologist (CEG), 2006-2012. Engineering Geology and Hydrology, Santa Cruz, California.

California Department of Fish and Game. 2002. California Salmonid Stream Habitat Restoration Manual. Fourth Edition. Available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=22610&inline.

CDFG. See California Department of Fish and Game.

California Department of Fish and Wildlife. 2017a. Memorandum of Understanding for San Francisco Garter Snake and California Tiger Salamander.

California Department of Fish and Wildlife. 2017b. Scientific Collecting Permit No. SC-10927.

California Department of Fish and Wildlife. 2018 (May 16). Wildland Fire Resiliency Program Draft Environmental Impact Report, Appendix 4.4d Streambed Alteration Agreement (includes amendments 1 through 5). System-wide Routine Maintenance Agreement. Notification No. 1600-2012-0444-R3. Available at: https://www.openspace.org/sites/default/files/WFRP_DEIRAppendices_January2021_digital.pdf.CDFW. *See* California Department of Fish and Wildlife.

Midpeninsula Regional Open Space District. 2012. Best Management Practices for Routine Maintenance Activities in Water Courses.

Midpeninsula Regional Open Space District. 2014 (September). *Integrated Pest Management Program Guidance Manual*. Prepared May & Associates, Shelterbelt Builders, and by Ascent Environmental. Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf.

Midpeninsula Regional Open Space District. 2021 (February). Resource Management Policies. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf.

Midpen. *See* Midpeninsula Regional Open Space District.

National Marine Fisheries Service. 2019 (September). *Guidelines for Salmonid Passage at Stream Crossings*. September 2019.

NMFS. *See* National Marine Fisheries Service.

Salix Applied Earthcare. 2004. Erosion Draw 5.0, Bio Draw 3.0, and Environmentally-Sensitive Streambank Stabilization Manual (E-SenSS) [interactive CDs], John McCullah, Redding California. Available at: http://salixaec.com/streambanks.html.

San Francisco Bay Regional Water Quality Control Board. 2010. Waste Discharge Requirements and Water Quality Certifications for Routine Maintenance Activities for Mid-Peninsula Open Space District, Order No. R2-2010-0083. Available at: https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2010/R2-2010-0083.pdf.

San Francisco Bay Regional Water Quality Control Board. 2018. Work Extension for Routine Maintenance Activities for Mid-Peninsula Open Space District, Order No. R2-2010-0083.

San Francisco Bay RWQCB. *See* San Francisco Bay Regional Water Quality Control Board.

Society of Vertebrate Paleontology. 1995 (January). Assessment and Mitigation of Adverse Impacts to Nonrenewable Palaeontologic Resources: Standard Guidelines. Conformable Impact Mitigation Guidelines Committee. *Society of Vertebrate Paleontology News Bulletin*. Number 163: 26. Available at: https://www.contracosta.ca.gov/DocumentCenter/View/34167/SVP-1995-StandardsAndGuidelines-PDF.

U.S. Fish and Wildlife Service. 2016a. Native Endangered and Threatened Species Recovery Permit No. TE225974-2.

U.S. Fish and Wildlife Service, 2016b. Intra-Service Biological Opinion on the issuance of a 10(a)1(A) permit to the Midpeninsula Regional Open Space District for the San Francisco Garter Snake and California Red-Legged Frog Habitat Enhancement Projects at their Open Space Preserves in San Mateo and Santa Clara counties, California.

USFWS. *See* U.S. Fish and Wildlife Service.

Chapter 11 Program Administration and Reporting

No references cited.

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COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT I

Midpeninsula Regional Open Space District

Open Space Maintenance and Restoration Program
Final Initial Study/Mitigated Negative Declaration

Horizon WATER and ENVIRONMENT

September 2021

Midpeninsula Regional Open Space District

Midpeninsula Regional Open Space District
Open Space Maintenance and Restoration Program
Final Initial Study/Mitigated Negative Declaration

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Table of Contents

Chapter 1 Introduction 1-1

1.1 Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program 1-1

1.2 Intent and Scope of this Document 1-1

1.1.1 Consistency with Other Midpen Programs 1-2

1.3 Public Involvement Process 1-3

1.4 Organization of this Document 1-3

1.5 Impact Terminology 1-4

Chapter 2 Project Description 2-1

2.1 Introduction 2-1

2.2 Program Objectives 2-1

2.3 Conservation Outcomes 2-2

2.4 Program Area 2-2

2.5 Program Activities 2-2

2.5.1 Culvert and Bridge Maintenance 2-5

2.5.2 Road and Trail Drainage Feature Maintenance 2-7

2.5.3 Sediment and Debris Removal 2-8

2.5.4 Streambank Stabilization 2-10

2.5.5 Water Supply Structure Maintenance 2-11

2.5.6 Ponds 2-11

2.5.7 Minor Maintenance Activities 2-12

2.5.8 Vegetation Management 2-12

2.5.9 Road and Trail Maintenance 2-18

2.5.10 New Small Scale Facilities Improvements 2-21

2.5.11 Restoration and Enhancement Projects 2-23

2.5.12 Activities Not Covered 2-27

2.6 Implementation and Oversight 2-28

2.6.1 Annual Maintenance and Facilities Improvements Work Cycle 2-28

2.6.2 Annual Program Work Plan Notification 2-28

2.6.3 Maintenance Crew, Work Durations, and Equipment 2-30
2.6.4 Annual Reporting and Agency Notification 2-33
2.7 Programmatic Avoidance and Minimization Measures 2-33
2.7.1 Activity Triggers 2-33
2.7.2 Work Limits and Best Management Practices 2-36
2.8 Permits and Approvals 2-43

Chapter 3 Environmental Checklist 3-1
Determination 3-2
3.1 Aesthetics 3-3
3.1.1 Environmental Setting 3-3
3.1.2 Discussion 3-4
3.2 Agriculture and Forestry Resources 3-11
3.2.1 Environmental Setting 3-11
3.2.2 Discussion 3-12
3.3 Air Quality 3-15
3.3.2 Environmental Setting 3-19
3.3.3 Discussion 3-22
3.4 Biological Resources 3-27
3.4.2 Setting 3-28
3.4.3 Regulatory Setting 3-77
3.4.4 Discussion 3-84
3.5 Cultural Resources 3-117
3.5.1 Environmental Setting 3-117
3.5.2 Existing Conditions 3-118
3.5.3 Discussion 3-123
3.6 Energy 3-129
3.6.1 Regulatory Setting 3-129
3.6.2 Environmental Setting 3-130
3.6.3 Discussion 3-131
3.7 Geology, Soils, and Seismicity 3-133
3.7.2 Environmental Setting 3-134
3.7.3 Discussion 3-139
3.8 Greenhouse Gas Emissions 3-147
3.8.1 Regulatory Setting 3-147
3.8.2 Environmental Setting 3-149
3.8.3 Discussion 3-149

3.9 Hazards and Hazardous Materials 3-151
3.9.1 Environmental Setting 3-152
3.9.2 Discussion 3-155
3.10 Hydrology and Water Quality 3-165
3.10.2 Environmental Setting 3-166
3.10.3 Discussion 3-168
3.11 Land Use and Planning 3-179
3.11.1 Environmental Setting 3-179
3.11.2 Discussion 3-179
3.12 Mineral Resources 3-181
3.12.2 Environmental Setting 3-181
3.12.3 Discussion 3-182
3.13 Noise 3-183
3.13.1 Overview of Noise Concepts and Terminology 3-183
3.13.2 Regulatory Setting 3-185
3.13.3 Discussion 3-188
3.14 Population and Housing 3-193
3.14.2 Environmental Setting 3-193
3.14.3 Discussion 3-193
3.15 Public Services 3-195
3.15.2 Environmental Setting 3-195
3.15.3 Discussion 3-196
3.16 Recreation 3-199
3.16.2 Environmental Setting 3-199
3.16.3 Discussion 3-199
3.17 Transportation 3-201
3.17.2 Environmental Setting 3-201
3.17.3 Discussion 3-204
3.18 Tribal Cultural Resources 3-209
3.18.2 Environmental Setting 3-209
3.18.3 Discussion 3-211
3.19 Utilities and Service Systems 3-213
3.19.1 Environmental Setting 3-213
3.19.2 Discussion 3-215
3.20 Wildfire 3-219
3.20.2 Environmental Setting 3-219
3.20.3 Discussion 3-220

3.21 Mandatory Findings of Significance 3-225
3.21.1 Discussion 3-225

Chapter 4 Report Preparation 4-1

Chapter 5 References 5-1

List of Appendices

Appendix A. Program Best Management Practices
Appendix B. Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program Manual
Appendix C. Air Quality/ Greenhouse Gas Emissions Calculations
Appendix D. Biology Appendix
Appendix E. Noise Calculations
Appendix F. Public Comments

List of Tables

Table 2-1. Existing Midpen OSPs 2-1
Table 2-2. Summary of Program Activities by Facility or Feature 2-2
Table 2-3. Program Activity Work Limits Per Activity Type 2-37
Table 2-4. Proposed Program Regulatory Permits, Approvals, and Consultations 2-43
Table 3.3-1. SFBAAB and NCCAB Attainment Status of the State and Federal Ambient Air Quality Standards 3-17
Table 3.3-2. BAAQMD and MBARD CEQA Thresholds of Significance for Criteria Air Pollutants 3-19
Table 3.3-3. Daily Emissions Estimates (pounds per day) 3-23
Table 3.3-4. Maximum Annual Emissions Estimates (tons per year) 3-23
Table 3.4-1 Representative Common Species That May Occur on Midpen Lands 3-48
Table 3.4-2 Covered Species of the Santa Clara Valley Habitat Plan 3-59
Table 3.5-1. Surface Model Weights by Environmental Condition 3-120
Table 3.5-2. Buried Site Sensitivity Rankings 3-123
Table 3.5-3. Program Activities with the Greatest Potential to Impact Archaeological Resources 3-125
Table 3.6-1. Project Fossil Fuel Use 3-131
Table 3.8-1. Applicable BAAQMD CEQA Thresholds of Significance for GHGs 3-149
Table 3.9-1. Hazardous Materials Sites Within Midpen Lands on Government Database 3-153

Table 3.9-2. Open Space Preserves within 0.25-Mile of a School 3-157
Table 3.13-1. Examples of Common Noise Levels 3-184
Table 3.13-2. Noise Standards for the Counties and Incorporated Cities where Program Activities are Proposed 3-186
Table 3.13-3. Predicted Noise Levels of Heavy Equipment and Distances to Applicable Noise Thresholds 3-190
Table 3.13-4. Construction Equipment and Vibration Distance 3-192
Table 3.16-1. Local Access Roads Adjacent to Midpen Lands 3-202
Table 3.18-1. Native American Contacts 3-210
Table 3.21-1. Summary of Cumulative Projects in Midpen Lands and Surrounding Area 3-227

List of Figures

Figure 2-1. Program Area 2-1
Figure 2-2. Skyline and Foothill Regions in the Program Area 2-3
Figure 3.4-1. Vegetation Communities Map 3-35
Figure 3.4-2 Designated Critical Habitat 3-51
Figure 3.4-3. Special-Status Plants Map 3-61
Figure 3.4-4. Special-Status Animals Map 3-69
Figure 3.4-5. Special-Status Animals Map 3-95
Figure 3.5-1. Surface Archaeological Sensitivity 3-121
Figure 3.7-1. Landslide Susceptibility Within the Program Area 3-137
Figure 3.9-1. CAL FIRE Fire Hazard Severity Zones within the Program Area 3-163

Acronyms and Abbreviations

µg/m^3	micrograms per cubic meter
A	
AB	Assembly Bill
ADA	Americans with Disabilities Act
APLIC	Avian Power Line Interaction Committee
ASA	architectural and site approval
ATCM	Airborne Toxic Control Measure
B	
BAAQMD	Bay Area Air Quality Management District
Basin Plan	Water Quality Control Plan
BGEPA	Bald and Golden Eagle Protection Act
BHS	Biologically Highly Significant
BMP	best management practice
BP	before present
C	
C/CAG	City/County Association of Governments
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CALVEG	Classification and Assessment with Landsat of Visible Ecological Groupings
CARB	California Air Resources Board
CBC	California Building Code
CCC	California Coastal Commission
CCH1	Consortium of California Herbaria
CDP	Coastal Development Permit
CDFW	California Department of Fish and Wildlife (since 2012)
CDOC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGS	California Geological Survey
CHRIS	California Historical Resources Information System
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database

CNEL	the energy average of the A-weighted sound levels during a 24-hour period, with 5 dB added to the A-weighted sound levels between 7:00 p.m. and 10:00 p.m. and 10 dB added to the A-weighted sound levels between 10:00 p.m. and 7:00 a.m.
CNPS	California Native Plant Society
CO	carbon monoxide
Coastal Zone	NEED DEFINITION
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRLF	California red-legged frog
CRPR	California Rare Plant Rank
CWA	Clean Water Act
CWHR	California Wildlife Habitat Relationship System
CY	cubic yards
D	
dB	decibels
dBA	A-weighted decibel
dbh	diameter at breast height
DPM	Diesel particulate matter
DTSC	Department of Toxic Substances Control
DWR	California Department of Water Resources
E	
EIA	U.S. Energy Information Administration
EIR	Environmental Impact Report
EMFAC	California Air Resources Control Board EMission FACtor model
EO	Executive Order
ESA	Endangered Species Act
ESU	Evolutionary Significant Unit
F	
F&G Code	California Fish and Game Code
Farmland	Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
FESA	Federal Endangered Species Act
FHSZ	Very High and High fire hazard severity zone
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration

FYLF	foothill yellow-legged frog
G	
GAMA	Groundwater Ambient Monitoring and Assessment
GGNPC	Golden Gate National Parks Conservancy
GHG	Greenhouse Gas
GIS	Geographic Information System
GSA	Groundwater Sustainability Agency
H	
Habitat Plan	Santa Clara Valley Habitat Plan
HCP	habitat conservation plan
HDPE	high-density polyethylene
I	
I-	Interstate
in/sec	inches per second
IPM	Integrated Pest Management
IPMP	Integrated Pest Management Program
IS/MND	Initial Study/Mitigated Negative Declaration
L	
lb/day	pounds/day
LCP	Local Coastal Program
L_{dn}	the energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels during the period from 10:00 p.m. to 7:00 a.m. (reflecting the elevated sensitivity during typical sleeping hours)
L_{eq}	equivalent steady-state sound level that, in a given period, would contain the same acoustical energy as a time-varying sound level during that same period
LF	linear feet
L_{max}	maximum sound level measured during a given measurement period
L_{min}	minimum sound level measured during a given measurement period
LUST	leaking underground storage tank
L_{xx}	the sound level exceeded during *x* percent of a given measurement period (xx is the percent exceeded)
M	
Manual	Open Space Maintenance and Restoration Program Manual
MBARD	Monterey Bay Air Resources District

MBTA	Migratory Bird Treaty Act
MidPen	Midpeninsula Regional Open Space District
MOU	Memorandum of Understanding
MT	metric tons
MTCO2e	metric tons of carbon dioxide equivalent

N

NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCAB	North Central Coast Air Basin
NCCP	natural community conservation plan
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
NOA	naturally occurring asbestos
NOx	nitrogen oxides
NRHP	National Register of Historic Places
NWIC	Northwest Information Center

O

OHWM	ordinary high water mark
OSHA	Occupational Safety and Health Administration
OSP	Open Space Preserve

P

PCR	Public Resource Code
Peninsula	San Francisco Peninsula
PG&E	Pacific Gas and Electric Company
PM	particulate matter
PM2.5	particulate matter of aerodynamic radius of 10 micrometers or less
PM10	particulate matter of aerodynamic radius of 10 micrometers or less
Porter-Cologne Act	Porter-Cologne Water Quality Control Act
POST	Peninsula Open Space Trust
PPE	personal protective equipment
ppm	parts per million
PPV	peak particle velocity
Program	Open Space Maintenance and Restoration Program

R

RDM	residual dry matter
RH/DR	residential hillside/design review
ROG	Reactive Organic Gas
RPF	Registered Professional Forester
RPS	Renewables Portfolio Standard
RWQCB	California Regional Water Quality Control Board

S

SB	Senate Bill
SF	square feet
SFBAAB	San Francisco Bay Area Air Basin
SFDFW	San Francisco dusky-footed woodrat
SFGS	San Francisco garter snake
SO_2	sulfur dioxide
SOD	sudden oak death
SOx	sulfur oxide
SR-	State Route
SWRCB	State Water Resources Control Board

T

TAC	toxic air contaminant
TCR	tribal cultural resources
TEK	traditional ecological knowledge
TMDL	total maximum daily load
tpy	tons per year

U

U.S.	United States
U.S. 101	U.S. Highway 101
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
UST	underground storage tank

V

Valley Water	Santa Clara Valley Water District
VdB	vibration velocity in decibels
VMP	Vegetation Management Plan
VOC	volatile organic compound
VMT	vehicle miles traveled
VTA	Valley Transit Authority

W

WPT	known western pond turtle
WUI	wildland urban interface

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Chapter 1
INTRODUCTION

Midpeninsula Regional Open Space District (Midpen) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the proposed Open Space Maintenance and Restoration Program (Program). This document was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines (14 California Code of Regulations 15000 et seq.).

1.1 Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program

Consistent with Midpen's mission to acquire and preserve open space land, protect and restore and the natural environment, and provide opportunities for ecologically sensitive recreation and education, Midpen protects over 64,000 acres of open space in the South Bay and San Francisco Peninsula. Most of these lands are located within 26 open space preserves (OSPs) that form a connected greenbelt in the greater Santa Cruz Mountains region for plants and animals to thrive while also providing low-impact recreational opportunities to the public. Midpen manages its land to ensure protection and proper care of natural resources and to provide ecologically sensitive public access.

Midpen developed the proposed Program to streamline the permitting process and provide an integrated approach to OSP maintenance, low-impact facility improvements, habitat enhancement, and environmental restoration. Administering these activities as a Program allows Midpen to apply a consistent set of methods, best management practices (BMPs), and impact avoidance approaches. A Draft Program Manual has been prepared that describes the ongoing, regular stewardship and maintenance activities within Midpen OSPs for the purpose of obtaining state and federal environmental permits.

1.2 Intent and Scope of this Document

This IS/MND has been prepared in accordance with CEQA, under which the proposed Program is evaluated at a project level (CEQA Guidelines Section 15378). The Midpen Board of Directors, as the Lead Agency under CEQA, will consider the proposed Program's potential environmental impacts when considering whether to approve the Project. This IS/MND is an informational document to be used in the planning and decision-making process for the proposed Program and does not recommend approval or denial of the proposed Program.

This IS/MND describes the proposed Program; its environmental setting, including existing conditions and regulatory setting, as necessary; and the potential environmental impacts of the proposed Program with regard to the following topics:

- *Aesthetics*
- *Agricultural/Forestry Resources*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Energy*
- *Geology, Soils, and Seismicity*
- *Greenhouse Gas Emissions*
- *Hazards and Hazardous Materials*
- *Hydrology and Water Quality*
- *Land Use and Planning*
- *Mineral Resources*
- *Noise*
- *Population and Housing*
- *Public Services*
- *Recreation*
- *Transportation*
- *Tribal Cultural Resources*
- *Utilities and Service Systems*
- *Wildfire*

The proposed Program incorporates BMPs to ensure there would be no significant adverse impacts on the environment. Over the long term, the Project would benefit overall watershed functions, riparian and aquatic resources, and species located in the Program Area.

1.1.1 Consistency with Other Midpen Programs

Many of the proposed Program vegetation management activities are components of other Midpen programs, namely the Integrated Pest Management Program (IPMP) (Midpen 2014) and the Wildland Fire Resiliency Program (Midpen 2021). These programs also include BMPs that specify the general work approach to avoid and/or minimize impacts to sensitive resources while conducting vegetation management activities that would apply to the proposed Program.

Midpen's IPMP was developed to direct management of invasive plants and animals on OSPs, flammable vegetation near facilities, and rodents and insects in Midpen's buildings. Program activities covered under the IPMP include annual brushing/mowing along roads and trails, parking lots, gats, and stiles, and recreational areas; trimming and removing aquatic vegetation in ponds and along dams; limbing or removing hazard and downed trees; applying pesticides; conducting fuel management activities in Wildland/Urban Interface areas and around facilities (e.g., managing disclines along roads, trails, and borders, limbing trees, maintaining shaded fuel breaks, clearing around buildings, emergency helicopter landing zones, and driveways); removing invasive plant and animal species; and grazing. Potential environmental impacts associated with IPMP activities were analyzed in the 2014 IPMP Environmental Impact Report (EIR) as Addended (Midpen 2014, 2019). BMPs and mitigation measures included in the IPMP EIR as Addended would apply to comparable vegetation management activities described for the proposed Program.

Midpen's Wildland Fire Resiliency Program was developed to expand Midpen's fuel management activities to promote healthy, resilient, fire-adapted ecosystems, reduce

wildland fire risk, and facilitate the response of fire agencies. Program activities covered under the Wildland Fire Resiliency Program include prescribed burns, disclines, shaded fuelbreaks, maintaining defensible space around facilities, removing flammable invasive species; limbing/removing trees and riparian vegetation; mowing and brushcutting; pesticide application; and grazing. Potential environmental impacts associated with Wildland Fire Resiliency Program activities are analyzed in the 2021 Wildland Fire Resiliency Program EIR (Panorama 2021). BMPs and mitigation measures included in Wildland Fire Resiliency Program EIR would apply to comparable vegetation and fuels management activities described for the proposed Program.

Where appropriate, this IS/MND incorporates by reference these other Midpen programs and environmental documents for coverage of related proposed Program activities.

1.3 Public Involvement Process

Public disclosure and dialogue are priorities under CEQA. CEQA Guidelines Section 15073 and Section 15105(b) require that the lead agency designate a period during the IS/MND process when the public and other agencies can provide comments on the potential impacts of the proposed Program. Accordingly, Midpen circulated this document for a 30-day public and agency review period beginning August 9, 2021 and ending September 7, 2021.

The Draft IS/MND was available for review at the following locations as well as on Midpen's website:

- Midpen's main Administration Office (330 Distel Circle, Los Altos)
- Foothills Field Office (222500 Cristo Rey Dr, Cupertino), and
- Skyline Field Office (21150 Skyline Ranch Road, La Honda).

Midpen considered all comments submitted in writing and received before 5:00 p.m. from the date identified for closure of the public comment period in the Notice of Intent. One public comment was received during the 30-day review period. The comment letter is included in **Appendix F**.

1.4 Organization of this Document

This IS/MND contains the following components:

Chapter 1, *Introduction*, provides a brief description of the intent and scope of this IS/MND, the public involvement process under CEQA, and the organization of and terminology used in this IS/MND.

Chapter 2, *Project Description*, describes the proposed Program, including its objectives and conservation outcomes; a description of the Program Area, Program

activities and facilities; Program implementation and oversight; programmatic avoidance and minimization measures; and related permits and approvals.

Chapter 3, *Environmental Checklist*, presents the environmental checklist used to assess the proposed Program's potential environmental effects, which is based on the model provided in Appendix G of the CEQA Guidelines. This chapter also includes a brief environmental setting description for each resource topic and identifies the proposed Program's anticipated environmental impacts, as well as any mitigation measures that would be required to reduce potentially significant impacts to a less-than-significant level.

Chapter 4, *References*, provides a bibliography of printed references, websites, and personal communications used in preparing this IS/MND.

The following appendices provide documentation in support of this IS/MND:

Appendix A. *Program Best Management Practices*
Appendix B. *Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program Manual*
Appendix C. *Air Quality/ Greenhouse Gas Emissions Calculations*
Appendix D. *Biology Appendix*
Appendix E. *Noise Calculations*
Appendix F. *Public Comments*

1.5 Impact Terminology

This IS/MND uses the following terminology to describe the environmental effects of the proposed Program:

- A finding of *no impact* is made when the analysis concludes that the proposed Program would not affect the particular environmental resource or issue.
- An impact is considered *less than significant* if the analysis concludes that no substantial adverse change in the environment would result and that no mitigation is needed.
- An impact is considered *less than significant with mitigation* if the analysis concludes that no substantial adverse change in the environment would result with the implementation of the mitigation measures described.
- An impact is considered *significant or potentially significant* if the analysis concludes that a substantial effect on the environment could result.
- Mitigation refers to specific measures or activities that would be adopted by the lead agency to avoid, minimize, rectify, reduce, eliminate, or compensate for an otherwise significant impact.
- A cumulative impact refers to one that can result when a change in the environment would result from the incremental impacts of a project along with other related past, present, or reasonably foreseeable future projects. Significant cumulative

impacts might result from impacts that are individually minor but collectively significant. The cumulative impact analysis in this IS/MND focuses on whether the proposed Program's incremental contribution to significant cumulative impacts caused by the project in combination with past, present, or probable future projects is cumulatively considerable.

- Because the term "significant" has a specific usage in evaluating the impacts under CEQA, it is used to describe only the significance of impacts and is not used in other contexts within this document. Synonyms such as "substantial" are used when not discussing the significance of an environmental impact.

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Chapter 2
PROJECT DESCRIPTION

2.1 Introduction

This document evaluates the potential environmental effects of the Midpeninsula Regional Open Space District's (Midpen's) Open Space Maintenance and Restoration Program (Program) to provide the public, relevant public agencies, and stakeholders with information about proposed Program implementation and its potential environmental effects. The proposed Program is summarized below. The draft proposed Program Open Space Maintenance and Restoration Program Manual (Manual) is provided in **Appendix B**.

The proposed Program activities described herein are currently conducted by Midpen. Thus, the proposed Program would not expand Midpen's existing activities but would rather repackage what Midpen already does in order to streamline the associated regulatory permitting processes. Many of the proposed Program activities are components of other Midpen Programs and described in other Midpen documents, including but not limited to, the Integrated Pest Management Program (IPMP) (Midpen 2014) and the Wildland Fire Resiliency Program (Midpen 2021c). Where appropriate, this Initial Study/Mitigated Negative Declaration (IS/MND) incorporates by reference these other Midpen programs and environmental documents for coverage of related proposed Program activities.

2.2 Program Objectives

The objectives of the Program include:

- Streamlining the regulatory permitting process by obtaining comprehensive long-term permits that improve work planning and implementation, and reduce delays.
- Utilizing existing and planned Midpen restoration and enhancement efforts in a strategic manner to ensure that the overall Program has a net benefit to regulated habitats and special-status species.
- Protecting and enhancing the natural environment and improving low-intensity public access throughout Midpen Open Space Preserves (OSPs).
- Avoiding and minimizing potential impacts to the natural environment when conducting activities by assessing habitat, species, and resource conditions.

- Identifying and prioritizing maintenance and facilities needs by weighing potential impacts vs. permitting requirements and timelines.

2.3 Conservation Outcomes

Conservation outcomes of the Program, which were derived and modified from Midpen's Resource Management Policies, Integrated Pest Management (IPM) Guidance Manual, and Wildland Fire Resiliency Program, include:

- Reduce soil disturbances, erosion, and water quality impacts associated with maintenance activities through careful planning combined with implementation of Best Management Practices (BMPs) that provide erosion control and protect water quality.

- Promote growth of native vegetation and protect and restore special-status species and sensitive habitats, and rehabilitate areas disturbed prior to Midpen ownership.

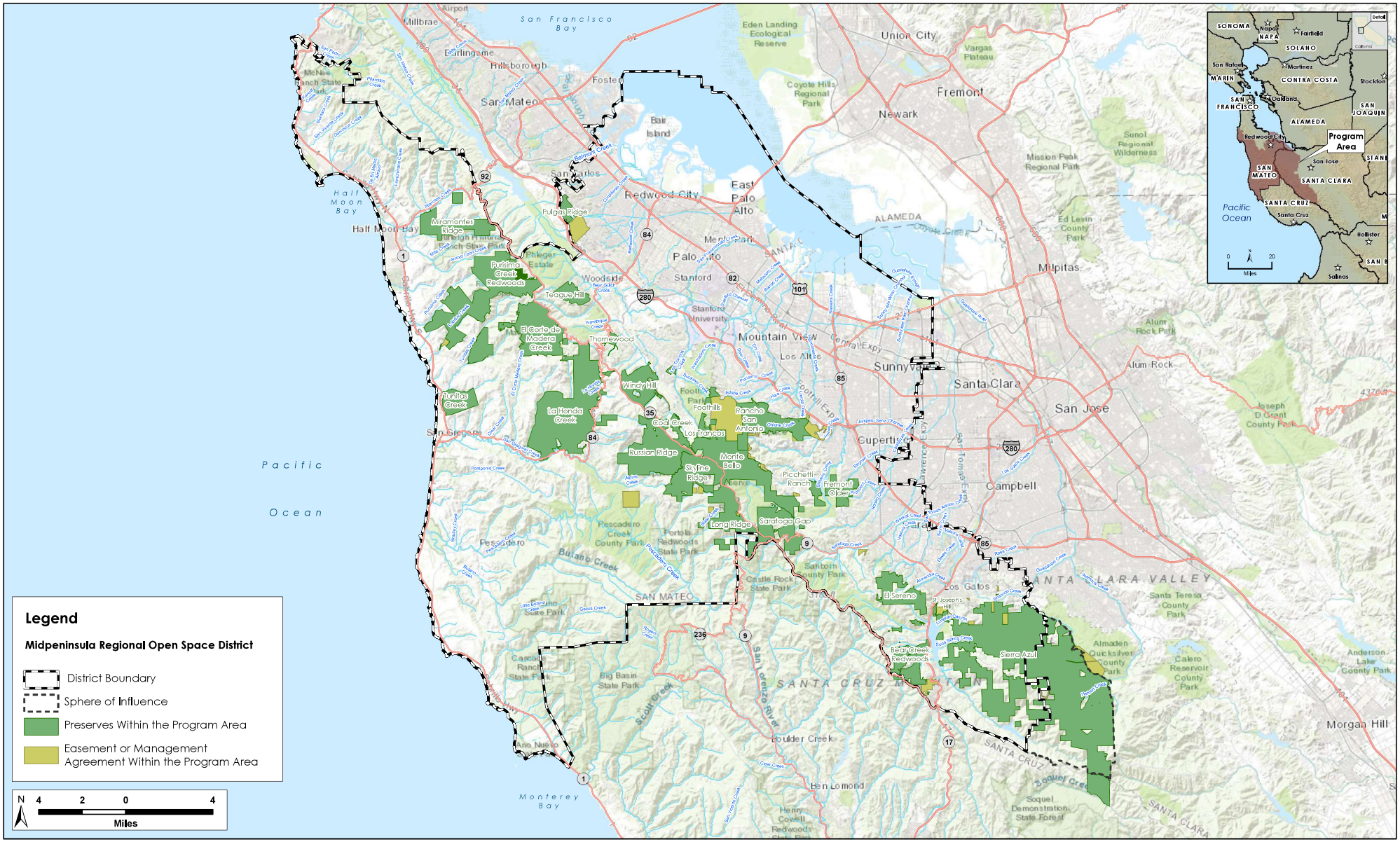
- Acquire and provide public access to lands while also protecting and restoring natural resources.

- Remove and manage invasive species while protecting natural resources and public health.

- Reduce fire fuels that contribute to the risk of catastrophic wildfire and restore ecosystems by removing invasive plant species and/or dead and excessive accumulated vegetation due to past fire suppression.

2.4 Program Area

The Program area includes Midpen's Sphere of Influence, consisting of approximately 236,233 acres in northern Santa Clara and southern San Mateo counties, and a small portion of Santa Cruz County. Within the Program area, Midpen protects over 64,000 acres of open space in the South Bay and San Francisco Peninsula (refer to **Figure 2-1**). Most of these lands are located in 26 OSPs in the Santa Cruz Mountains (refer to **Table 2-1**) within either the Skyline region or Foothill region (refer to **Figure 2-2**).



H. T. HARVEY & ASSOCIATES
Ecological Consultants

Figure 2-1: Program Area

Midpeninsula Regional Open Space District Routine Maintenance and Facilities Improvements Program
May 2021

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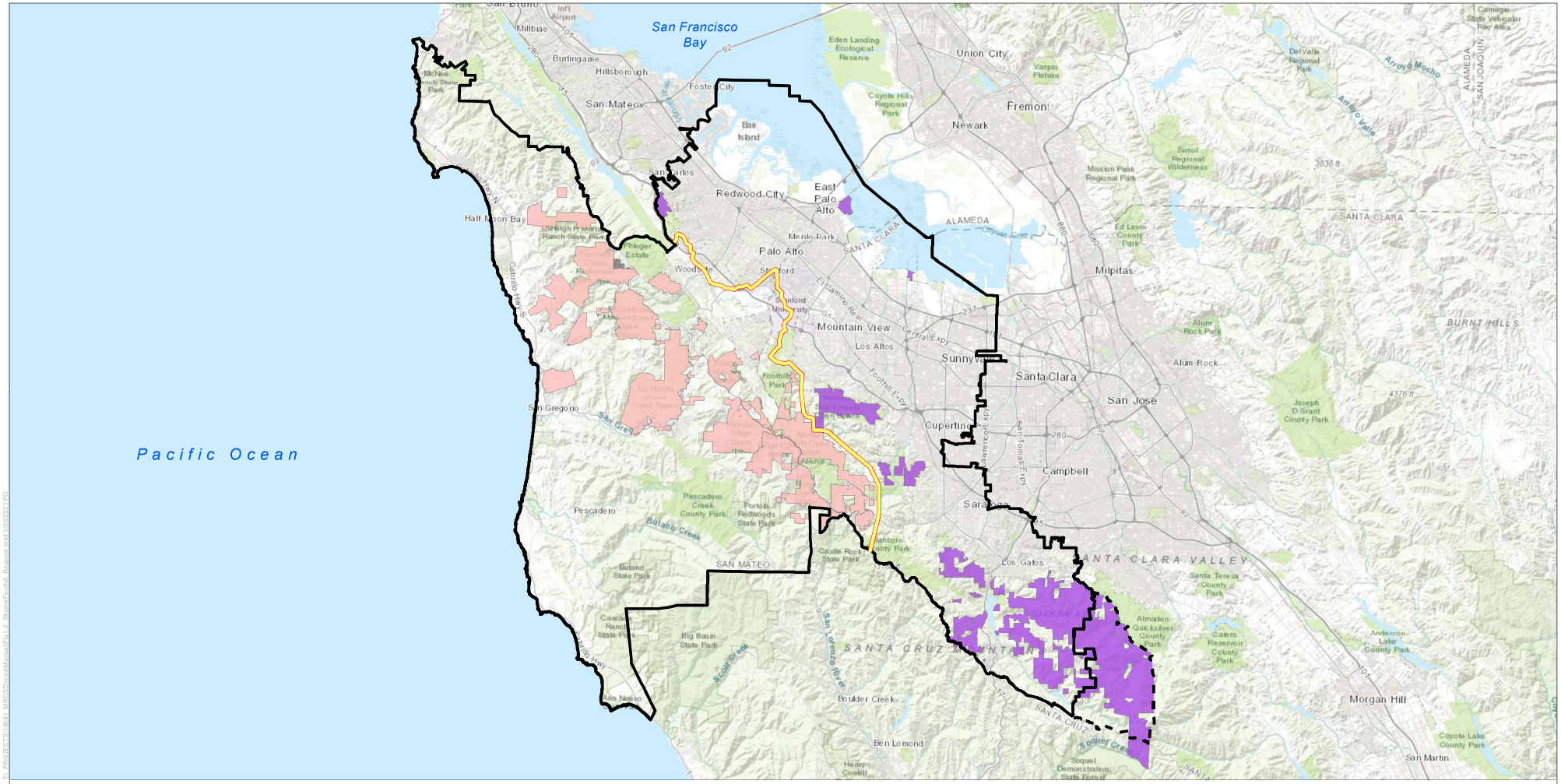

Figure 2-2
Skyline and Foothill Regions in the Program Area

Horizon WATER and ENVIRONMENT

Data Source: ESRI 2020; MROSD 2020

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Table 2-1. Existing Midpen OSPs

OSP	Size (Acres)	Miles of Existing Trail	Grazing	Foothill or Skyline Region	County/ Community
Bear Creek Redwoods	1,437	7.2	No	Foothill	Los Gatos
Coal Creek	508	3.7	No	Skyline	Palo Alto Foothills
El Corte de Madera Creek	2,906	34.8	No	Skyline	Redwood City
El Sereno	1,430	6.5	No	Foothill	Los Gatos/ Monte Sereno
Foothills	212	0.2	No	Skyline	Palo Alto/ Los Altos
Fremont Older	739	12.1	No	Foothill	Cupertino
La Honda Creek	6,144	10.6	Yes	Skyline	Redwood City
Long Ridge	2,226	14.1	No	Skyline	La Honda
Los Trancos	274	6	No	Skyline	Los Altos
Miramontes Ridge	1,716	--	No	Skyline	Half Moon Bay
Monte Bello	3,537	18	No	Skyline	Palo Alto/ Los Altos
Picchetti Ranch	308	3.1	No	Foothill	Cupertino
Pulgas Ridge	366	6.2	No	Foothill	San Carlos
Purisima Creek Redwoods	4,798	28.9	Yes	Skyline	Half Moon Bay
Rancho San Antonio	3,988	25.2	No	Foothill	Los Altos Hills
Russian Ridge	3,491	13.1	Yes	Skyline	Redwood City
Saratoga Gap	1,613	1.4	No	Skyline	Santa Clara County
Sierra Azul	18,939	25.8	No	Foothill	San Jose
Skyline Ridge	2,143	12.4	Yes	Skyline	La Honda
St. Joseph's Hill	270	4.2	No	Foothill	Los Gatos
Teague Hill	626	.2	No	Skyline	Woodside
Thornewood	167	1.6	No	Skyline	Woodside
Tunitas Creek	1,660	--	Yes	Skyline	San Mateo County
Windy Hill	1,414	13.6	No	Skyline	Portola Valley

Note: Midpen owns properties along the Bayside within the Ravenswood and Stevens Creek OSPs; however, these OSPs are not included in this Program and thus, are not shown in this table.

The Program area contains over approximately 900 culverts (including ditch relief and stream crossings), 150 trail bridges (including fords, puncheons, and boardwalks), 25 vehicle bridges, approximately 230 miles of streams (excluding many unmapped seasonal drainages and tributaries), 100 waterbodies (mostly ponds), 115 miles of single-track maintained unpaved trails, and 230 miles of maintained roads (including paved, unpaved seasonal, and unpaved all-season).

Midpen acquires several hundred acres across multiple properties each year within their Sphere of Influence and sometimes thousands of contiguous acres at once from private landowners. Newly acquired properties often come with a number of environmental issues such as permitted and unpermitted structures in sensitive environmental areas, unpermitted ponds or water diversions, invasive species, poorly designed/maintained roads, or generally degraded infrastructure and/or degraded habitat. Midpen undertakes comprehensive planning processes for these properties; however, urgent items such as road repairs, invasive species, or other critical natural resources issue must be addressed rapidly to protect natural resources. Midpen also oversees and facilitates work on neighboring lands or partner properties within their Sphere of Influence such as lands of the Peninsula Open Space Trust (POST), State Parks, the San Mateo Resource Conservation District, San Francisco Public Utilities Commission, or the rights-of-way of local, County, and State roads.

2.5 Program Activities

The vast majority of Midpen's proposed Program activities would benefit listed species and their habitats, consistent with Midpen's mission statement of acquiring and preserving a regional greenbelt of open space land in perpetuity, protecting and restoring the natural environment, and providing opportunities for ecologically sensitive public enjoyment and education. **Table 2-2** summarizes activities that would be covered by the Program, which generally includes: (1) routine maintenance activities; (2) small-scale facility improvements and new low-intensity/small footprint facilities; and (3) restoration and enhancement projects. Facility improvements and new low intensity/small facility projects would be included in the Program when they are necessary to maintain OSP facilities and amenities in good condition while simultaneously reducing the threat of, or correct degradation of, natural environments, particularly where sensitive species would benefit.

Table 2-2. Summary of Program Activities by Facility or Feature

Facility or Feature	Typical Examples of Activity Type
Routine Maintenance Activities	
Ponds/lakes	Berm repair/maintenance
	Outlet, inlet, and pipe repair
	Trash and woody debris removal
	Vegetation removal
	Sediment removal (may include some recontouring)
	Invasive plant treatment
	Wildlife structure installation (basking platforms/logs)

Facility or Feature	Typical Examples of Activity Type
	Livestock exclusion fencing and gate repair
	Trash rack clearing
Water supply structures	Spring box and/or water tank maintenance or replacement
	Water line replacement, extensions, or realignments
	Instream diversion intake clearing
	Vegetation removal
Roads	Grading and shaping (may include rocking)
	Culvert repair and replacement
	Removal of asbestos from culverts and other structures
	Sediment and debris removal at inboard ditches and stream crossings (including culvert inlets, outlets, and rocked fords)
	Fords and swales repair and replacement (including new culverts in place of fords)
	Bank stabilization
	Repair of gabion rock or riprap
	Road brushing/mowing
	Vegetation management
	Minor relocation of road segments (unpaved) to correct resource concerns (e.g., erosion, rutting)
	Installation of new roadside and trailside ditch relief culverts at non-stream crossings
	Repair and replacement of driveways
Bridges	Replace decking and handrails
	Minor structural repairs
	Repair and fortify bridge abutments
	Sediment and debris removal
	Addition of surface material to puncheons
	Vegetation management/removal
	Bridge removal or replacement (e.g., increasing span to outside ordinary high water mark [OHWM])
	Removal of lead paint
	Repainting bridges
Roadside/trailside ditches	Replace culverts and ditches
	Install new rolling dips and fords
	Replace and repair fords
	Sediment and debris removal
	Vegetation management

Facility or Feature	Typical Examples of Activity Type
	Cleaning ditches
Trails	Grading and shaping Culvert repair and replacement Repair and replace fords and swales (including with new culverts) Bank stabilization Repair of gabion rock, riprap, or retaining walls Boardwalk repair Trail brushing/mowing Vegetation management Minor relocation/reroute Sediment and debris removal at channel/trail crossings Maintenance of rolling dips Fence, gate, and signage repair
Creeks	Vegetation management Sediment and debris removal Downed tree management and large woody material removal Bank stabilization Trash rack clearing
Other Midpen Parks and Open Space features (picnic or rest areas, natural areas, rangeland, staging areas, parking lots, tenant structures, field offices, etc.)	Invasive species removal (e.g., manual, mechanical, chemical, and biological) in natural lands Fire fuel management (e.g., manual, mechanical, grazing, and chemical) for disc lines and fuel breaks Maintenance/clearing of defensive space buffers around buildings, staging areas, roads, trails, water supply infrastructure, and use areas Mechanical and chemical treatment of vegetation at helicopter landing zones
New Facilities and Improvements	
Bridges	Bridge relocation or new installation to reduce resource/water quality impacts
Interpretive facilities and signage	Installation of new low-intensity, small-footprint interpretative facilities and signage at existing OSPs
Ranching infrastructure	Improve existing ranching infrastructure, including fences, corrals, stock water
Utilities	Maintenance of septic, telephone, telecommunications, and other utilities etc.
Trails	Reroute existing unpaved trails, provide new trail connections and public access, and single-track trail resurfacing for Americans with Disabilities Act (ADA) compliance
Wildlife crossings	Construct wildlife crossings some of which may also provide public access

Facility or Feature	Typical Examples of Activity Type
Existing buildings and structures	Repair existing structures to provide habitat for wildlife species
Water infrastructure	Replace or remove degraded water infrastructure facilities
Restoration and Enhancement Activities	
Removal of in-stream infrastructure (i.e., impoundments) and collapsed structures (i.e., bridges or culverts) or upsizing of culverts	Creation of aquatic habitat and/or improvement of fisheries habitat, flows, sediment transport
Native vegetation plantings and seeding	Habitat enhancement
Traditional ecological knowledge practices (indigenous stewardship)	Plant gathering, seed collection, and plantings
Wildlife friendly spring box/troughs	Habitat enhancement to prevent wildlife entrapment
Pond and stream restoration	Improve ponds and streams to restore aquatic habitat
Treatment of invasive species	Habitat enhancement
Exclusion fencing	Habitat enhancement to exclude cattle and protect species
Prescribed burns	Habitat enhancement, fuels management, and cultural fire
Conservation grazing	Fuels and species/grassland management
Road decommissioning	Restored hydrology and watershed processes
Water well decommissioning	Entrapment hazard removal and water quality protection
Structural demolitions in riparian or other sensitive areas	Habitat enhancement

2.5.1 Culvert and Bridge Maintenance

Culvert Repair and Replacement

Midpen maintains over 900 culverts, including ditch relief and stream crossings, which commonly require routine repair or replacement due to improper installation prior to Midpen land acquisition, material deterioration (e.g., bottom of a corrugated metal pipe culvert is beginning to rust), damaged headwalls and energy dissipaters, or eroding outfalls. More than 50% of culverts on Midpen lands are between 15 feet and 35 feet long, with an average culvert length of 30 feet.

A typical culvert replacement would involve replacing existing pipe with corrugated metal pipe, high-density polyethylene (HDPE), or other pipe material, such as concrete, sized for adequate capacity (i.e., 100-year flow or entire channel width, where feasible). Culvert replacement would entail trenching, installing shoring when necessary, removing the existing culvert, installing armored culvert outlet aprons prior to laying down the new pipe, replacing the culvert, backfilling the trench, and compacting the soil or fill material. Typically, work would occur within the same footprint as the original culvert. Culverts that are greater than 30 inches in diameter would include armored culvert inlets and outlets to dissipate water velocity. Culvert replacements would be installed at or below stream grade. The slope and gradient of replacement culverts would be aligned with the receiving water course to maintain stream course continuity and to avoid washout or erosion. Culverts in fish-bearing streams would be designed to provide sufficient depth and velocity of water for passage of native fish and other native aquatic species during high and low flow conditions.

Repair of improperly installed or deteriorated culverts would include repairing eroded outfalls and rock armoring, replacing broken energy dissipators, adding rock slope protection, improving compaction to prevent piping, and clearing clogged culverts. In some instances, culverts may be replaced with rolling dips or rock fords to correct drainage conditions, improve sediment control, or limit disturbance. Adding rock material to reinforce or re-armor culverts at or below the streambed would be conducted by hand in remote areas or by using a bobcat or tractor in areas accessible by road or trail.

Surface disturbance would be limited to 150 linear feet of channel or 3,000 square feet for each culvert repair/replacement project. For culvert replacement projects, total earthwork would not exceed 100 cubic yards per culvert, not including the energy dissipator. For culvert repair projects, up to 10 cubic yards of perched fill may be removed. Depending on where the culvert replacement takes place, equipment would generally be operated from the roadway, roadway shoulders, or trail. However, for large culvert repair, replacement, or relocation projects, it may be necessary to operate equipment within the channel. Culvert repair and replacement activities would occur during the summer season between April 15 and October 31 when water levels are low or absent. Dewatering may be required depending on site conditions and water levels.

For the purposes of the proposed Program environmental analysis, it is assumed that Midpen would conduct up to a maximum of 50 culvert repair and replacement projects in a given year; however, on average 25 culvert replacements would occur annually.

Bridge Maintenance and Replacement

Midpen maintains over 150 trail bridges, including fords, puncheons, and boardwalks, and over 25 vehicular bridges throughout its OSPs. Vehicular and trail bridge maintenance activities would involve repairing or replacing guard or hand railings and decking on bridges, sealing joints, patching cracks on the bridge exterior, removing and re-applying paint, conducting general surface and deck treatments, adding surface material to low puncheons, clearing debris beneath the bridge abutments, and adding rock material to repair bridge abutments.

Bridge maintenance activities would be conducted on the bridge itself with electric power tools or heavy equipment, such as excavators and backhoes, placed outside of the channel, on dry stream banks and adjoining upland areas to minimize stream disturbance and turbidity. Nets, tarping or other suitable material would be installed on the underside of the bridge to catch any falling debris. Typically, bridge maintenance work would occur between April 15 and October 31; however, work could occur between November 1 to April 14, depending on conditions. If bridge works occurs within salmonid habitat, work would occur between June 15 and October 31. If the lower portion of the bridge requires maintenance, work may occur during periods of dry or low flow or dewatering would be required. If dewatering is required, water would either be temporarily diverted or the work area would be isolated.

Bridges may also be replaced if they are no longer passable by vehicles, are damaged or worn out, cannot withstand sufficient weight loads to accommodate emergency response vehicles, or are necessary for drainage correction purposes. Bridge replacements that involve the same size and location of the new bridge may occur under the proposed Program with limited in-channel work. Bridge replacements that involve a different location or size of bridge may also occur only if the replaced bridge reduces impacts to the surrounding habitat. The original bridge site would be restored to improve or match surrounding habitat conditions.

For the purposes of the proposed Program environmental analysis, it is assumed that Midpen would conduct a maximum of 10 bridge maintenance and replacement projects in a given year; however, on average a total of five bridge projects would occur annually.

2.5.2 Road and Trail Drainage Feature Maintenance

Road and trail ditches, ditch relief culverts, fords and swales, rolling dips, and other drainage features collect runoff from the adjacent road and trail surfaces and control and direct stream flow. Maintenance of these drainage features is necessary to reduce flooding by providing flow carrying capacity; prevent erosion and scouring of the drainage feature, channel/stream, and adjacent roadway/trail and slopes; and reduce the delivery of pollutants, including sediment to streams. These facilities are inspected year-round and are cleaned when capacity is reduced by 10% to 30%.

For purposes of the proposed Program, it is assumed that Midpen would conduct a maximum of 56 road and trail drainage clearing and installation (average of 17 per year), including ford/swale maintenance, and a maximum of 200 annual pre-rainstorm preparation (i.e., clearing sediment and debris from road and trail drainage features with hand shovels) (average of 100 per year).

Unpaved and Paved Road and Trail Ditches

Unpaved roadside and trailside ditches are cleaned as-needed from spring to fall (April through November), as long as the ditches are dry. Rainy season ditch clearing may occur (November to April) but would usually be limited to hand tools unless there is a large debris blockage that must be cleared. Unpaved ditches would be cleaned to a depth that matches the existing grade to maintain a continuous slope for runoff to flow to the nearest outlet. Ditch maintenance would typically involve vegetation removal and sediment and debris removal.

Ditches would be cleaned with hand tools or mechanical equipment such as dozers, excavators, backhoes, skid steers, box scrapers, and graders depending on the scale of work.

Paved ditches would be cleaned on an as-needed basis to preserve drainage capacity. Methods to remove debris, trash, or sediment include manual cleaning with hand tools or mechanical cleaning by use of dozer, grader, excavator, backhoe, skid-steer, box scraper, or similar equipment, depending on the scale and location of work.

Ditch Relief Culverts

Ditch relief culverts are buried beneath the road or trail surface at the low point or dip and provide drainage of roadside and trailside ditches. Maintenance of ditch relief culverts would include removal of sediment and debris as well as installation of new ditch relief culverts, as needed to improve drainage. These culverts would be inspected and cleaned as needed, typically with hand tools. Ditches could also be cleared with vacuum equipment or high pressure/volume water flow to flush out the ditch. Debris would then be cleared by hand at the end of the pipe. Ditch relief culverts would be cleared when they are 30% blocked; however, it would vary depending on the condition.

Armored Fords and Swales

Ford crossings are typically located at trail and stream crossings and are designed for the road/trail to dip through the watercourse. Maintenance of fords and swales would involve replacing rock at the dip and apron and occasionally removing sediment and woody debris. Midpen also would install new fords and swales in locations where gullying or erosion has resulted from the stream draining across the road/trail. Midpen may also replace culverts with rock fords in cases where culverts frequently clog. Fords and swales would be cleaned as-needed with hand tools for small work or mechanical equipment, such as a dozer, excavator, backhoe, skid-steer, or skip loader.

Rolling Dips

Rolling dips (i.e., grade dips) are designed to be self-cleaning and to convey sediment off of the side of the road/trail surface. Maintenance of rolling dips would involve clearing sediment and debris and removing vegetation, as needed. Midpen also would install new rolling dips as necessary to provide drainage improvements to existing roads and trails. Rolling dips on roads would be excavated with an excavator, bulldozer with rippers, or a grader. Rolling dips on trails would be excavated with a mini excavator, skid steer, or hand tools. Rolling dips would be cleared as-needed and would be typically built to reduce maintenance to every 10-years or more.

2.5.3 Sediment and Debris Removal

Deposited or accumulated sediment and debris can reduce a channel's capacity to safely convey streamflow as well as a pond's capacity to hold water. Accumulated sediment or debris can also block culverts, bridges, ditches, and other drainage features, and direct flows into streambanks causing erosion, which could negatively impact water quality and the facility (i.e., road, trail, or bridge). In addition, sediment and debris accumulation could also flood and damage property or structures, thus threatening public safety. Sediment and debris

removal primarily would occur in ponds and culverts, ditches, rolling dips and other drainage features at road/trail crossings and rarely would occur in channels, beneath bridges, and at trash racks and other minor facilities. Removing excess sediment and debris would improve water quality, decrease the risk of flooding and erosion, eliminate unpleasant odors, and improve aesthetic conditions. Sediment and debris removal activities typically would occur during the dry season, between April 15 and October 15; however, removal activities could be extended if conditions allow.

Sediment Removal

Although Midpen rarely removes sediment from channels, it may be necessary when sediment volume has reduced channel capacity or when localized sediment obstruction has the potential to divert flows, thereby resulting in erosion or flooding damage. Sediment removal in channels typically would occur at small, localized areas that experience sediment deposition or blockages. It is anticipated that Midpen would work on up to one in-channel sediment removal project per year. The total work limits would not exceed 100 linear feet per site. Sediment would be removed with mechanized equipment in creeks that do not support habitat for salmonids and with hand tools in creeks that do support salmonid habitat. No equipment would be operated in standing or flowing water within the channel. Work would generally occur under dry conditions; however, if maintenance is necessary where water is in the channel, the water would either be temporarily diverted or the work area would be isolated.

Midpen also would remove sediment from ponds where accumulated sediment has decreased the depth of the pond, thereby reducing the water volume capacity and increasing the growth of aquatic vegetation such as cattails (*Typha* spp.). In order to restore the pond and return it to its previous depth and water capacity, sediment removal would be required. Sediment removal from ponds would occur as soon as the ponds are dry (if prior to August 15), or if pond draining is required, work would occur between August 15 and November 1. Draining of ponds would occur prior to the beginning of California red-legged frog (CRLF) breeding season. Heavy equipment such as dozers, loaders, excavators, rollers, and compactors would be used for sediment and vegetation removal and recontouring. In some areas, hand tools and hand laborers would be utilized. Portable pumps, with ¼ inch mesh screens on the intakes, may be used for pond draining. Sediment removal from ponds would be limited to approximately 600 cubic yards per pond and total annual pond work would be limited to approximately one acre (or two or three ponds).

Midpen is also responsible for clearing sediment from culvert inlets and outlets, ditches, rocked fords, rolling dips, and beneath bridges at road, trail, and stream crossings. The work is necessary when the drainage feature is blocked with sediment or debris and conveyance capacity is reduced by 10% to 30%, or sediment or debris deposits are actively causing scour erosion of streambanks supporting bridges or other public facilities like roads and trails. Midpen would remove sediment from blocked culverts approximately 3 to 8 times a year prior to the winter season and during and after storm events. Removing sediment may require digging sediment out by hand. Mechanized equipment, such as push loaders and excavators, may be used for larger drainage features or where hand removal is infeasible. Prior to the onset of the winter season and during/after storms, Midpen staff would walk the OSPs and remove any sediment that has filled drainage features with hand tools.

Removed sediment would be reused on Midpen lands either adjacent to the site, within the same watershed, or within the same OSP. Sediment would be spread on stable, upland areas outside of channel corridor, or over unpaved roads. However, in the rare occurrence that soil is contaminated, it would be hauled offsite and disposed of at an appropriate landfill facility. Typically, this work would be conducted with hand shovels, backhoes, mini excavators, dozers, and/or graders.

Debris Removal

Debris removal would involve removing non-sedimentary materials (e.g., shopping carts, trash, tires, other substances) that are deposited into channels, lakes, or ponds as a result of high flows or through human activity. Prior occupants on Midpen lands used tires and other debris to stabilize streambanks and berms. Midpen routinely removes debris that impairs hydraulic conditions and reduces conveyance capacity in channels, lakes, ponds, ditches, or other drainage features. Debris removal would occur on an as-needed basis, and would be conducted using hand tools, including come-along cable pullers. Vehicle mounted winches may also be used to remove collected or heavy materials from channels or other heavy equipment, including excavators to remove debris such as tires. Debris would be disposed at an appropriate site or landfill.

2.5.4 Streambank Stabilization

Streambank stabilization involves the repair and stabilization of eroded or eroding streambanks to minimize water quality and erosion impacts. Bank stabilization activities would include replacement or repair of damaged or failed sections of perched fill, rock riprap, geogrid embankment, timber pile walls, wooden or log cribwall bank revetments, and retaining walls. Bank stabilization activities would take place on an as-needed basis, based on the risk of flooding, erosion, or bank failure. In an average hydrologic year (based on average seasonal precipitation), Midpen may work on up to two streambank stabilization projects; the total annual work distance would not exceed 100 feet per site. Following a wet hydrologic year or period, Midpen may work on up to four streambank stabilization projects; the total work distance would not exceed 100 feet per site. If a streambank stabilization project is larger than 100 linear feet, the project would be conducted outside of the Program.

Prior to initiating bank stabilization repair work, Midpen would first evaluate the type of bank failure that occurred (sheered slope, undercut bank, rotational slump, culvert failure, etc.). Second, Midpen would evaluate site-specific conditions, including location, hydraulic conditions (i.e., bank height, bank slope, water surface elevations, etc.), bank materials (i.e., soil type, strength, saturation conditions, etc.), and geomorphic conditions (i.e., instream features, confluence, channel bends, etc.). Midpen would then assess the upstream and downstream channel to determine overall stability of the channel and if elements that can improve habitat complexity, such as root wad revetments and brush layering, can be incorporated into the bank stabilization design. Lastly, and based on the site-specific conditions, Midpen would develop an individualized bank stabilization design that minimizes long-term environmental impacts. Midpen would prioritize the use of earthen and biotechnical bank stabilization treatment solutions that minimize adverse environmental effects and help restore and increase complexity of habitat at stabilization sites. Examples of biotechnical bank stabilization solutions include broadcast and hydro-seeding; riparian

vegetation planting; armoring slopes with rocks or sandbags staked with live willows or interplanted with riparian species; willow staking; live willow pole drains; vegetated crib walls; or log or rootwads. If biotechnical bank stabilization solutions are determined to be unsuitable or have previously failed at a site, hardscape engineered solutions (e.g., riprap) may be used and keyed into the bank to provide stability.

Bank stabilization work would be conducted with either hand and power tools (i.e., toter or mule) or with larger mechanized equipment such as excavators or dump trucks. Generally, these are small-scale projects and work can be conducted from the top of bank. However, for larger projects, work within the channel may be required. If water is present within the channel, dewatering would be required to gain access. This work would typically occur between April 15 and October 31; however, it may be extended if certain conditions are met (e.g., no rainfall is forecasted for 7-days).

2.5.5 Water Supply Structure Maintenance

Water supply infrastructure primarily consists of spring boxes, wells, water tanks, waterlines, and livestock troughs. Maintenance of these facilities would be necessary to maintain water supply storage and availability; provide accessible water for livestock and wildlife; and supply clean water to residences. Primary maintenance activities would involve replacing, extending, or realigning water lines; repairing failed or dilapidated spring boxes or wells; cleaning out clogged spring boxes and pipes to improve spring system; installing new spring boxes or troughs; removing minor amounts of vegetation to ensure water supply structures are functioning properly, and creating defensible space around water infrastructure per the Board of Forestry Fire Safe Regulations (2021)[1]. These structures would be inspected year-round on a regular basis and would generally be maintained annually by hand, as needed. Rebuilding water supply structures would be done less frequently, typically once every 5-10 years. If extensive digging is required, such as for installation of new water line or spring box, small mechanical equipment may be used (i.e., bobcat or small backhoe). When servicing wells, larger mechanical equipment may be required. If mechanical equipment is required, activities would typically occur between April and November. For purposes of this proposed Program, Midpen anticipates working on a maximum of four water supply structure maintenance projects per year. On average, a total of two water supply structure maintenance projects would occur annually.

2.5.6 Ponds

Ponds are important wetland features that serve as educational and aesthetic resources for OSP visitors, habitat for rare, threatened, and endangered species, water sources for livestock, as well as fire suppression benefits. Maintenance work would include vegetation and sediment removal to maintain optimum water levels; shoring and filling in gaps or low spots on earthen berms; rocking berm tops in heavy use areas, and clearing outlets, inlets, pipes, and spillways for proper depth of ponds.

[1] As of July 2021, the Board of Forestry Fire Safe Regulations have not yet been approved.

Heavy equipment such as dozers, loaders, excavators, rollers, and compactors would be used for repairing failing pond berms, improving inlets/ outlets, recontouring, and removing invasive vegetation. Excavators, chainsaws, brush cutters, mowers, and articulating arm mowers may be used for clearing and grubbing of vegetation to maintain a pond to the Division of Dam safety requirements, such as removing woody vegetation from a berm or aquatic vegetation from clogging a spillway. If pond draining is needed for berm stabilization or clearing work, portable pumps with ¼ inch mesh screens on the intakes, may be used. In some areas, hand tools and hand laborers would be utilized. Pond berm stabilization work would be limited to a maximum length of 200 feet per pond berm. In addition, the amount of material (i.e., fill) would be limited to 300 cubic yards per pond berm. Midpen anticipates working on up to three ponds per year.

Maintenance activities in ponds would occur as soon as the ponds are dry (if prior to August 15), or if pond draining is required and CRLF are present, work would occur between August 15 and November 1, prior to the beginning of CRLF breeding season.

2.5.7 Minor Maintenance Activities

Other minor maintenance activities conducted by Midpen would include repair of fences, gates and signage and trash rack clearing. Fences and gates would be repaired as needed to protect the public and Midpen's property**.** Trail signs would be periodically kept clean from graffiti and repaired or replaced as needed. Graffiti removal would involve painting by hand or mechanical sprayers on trail signs or bridges or other structures. Additional structures that require minor repair would include scientific instrumentation (i.e., gages, sensors, etc.) and wildlife habitat structures (i.e., turtle platforms, exclusion screens, and spring box features). These structures would be maintained with hand tools annually and are generally small in scale.

Midpen may also clear trash racks with the use of hand tools to remove the debris, which would be disposed of locally in a stable location away from the stream. The amount of debris removed annually would vary depending on the type of water year.

For purposes of this proposed Program, it is assumed that Midpen would work on a maximum of 6 minor maintenance projects per year (average of three per year).

2.5.8 Vegetation Management

Vegetation management activities are currently conducted consistent with Midpen's IPM Guidance Manual and Wildland Fire Resiliency Program's Vegetation Management Plan (VMP).[2] The primary vegetation management activities that would be conducted under the proposed Program would be similar to those in the IPM and Wildland Fire Resiliency

[2] Impacts associated with vegetation management activities are analyzed in the IPM Environmental Impact Report (EIR) (September 2014) and the Wildland Fire Resiliency Program EIR (April2021).

Program, but would be initiated as part of routine maintenance, habitat enhancement, or during new construction for small-scale facilities improvements.

Vegetation management activities in the proposed Program would include brushing, fuel management, pruning, tree removal, downed tree management, pesticide application, conservation grazing, invasive plant removal, and traditional ecological knowledge practices (indigenous stewardship) (i.e., small-scale plant gathering, seedling collection, and plantings). Midpen undertakes these types of vegetation management activities routinely and relatively consistently from year to year. For some activities, the work locations may change yearly; however, the type of work would remain consistent. For other activities, the work locations are the same year after year and would be conducted as part of the existing condition to maintain the status quo and would not result in any new effects (e.g., maintenance of established shaded fuel breaks on existing Midpen lands). Some facilities require annual vegetation management while others do not. This largely depends on the type of vegetation in, or adjacent to, the channel, road, trail, or other facility and other environmental factors including the degree of solar input, soil, and moisture conditions.

Brushing and Mowing

Annual brushing (i.e., mowing and pruning of vegetation along roads and trails) would be conducted along approximately 600 miles of roads and trails; around parking lots, gates and stiles; the Black Mountain campsite; and other recreational areas to maintain an open corridor for vehicular, horse, bicycle, and pedestrian use, maintain access to facilities, control vegetation, and to reduce fire and public safety risk.

Road and trail brushing would be conducted with brushcutters (i.e., weedwhips), hedgers, chainsaws, pole saws, chippers, and tractor-operated mowers (mowing decks either pulled by a tractor or attached to the tractor as part of an articulated arm) to maintain grass and shrubs in short stature. Road and trail brushing would be conducted on annual or periodic basis and would be conducted at specific times of the year to abate the risk before it becomes a problem. Most trails would be mowed or brushcut on an annual basis. However, some trails may need to be brushed up to four times a year if it is a heavily used trail and if it is a high rainfall year. All roads would be mowed or brushcut one to four times per year depending on the rainfall/vegetation growth in a given year. On an annual basis, a strip of land around parking lots, gates and stiles would be brushcut or mowed. In addition, islands in the middle of parking lots, detention basins within parking lots, or parking lots with narrow grassy edges would be mowed.

Timed mowing would also be used to control the reproductive spread and reduce populations of annual invasive plants. These activities would typically occur between April and November, with the specific timing determined by the phenology of the target species. Timed mowing usually would occur when a certain percentage of the population reaches a phenological threshold (i.e., 5 percent of the population is flowering). Vegetation would be mowed to a height of 4 to 6 inches, and may require multiple treatments in a given year. All mowing activities would be conducted in compliance with Midpen's IPM best management practices (BMPs).

This brushing work would be re-occurring and conducted in the same place year after year along roads and trails; new areas would not be disturbed as part of the activity except when new properties are acquired, old roads are opened, or incidentally part of a larger project. Midpen also brushes patches of Coyote-brush that are impacting native grasslands or reducing forage for conservation grazing. For the purpose of this activity, old roads are those that have not been brushed/mowed within a five-year period and are more than 50% covered in vegetation.

Tree and Shrub Pruning

Pruning trees and shrubs would be routine activities performed as a component of facilities maintenance and fuel management projects to provide emergency, maintenance, and recreational access to Midpen facilities; improve visibility to inspect Midpen facilities; provide adequate sight distance for safety and aesthetic reasons protect infrastructure; and to meet local fire codes. Vegetation would be pruned within 3 feet of a trail and up to 12 feet for roads. Height clearance would depend on the use of the trail or road (e.g., trails with equestrian use have a 12-foot height clearance). No more than 20% of an individual riparian tree canopy would be pruned.

Pruning would be conducted with hand tools or mechanized equipment. Once work is completed, plant material that is free of exotic or invasive plant propagules would be chipped and re-used elsewhere on Midpen lands for other uses. However, in areas that are known to host Sudden Oak Death (SOD) or other plant pathogens, all chipped material would be left on-site.

Tree Removal

Native and non-native trees would be removed if the tree is creating a public safety risk along or near Midpen high-occupancy facilities (e.g., picnic areas, parking lots, buildings) or trails, is limiting stream capacity, or is a threat to streams, ponds or bed and banks of streams, natural areas, or water quality. Trees would be assessed by a licensed arborist to determine if they are a public safety risk where staff cannot make a determination. If a hazardous tree can be mitigated by pruning alone, the tree would not need to be removed.

Identifying and removing hazardous trees would be conducted on a continual basis. When assessing hazardous trees, Midpen staff take into consideration human residence time (i.e., the duration of exposure that the public or staff have around the potential risk). Hazardous trees would be removed when they are within 1 ½ times of their height to a high use facility. An estimated 50 to 200 trees would be limbed or removed every year along roads and trails and near facilities with chainsaws, pole saws and chippers to reduce the risk of tree failure in a high human residence time.

Trees in riparian areas that are limiting stream capacity, are threatening ponds or bed and banks of streams, natural areas, or water quality, or are preventing necessary vehicle access along roads may also be removed. No trees or vegetation greater than 6 inches diameter at breast height (dbh) would be removed from within the stream. Trees within the riparian area would be removed with trimmers and chainsaws; no heavy equipment would be operated from the streambank. Mulch, limbs, and leafy materials would be left in place for site

restoration and erosion control and larger sections would be stockpiled off site and reused for future Midpen projects.

Downed Tree Management

Midpen would remove downed trees in high visitor use areas if the downed tree presents a safety risk, is blocking a road, trail or other infrastructure, or if the fallen tree negatively affects hydrologic processes. Because downed trees play an important role in the ecosystem, they would be left in place if a fallen tree does not present a safety risk. If it is unlikely that the downed tree would increase any risks and there is adequate flood flow capacity, Midpen would seek opportunities to maintain the downed tree as a habitat feature. However, if it is likely that the downed tree would increase any risks or threatens infrastructure, the tree would be trimmed and repositioned with hand tools immediately. Equipment, such as a winch and cable, to remove the tree would be operated from the top of bank. Downed tree management activities would occur during the winter months, typically following a large storm event. Midpen anticipates working on up to two locations in a year on average; however, a hydrologically wet year may result in additional sites.

Aquatic Vegetation Removal

Cattails (*Typha* spp.) and other aquatic plant species are commonly found in ponds where sediment deposition has occurred. Midpen would remove tall cattails and other wetland vegetation in small select areas to maintain public viewing areas, public trails and maintenance access, prevent sedimentation, improve habitat for special-status species, and for pond monitoring purposes. In addition, the California Division of Dam Safety requires all woody debris to be removed and tall herbaceous vegetation to be cut on both faces of certain pond dams to improve visibility to see possible areas of failure. Vegetation on the water side of the dam would be trimmed with mowers and brush cutters. Vegetation on the dry side of the dam would be trimmed with mowers and approved pesticides. Woody vegetation would be trimmed in pond spillways to prevent the blockage of water.

Fuel Management

Fuel management is the practice of removing or modifying vegetation to reduce the risk of wildfire ignitions, rates of wildfire spread, and fire intensity. Fuel management activities are required when vegetation becomes overabundant or decadent; or close to facilities, structures, and communities that people inhabit and use. Midpen typically conducts fuel management activities within the Wildland Urban Interface (WUI) in accordance with the VMP of the Wildland Fire Resiliency Program and Conservation Grazing Program. Fuel management activities are described in more detail below.

Prescribed Burns

Prescribed burns help restore native upland habitats and control invasive exotic vegetation. Prescribed burns would generally be conducted every three to ten years to maintain a high diversity of plants. All burnings would be conducted according to California Department of Forestry and Fire Protection (CAL FIRE) regulations and burn protocols. Prescribed burns would be monitored to ensure burn prescriptions, including timing and frequency, are adhered to. Prescribed burns would adhere to the conditions outlined in the Wildland Fire

Resiliency Program, which identifies total allowable burn acreage by vegetation type. Prescribed burn timing would be determined based on permit conditions from the relevant agencies, the constraints of each site, climatic conditions, and species requirements.

Disclines

Midpen annually maintains approximately 30 miles of disclines on its land as required by local fire agencies. Additional miles of disclines will likely be added under the Wildland Fire Resiliency Program as Midpen acquires new lands. A discline is cut with an agricultural cultivator attachment on a tractor. However, discing requires annual maintenance to be effective and to manage invasive weeds. Brush encroaching into disc lines along roads, trails, and borders would be removed with chainsaws, boom flails, and mowing or masticator equipment. Occasional pruning of overhanging branches with a chainsaw or pole pruner would also be undertaken along disclines where needed to allow passage of maintenance equipment. Discing generally would take place adjacent to major roads/highways, grasslands along WUI, around buildings, and where required by a local fire agency. Midpen typically maintains disclines between April 1 and July 1.

Shaded Fuelbreaks

Shaded fuelbreaks are a forest management approach that involves selective thinning and removal of the more flammable understory vegetation and leaving the majority of larger, more fire tolerant tree species in place. Typically, fuelbreaks are maintained along roads. Maintenance of fuelbreaks along roads would include annual mowing of vegetation 10 to 30 feet from the edge of the road, clearance of brush and all dead vegetation, and removal of ladder fuels in forested areas. Shaded fuelbreaks would also be maintained along road-width trails, staging areas, and helicopter landing zones. Shaded fuelbreaks would be maintained as-needed, typically every 3 to 5 years. This work would be conducted with both manual and mechanical tools, including tractors, brushcutters, chainsaws, chippers, masticators.

Maintaining Defensible Space around Buildings, Emergency Helicopter Landing Zones, Driveways, and Water Supply Infrastructure

Midpen or its tenants are responsible for maintaining defensible space around structures and along property boundaries. Flammable vegetation is generally cleared annually within 100 feet to 300-feet of Midpen-owned structures/buildings, within 30 feet of a property boundary (where directed by a fire agency regulation), and 100 feet of water supply infrastructure. However, the amounts of clearance for defensible space can vary depending on the Fire District jurisdiction that a parcel is located within. Defensible space clearing would be conducted consistent with Midpen's Defensible Space Clearing Guidelines (Midpen 2011), Wildfire Management Policy (Midpen 2012), Wildland Fire Resiliency Program (2021), Board of Forestry Fire Safe Regulations (2021)[3], and local or state defensible space requirements. This work would consist of manual and mechanical clearing of flammable vegetation by mowing, brushcutting, chainsaw work, pole pruning, chipping, masticator and spraying,

[3] As of July 2021, the Board of Forestry Fire Safe Regulations have not yet been approved.

dependent upon the site conditions. Work would generally be conducted between April and August.

Emergency helicopter zones would be maintained annually or bi-annually by mowing with a tractor or brushcutter. Heavier vegetation/brush encroaching within the landing zone would be mechanically removed with a chainsaw or JAWZ equipment.

Invasive Plant Removal

Pesticide Application

Consistent with Midpen's IPM Guidance Manual, the proposed Program would use an integrated approach of chemical, manual and mechanical methods to manage vegetation along trails, roads, and wildlands. Pesticides would be used in conjunction with manual and mechanical treatment methods to control invasive species, reduce fire risk, and to limit the spread of plant pathogens (e.g., SOD). Midpen aims to reduce per-acre pesticide use at individual sites in natural areas over time. Midpen would use the most selective pesticide application method that can achieve the desired results for any given project. Pesticide application techniques would include foliar/spot spray, cut-stump, basal bark application, wick/wipe application, and frill/injection.

All pesticide applications conducted by Midpen would occur in accordance with federal, state, local regulations, labeled specifications, and any court injunctions in place. Pesticide application would only be conducted when the weather is dry and when wind speeds do not exceed 7 miles per hour. Pesticides would not be used in or within 15 feet of any fish-bearing stream, lake, pond, or other water bodies known to support special status aquatic species. For other water bodies, pesticide use would be limited to control non-native plant species where excess vegetation is determined to be the cause of sediment deposition and/or debris accumulations that result in flooding or damage to facilities. Only approved pesticides may be used on Midpen lands for vegetation management, including but not limited to, Glyphosate isopropylamine and potassium salts, Aminopyralid triisopropanolamine salt, Imazapyr isopropylamine, Clopyralid monoethanolamine salt, Clethodim, and Triclopyr triethylamine salt. All pesticides would be applied in accordance with Court-ordered injunctions concerning special-status species.

Pesticide application in riparian areas would be limited to one to five sites per year and would be conducted in accordance with the IPMP BMPs. Only pesticides and adjuvants labeled for aquatic use would be allowed. Pesticide application adjacent to high risk fire areas would be necessary where perennial vegetation is not responding to manual or mechanical treatments. Flammable vegetation may be spot sprayed annually within 30 feet of a structure, in combination with mowing. Trees or large shrubs would be treated by cut-stump method to permanently remove them from this high risk zone.

Conservation Grazing

Conservation grazing is conducted on Midpen coastal rangeland and agricultural farms and fields to control growth of herbaceous weeds, brush, and non-native plants; enhance the diversity of native plants and animals; help sustain the local agricultural economy; foster the region's rural heritage; and manage fire fuel (i.e., flammable vegetation). Currently,

approximately 11,000 acres are grazed and managed by multiple ranching tenants. Typically, lands would be grazed with cattle; however, in some instances, other animals such as goats or sheep may be more appropriate.

All conservation grazing activities would be conducted in accordance with the goals, policies, and implementation measures included in Midpen's Grazing Management Policy (Midpen 2021a). Certified rangeland managers would prepare site-specific grazing management plans that incorporate BMPs for OSPs where grazing would be utilized based on the unique features of each site and determine the appropriate class of livestock and stocking rates. Before conservation grazing activities commence, a biologist would evaluate the area to be grazed to identify sensitive resources. In order to contain livestock grazing, wildlife-friendly fencing would be installed that allows for wildlife movement. Once fencing has been installed, cattle or other livestock would be put on parcels for a set amount of time and monitored to ensure appropriate amounts of residual dry matter (RDM) remain on the ground in order to accommodate new plant growth, prevent soil erosion, and maximize species richness. Conservation grazing would be conducted either seasonally, typically in late spring or early summer when vegetation is palatable to the grazing animals, or year-round. Fence repair and installation and surveys and monitoring may occur year-round.

Traditional Ecological Knowledge Practices (Indigenous Plant Stewardship)

Traditional ecological knowledge (TEK) practices are led by locally indigenous communities on the lands Midpen stewards. These include identification of culturally significant plants; assessing the phenology, growth, and abundance of plants that can support gathering or seed/fruit collection; harvesting and gathering native plant species; and the cultivation, tending, or planting of native species. None of the species are listed or protected by the California Native Plant Society, the State, or Federal agencies. The small-scale hand collection and manipulation of native plants is currently a limited activity in upland settings. Riparian and wetland gathering follows the same principals but has not occurred to date. TEK practices also include invasive plant removal (covered under the IPMP).

2.5.9 Road and Trail Maintenance

Paved Road Surface Maintenance Activities

Primary road maintenance activities would include repairing small potholes, repairing roadway base, repaving, sealing cracks, resurfacing, and oil and screen. These activities would be conducted to ensure a safe roadway surface for motorists and to prevent further roadway deterioration or failure. Most patching and resurfacing activities would occur between April and October. Potholes would be repaired shortly after they occur to prevent accidents and other traffic-related safety risk.

Paved road surface maintenance activities may require removing asphalt using either manual or mechanical methods. For small areas, asphalt would be removed manually by sawcutting, jack hammering, or by using sledgehammers, shovels, wheelbarrows, or by mechanized equipment, such as a front-end loader or bobcat. For larger areas, asphalt would be ground down or pulverized and is either loaded directly into a dump truck or left in place and re-compacted as the base. Pavement striping and markings would also be replaced where

removed or damaged; this work would be completed during the dry season. Re-paving efforts for small areas may be conducted by hand, spreading and compacting a hot mix with wheelbarrows, shovels and tampers. For larger areas, a paver box with a hopper and a 10-wheel dump truck that holds the hot mix would be used to repave the site.

On occasion, Midpen would clear paved roads to remove soil, organic material, and dust and debris to keep sediment from entering waterways and to provide a safe roadway for motorists. Paved road clearing typically would occur in the winter in response to debris and material being deposited onto the road but may occur year-round to maintain public safety.

For purposes of this proposed Program environmental analysis, it is anticipated that Midpen would work on a maximum of four minor and 10 major paved road surface maintenance projects per year (annual averages would be two and five, respectively).

Unpaved Road Surface Maintenance Activities

In general, unpaved roads, particularly in steeper areas are susceptible to rapid erosion if not maintained properly. In many cases, unpaved roads on Midpen lands have inadequate or damaged drainage structures that need to be replaced. Depending on roadway conditions, unpaved road surface maintenance activities would include re-grading the road to its existing grade or original cut, installing additional drainage structures (i.e., culverts, inside ditches, rolling dips), repairing/cleaning rolling dips and roadside ditches, filling ruts, relocating road surface materials that have moved due to erosion, and removing debris from landslides. In addition, minor relocations of roads (i.e., within 400 feet upstream or downstream of original location) would be conducted as long as it improves drainage, removes roads from environmentally sensitive areas, or increases stability.

Heavy equipment utilized for road repairs would include dozers, loaders, excavators, rollers, dump trucks, cables and winches, etc. Earthwork adjacent to a creek crossing or having the potential to direct drainage into a creek that provides habitat for salmonids would be limited to June 15 to October 31. Earthwork within and around creeks that do not provide habitat for salmonids would be limited to April 15 to October 31. Earthwork on all other roads would occur year-round during dry periods, scheduled around blooming periods for special-status plant species, and according to local grading ordinances. Midpen prepares Road and Trail Inventories and Maintenance Plans for its OSPs that identify sites in need of work. Each year, work would be conducted based on road assessment and project prioritization. Work would be performed during the dry season by Midpen staff or contractors. Roads that are solely used in support of ranching and agricultural activities may be maintained by the conservation grazing tenants.

For purposes of this proposed Program, it is anticipated that Midpen would work on a maximum of 30 unpaved road surface maintenance projects per year (average of 15 annually).

Trail Maintenance and Repair

Midpen is responsible for maintaining numerous trails including single-track trails, roads, and easy access- ADA trails throughout its lands and other agency lands to ensure public

safety for recreationists. Trail surfaces commonly wear down in areas where a particular trail is heavily used making trail surface repair or re-grading work necessary. Trail surface repair would involve adding the proper soil type to the problem area and re-compacting the soil. Re-grading a trail may be necessary to address problematic sections of a trail and would involve grading the trail back to the original cut and filling in ruts as needed. Earthen materials moved by erosion or landslides and washed into drainage ditches may require returning the earthen materials to the restructured trail. In some instances, due to severe erosion or the presence of landslides, short segments of a trail may require re-routing. Trails may be relocated within 400 feet upstream or downstream of the original location as long as the new trail improves drainage, removes a path from environmentally sensitive area, increases trail stability, or increases long-term operation and maintenance sustainability of the trail. Other trail maintenance work would include repairing and installing new signage, removing graffiti, and repairing other trail structures.

Trail maintenance adjacent to a creek crossing or having the potential to direct drainage into a creek that provides habitat for salmonids would be limited to June 15 to October 31. Trail work within and around creeks that do not provide habitat for salmonids would be limited to April 15 to October 31. Earthwork on all other trails would occur year-round during dry periods. As mentioned above, trails in need of repair would be identified in each Preserves Road and Trail Inventories and Maintenance Plan. Typically, hand tools such as shovels, McLeod tools, and pick-mattocks would be used by Midpen staff or volunteers for trail maintenance activities. Mechanical equipment would include power carriers, mini-excavators, and Sweco separators.

For purposes of this proposed Program environmental analysis, it is anticipated that Midpen would work on a maximum of 15 trail maintenance projects per year (average of 10 annually).

Roadway or Trail Slip-outs and Slide Repairs

Roadway or trail slide repairs would be performed on an as-needed basis to prevent additional failure of supporting soils or structures, and to reduce the potential risk of falling debris. Slip-out/slide repairs are common in areas where soils underlying roadways or trails are unstable and erosive. The cause for slope failure depends on site-specific conditions such as soil type, historic road construction methods on uncompacted fill, topography, hydrologic and drainage conditions that contribute to slope instability, and a prior history of mass movement along the hillslope. To address slip-outs and slides, Midpen would evaluate the cause of the instability and first aim to use earthen and biotechnical solutions to minimize adverse environmental effects. However, depending on the severity of the road slip-out/slide, construction of retaining wall systems or placement of riprap may sometimes be necessary. If the road surface is still intact underneath a slide, Midpen would clear the slides and place the soil on nearby road surfaces with appropriate drainage structures. The site would be stabilized with large rock or compacted and sloped soil to fill in the road prism. Occasionally in areas with large scale landslides, the entire slide moves. In cases where no reroutes are available to avoid the slide, Midpen would grade through the slide to reconnect the ends of trail and install drainage features to pass water across the trail.

Equipment used for slip-out/slide repair activities may include excavators, bulldozers, front-end loaders, and dump trucks. Material removed from slides would be deposited nearby, graded, and appropriate drainage features would be installed. Erosion control measures, such as strawing or local vegetation, would then be installed on top of the graded soil to prevent erosion.

For purposes of this proposed Program environmental analysis, it is anticipated that Midpen would work on a maximum of 10 roadway/trail slip-outs and slide repair projects in an average year and 20 roadway/trail slip-outs and slide repairs in a wet year (average of 5 annually).

2.5.10 New Small Scale Facilities Improvements

Existing Building and Structure Repairs and Utility Improvements

Existing building and structure improvements and repairs would include stabilizing historic residences (e.g., Thornewood Estate house and Hawthorns house), barns, stables and other structures in working ranches/farms; removing dilapidated structures; designing and constructing structures for sensitive species (e.g., turtle basking platforms, bird boxes, bat boxes); remodeling field staff offices and accessory structures, and tenant and workforce housing within the existing footprint; replacing and potentially relocating restrooms to more suitable areas; and conducting driveway improvements. Typically, this work would occur in uplands but may occur along the edges of riparian areas. It is anticipated that five building and structure improvement projects would be conducted each year. Midpen is also responsible for maintaining septic, water supply, telephone, telecommunications, and other utilities within the proposed Program area. Utility work would be confined to areas surrounding existing residences, offices, restrooms, maintenance yards, and existing utility lines, typically located in areas that are already disturbed. Midpen anticipates working on two to four utility projects per year.

Recreational Facility Improvements

Recreational facility improvements would include new trails/road and reroutes, new trail and vehicle bridges, bridge replacements and bridge relocations, new interpretative facilities and signage, and wildlife crossings. A description of these activities is summarized below.

New Trails, Roads, and Reroutes

To facilitate improved access to Midpen's lands, new trail connections (including at grade road crossings) and loop routes or re-routes of existing trails/roads may be constructed. New trails would be constructed in whole or in part by re-use and conversion of an existing abandoned road. Re-routes of existing trails/roads would only be conducted if the new route would reduce habitat degradation associated with existing access; provide necessary access for other OSP habitat management or enhancement activities supporting sensitive species (e.g., pond maintenance); or if the original facility was sited improperly (e.g., located on unstable soils). This work may include installing puncheons and armored fords at small and ephemeral crossings or swales, ditch relief culverts, trail bridges and other features

associated with new or rerouted trails. Midpen anticipates constructing one to four new trails and roads and/or reroutes per year with an average of 1 per year.

New Bridges, Replacements, and Relocations

Midpen seeks to replace degraded bridges, culverts or ford crossings with improved crossings that have a smaller footprint in the creek and are less impacting to the natural landscape. Midpen's preferred approach is to replace crossings in-kind at a higher elevation along the stream; however, sometimes relocation of the bridge crossing upstream or downstream of the original site is the only feasible means of correcting the issue.

New trail bridges would involve the installation of concrete abutments 4-feet below grade located outside of the 100-year floodplain; installation of steel or glulam spanning beams; and installation of wood decking and railings (or fiberglass in more remote settings). Midpen anticipates working on two to four new trail bridges per year.

Vehicle bridge replacements may be necessary when a bridge was sited improperly and has been redirecting flows, and thus increasing erosion and the risk of flooding. A typical vehicle bridge replacement project would consist of installation of erosion control measures (wattles, silt fencing, straw bales, gravel bags, and falsework or debris nets beneath the bridge); removal of the existing bridge with a crane or excavator; installation of a temporary culvert stream crossing where necessary; installation of dewatering bypass if necessary; excavation of abutments or drilling of piers; pouring concrete for the abutments; craning/hoisting in steel beams or steel prefabricated bridge; installation of railings; and pouring of a concrete deck. Midpen anticipates working on one to two new vehicles bridges per year to replace outdated crossings.

New Interpretative Facilities and Signage

New interpretative facilities and signage would be installed at existing OSPs typically at parking lots, trail heads, or near natural aesthetic features such as rock formations, ponds, overlooks, old-growth trees, etc. and would be located in already disturbed areas outside of sensitive habitats. Midpen anticipates working on two to four interpretative facilities and signage projects per year.

Wildlife Crossings

Safe wildlife passages would be provided underneath or over existing roads and highways. These wildlife crossings, when feasible, may also be used by the public to access trails and other areas of the OSPs, thus improving public access. Wildlife crossings would generally consist of pipes or tunnels that do not covey flow but accommodate the size of wildlife intended to use the structure. The lengths depend on the roadway and the surrounding habitat. Target species range from wide-ranging animals like mountain lions to small newts. Midpen anticipates working on one to two wildlife passage projects per year, but may conduct up to eight wildlife passage projects per year.

Conservation Grazing Infrastructure Improvements

Historic grazing operations prior to Midpen's ownership often did not design grazing improvements with the protection of species and habitats in mind. Thus, current grazing operations often require new small-scale construction to achieve conservation grazing objectives. New small-scale improvements would include installation of new fencing and gates around riparian areas and stock ponds/wetlands to keep livestock out of these sensitive areas and relocation of water lines/water troughs that extend from water sources/storage to a location that allows for the better distribution of cattle to achieve desirable habitat objectives for soil health and erosion. Most of this work would be limited to existing or previously disturbed grazing lands and would be similar in nature to the maintenance of fences, roads, and water supply facilities.

Typical water infrastructure projects would include rebuilding historic spring boxes or repairing a water system that is in disrepair. Most water improvements would be associated with springs and include a spring box, water lines, and/or storage tanks. Wildlife-friendly measures include providing wildlife escape ramps in legacy infrastructure and excluding wildlife from primary water storage to prevent entrapment during repair or upgrade of these facilities. In addition, during repair and upgrade, an overflow and/or bypass water supply accessible to wildlife would be provided to prevent the risk of entrapment. This approach ensures ongoing water supply for wildlife while excluding them from the developed water supply system. Midpen would work on up to four to six water infrastructure projects per year.

Direct consumption of pond water by cattle (and associated grazing in the wetland plants) is the most common form of water use on conservation grazing lands. To utilize the pond water appropriately, a pump or siphon would be installed to relocate water to trough, water tank, and water line for distribution further away. Pump intakes would be screened with a ¼ inch steel mesh to avoid entrainment of aquatic inverts. Pumps would either be temporarily set in the pond or set floating in the interior away from emergent vegetation. Where a spring is passively diverted into a holding tank, pumps within the tank are used to pressurize water to distribute it to more distant pastures. Midpen would work on up to two pond diversion/pump projects per year.

2.5.11 Restoration and Enhancement Projects

The purpose of restoration and enhancement projects are to improve and/or create habitat for plant and animal species and to restore ecosystem function within Midpen OSPs. These projects may be utilized to offset impacts associated with other Program activities. A description of Midpen's restoration and enhancement activities, including aquatic habitat restoration, native vegetation plantings, invasive species removal, road decommissioning, and other restoration activities, are described below.

Aquatic Habitat Restoration

Midpen would conduct aquatic habitat restoration activities within ponds, wetlands, seeps, and springs as well as along and adjacent to creeks and rivers within the Program area.

Pond and Wetland Restoration

Midpen would enhance pond and wetland habitat through reinforcing or repairing failing earthen berms; improving inlet or outlet features; removing sediment from aquatic features whose hydroperiod no longer supports suitable conditions for sensitive species; recontouring ponds to increase aquatic habitat; removing excessive aquatic vegetation and invasive species; installing wildlife habitat structures and escape features; placing large woody materials to restore and enhance aquatic habitat; and enlarging aquatic features to optimize geometry to support vegetative benches and open water areas for use by sensitive species, including CRLF.

Ponds or wetland features that are detrimental to sensitive species may be modified or decommissioned and restored to a native condition (i.e., riparian channel, swale, or upland habitat), which returns water to the surrounding ecosystem and often benefits downstream species and/or habitat. Midpen's preferred approach is to modify an existing pond/wetland feature prior to decommissioning. In addition to modifying existing habitat, Midpen may create new features by restoring previously filled in wetlands or constructing off-channel pools to expand aquatic habitat for sensitive species.

Heavy equipment such as dozers, loaders, excavators, rollers, compactors etc. as well as some hand work would be used for aquatic habitat restoration, enhancement and creation. These activities would occur once seasonal ponds or wetlands are dry (if prior to August 15) or if draining of features is required and CRLF are present, work would occur between August 15 and November 1, prior to the beginning of CRLF breeding season.

Creek and River Restoration

Restoration activities within creeks and rivers may include removal of in-stream infrastructure and barriers to fish passage; removal of old crossings, including culverts on no longer used roads or collapsed crossing structure; installation of habitat features, such as large woody material; removal of in-channel debris/trash (i.e., tires, trash, other non-sedimentary materials); riparian vegetation treatment and planting in accordance with Midpen's IPMP, and gravel augmentation.

Removal of in-stream infrastructure, including diversion impoundments and collapsed structures, such as bridges and culverts that may block fish passage, would create and improve aquatic habitat and improve connectivity for fish and other species, including steelhead. Midpen also routinely removes debris/trash that may impair hydraulic conditions and reduce flow conveyance capacity. In-channel work would be limited to the dry season or during low flows. Removal of humanmade materials or refuse would be done by hand wherever possible. Cables, winches, and heavy equipment used to pull out large material would be staged above the top of bank. Where these materials are within the bank, streambank slopes would be stabilized to erosion with bioengineering techniques (i.e., willow stakes, slash packing, etc.), weed-free straw, or jute-netting.

Large woody materials (i.e., downed trees) can provide habitat, and geomorphic or other channel stability benefits. However, fallen large woody materials may also have the potential to increase flooding or erosion threats by significantly obstructing flows or deflecting flows

towards banks or other facilities. Midpen seeks to maintain the materials in place as a habitat feature if they do not pose a threat to the environment or infrastructure. Midpen may trim or limb branches or re-orient the large woody material in the channel. Cables, winches, and heavy equipment would be used to pull or tie large woody material into place. In some areas, hand tools and hand laborers would be utilized. Midpen may also install new large woody materials in the channel in accordance with techniques developed by California Department of Fish and Wildlife, National Oceanic Atmospheric Administration, and the Salmon Restoration Federation.

Gravel augmentation provides direct benefits for improving fish spawning and rearing habitat by enhancing sedimentary materials within the channel bed. Midpen may use watershed specific gravels collected through sediment removal activities behind in-stream structures (i.e., dams) as the source for gravel augmentation projects. Midpen would collect, sort, separate, and reuse clean and appropriately sized gravel. When designing a gravel augmentation project, several factors would be considered, including: the existing channel conditions; the grain size distribution of the sediment to be added; the volume of gravel to deposit; the frequency of gravel addition that would be required in light of sediment transport; how the added gravel would interact with to the existing flow regime and/or channel geometry; and the extent of augmentation effects within the channel reach. In the future, Midpen may assess opportunities to augment gravel in salmonid streams. Restoration activities adjacent to creeks and rivers may include floodplain reconnection, including the lowering of artificial berms, streamside decommissioning of roads, and other measures to restore the lateral connectivity of streams.

Some creeks within Midpen lands experience severe sedimentation due to upstream stream conditions. Midpen would proactively prevent failure and reduction of episodic release of road fill through enhancing native riparian habitats. Native riparian habitat enhancement projects would reduce in-stream sedimentation over time, improving water quality for the benefit of fish and other wildlife that rely on the creek for survival, resulting in a net environmental benefit across the region.

Work within and around creeks and streams that provide habitat for salmonids would be limited to June 15 to October 31. Work within and around creeks that do not provide habitat for salmonids and do not discharge directly into such drainages would be limited to April15 to October 31.

Native Vegetation Plantings

The objective of native vegetation plantings is to enhance the complexity and diversity of upland and wetland habitats and restore areas disturbed during Program activities. Native vegetation plantings would also enhance habitat for birds, amphibians, and other wildlife using upland, wetland, and riparian areas. Native vegetation plantings would involve planting and seeding locally collected native species; installing temporary irrigation, as necessary; controlling weeds and invasive plants through manual, mechanical, or biological methods such as herbicide application, prescribed fire or use of grazing animals; installing herbivory protection structures. Erosion control BMPs such as straw wattles, coir rolls, certified weed-free straw, and erosion mats would be implemented to minimize impacts to streambanks and to prevent erosion and soil loss.

Invasive Species Removal

All invasive species removal would be conducted under Midpen's IPMP, which emphasizes an ecological approach to managing pests (plant and animal). Midpen actively treats 105 plant species on their lands using various methods including manual, mechanical, chemical (e.g., herbicide and fungicide), and biological control (e.g., bio-control agent). Manual removal may include the use of hand picks, planting knifes, weed wrenches and other hand tools. Mechanical removal methods may include the use of brushcutters, hedgers, chainsaws, chippers, and mowers. Chemical methods involve the use of herbicides, including Roundup Custom (Glyphosate), Roundup ProMax (Glyphosate), Milestone (Aminopyralid), Transline (Clopyralid), Polaris (Imazapyr), Stalker (Imazapyr), Envoy Plus (Clethodim), Capstone, and Garlon 4 Ultra. Biological methods may include using other organisms to control pests. Flaming of seedlings, burn piles, and prescribed fires may also be used. Depending on the target species, surveys, treatments, and monitoring may occur year-round. Midpen anticipates working on up to 100 invasive plant removal projects per year.

Invasive animals are generally found in humanmade stock ponds and reservoirs but may occur in natural sag ponds. Midpen would employ several methods to control invasive animal species, including through temporary seasonal draining of ponds to control bullfrogs and/or non-native fish; shooting or trapping to eradicate bullfrogs and feral pigs, and trapping non-native turtles. Because it is challenging to completely eradicate a species, Midpen typically controls pest numbers, removes individuals that have the greatest impact on critical resources, or excludes a pest species from a defined sensitive area. Programs to control invasive plant and animal species often require a long-term commitment. Midpen anticipates working on up to three invasive animal species removal projects per year.

Road Decommissioning

Road decommissioning is used to reduce chronic sediment delivery, restore watershed hydrology, and reduce impacts to aquatic, riparian, and terrestrial ecosystems of roads crossings. Remnant ranch, logging, and other former roads are located through Midpen lands that are no longer necessary for access. Midpen has decommissioned and restored approximately 7 miles of old roads. The typical process would involve pulling fill from the outboard edge of a road with an excavator and placing the material on the original cut face of the road. Decommissioning would start from the end and work backwards towards the access road. The general goal is to provide a suitable substrate for natural revegetation to stabilize slopes in the longer term and to keep a drainage pattern that is similar to the inferred natural contour. Decommissioning of roads from within jurisdictional drainage features would require more specific engineering designs based on site conditions and stream morphology. The typical approach would be to remove any remnant, artificial crossing part (e.g., rusted culvert, bridge, crib wall, etc.) and to lay back the slopes at stable 2:1 repose. Less-active forms of decommissioning may occur as out-of-use roads become naturally revegetated. Midpen Natural Resources staff evaluate these former roads for decommissioning based on the level of disturbance necessary to achieve a beneficial effect on watershed conditions. Decommissioning is usually best combined with Midpen's project activities that require large heavy equipment.

Other Restoration Activities

Other restoration activities include well decommissioning, preservation of habitats, and partnerships with local watershed organizations, described in more detail below.

Midpen often acquires rural residential or grazing properties with abandoned/inactive water wells that are required to be decommissioned by State law to protect surface water and groundwater quality. Well decommissioning would involve pulling the pump, removing the well head, and filling the well with concrete or grout to seal it to a certain depth. Water wells are also often entrapment hazards for wildlife, particularly creatures attracted to water sources (e.g., CRLF). Midpen has approximately 50 abandoned/inactive wells that require decommissioning. Once Midpen decommissions these existing water wells, Midpen anticipates Other restoration activities would include installing wildlife friendly spring boxes, troughs, and fences and other structures associated with conservation grazing.

Some environmental settings (e.g., hardwood forests) typically have an overabundance of woody vegetation that can pose a fire risk to the ecosystem and/or require replacement plantings when affected. To avoid planting additional vegetation in overgrown and abundant forests, Midpen would protect other offsite habitats that could benefit from protection. Midpen acquires approximately 500 to 1,000 acres of land each year (i.e., 65,000 acres in 48 years) and thus would offset all permanent removal of vegetation from riparian areas (the largest cost category to Midpen) through acquisition and permanent protection of new riparian habitats.

Midpen regularly partners with like-minded organizations to facilitate restoration and stewardship. The San Mateo Resource Conservation District is a frequent collaborator on fisheries, agricultural best practices, and invasive plant control. POST is a primary partner for the acquisition and preservation of habitats. Where cross-property cooperation and stewardship is required, Midpen engages with these partners for the benefit of the ecosystem. Midpen is also a member of the Santa Cruz Mountain Stewardship Network, which is a blend of public and private organizations representing the largest land managing entities in the region.

2.5.12 Activities Not Covered

The proposed Program does not include large, complex projects, such as new paved parking areas, new ponds, new offices, or other projects that significantly increase visitor capacity to Midpen OSPs. These types of activities would be outside of the scope of the Program and thus, would be permitted separately (to the extent that permits are needed for those activities).

In addition, emergency maintenance actions or unplanned repair work are not included in the Program. A situation is considered an "emergency" if it is a sudden, unexpected occurrence involving a clear and imminent danger that demands immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services (Public Resource Code Section (PRC) 21060.3). Although emergency situations will not be covered by the permits authorizing the activities of the proposed Program, Midpen would make every effort to follow the guidance provided in the Manual when implementing activities under emergency conditions.

2.6 Implementation and Oversight

2.6.1 Annual Maintenance and Facilities Improvements Work Cycle

Activities in the proposed Program would be conducted in response to winter storms, facilities inspections, scheduled re-occurring maintenance (e.g., trail brushing), and annual work plan development. Road-related activities would be prioritized by the condition of the facility, the volume of chronic and episodic sediment to be mitigated, or an operational problem. In some cases, an otherwise lower priority activity next to a high-priority may be undertaken to save costs and increase work efficiency.

Facilities improvements largely originate from the Conservation Grazing Program and from the public access programs' within Midpen**.** The priority and development of facilities improvement projects would be based on site-specific plans. Grazing facility activities would address an operational need for the grazing operations, but also would serve to improve an ecological goal (e.g., replacing a spring box, water line, and trough to facilitate even grazing). New trails would be developed as part of a site-specific plan and would be constructed with the least impacting methods, would be located to avoid sensitive resources, and would be designed to minimize disturbance to riparian areas at stream crossings.

Restoration projects, including wetland and species-specific recovery projects (e.g., for CRLF or San Francisco garter snake [SFGS]), would be undertaken as part of the current Recovery Permit and would be completed in consultation with the grazing staff to ensure that the modifications meet the operational needs of grazing. Approximately 100 ponds are located throughout Midpen lands. Thus, Midpen routinely conducts annual pond maintenance and pond improvement projects to maintain the ecological function and support recovery work. A subset of ponds is inspected annually from January through September as part of Midpen's CRLF population studies. The priority of a pond project would be dependent upon either the physical condition or ecological data.

2.6.2 Annual Program Work Plan Notification

At the beginning of each year, Midpen would prepare an annual notification report summarizing proposed activities for that upcoming year. The notification report would describe the locations, natural resource conditions, and other key resource issues as well as summarize anticipated impacts on wetlands and waters of the United States (U.S.) and state, riparian resources, and federally and state listed species. The annual notification report would also describe avoidance and minimization measures, BMPs, and proposed mitigation that would be implemented.

To evaluate resource sensitivity at work sites, Midpen would undertake the following process: (1) identify the type of activity and confirm the specific location; (2) conduct a desktop audit to evaluate whether suitable habitat for special-status species is present and determine if a site visit is necessary; and (3) classify the activity at the site in one of the four tiers defined below. The tiered approach is intended to help both Midpen and regulatory agency staff identify resource and site sensitivity and thereby prioritize impact avoidance and minimization measures and/or BMPs and mitigation needs.

- **Tier 1 (No Effect) –** There is no potential for a special-status species to be present in the area at any time. Tier 1 is appropriate if the biologist determines that Program activities would occur in creek reaches inaccessible to special-status fish or, for terrestrial special-status species other than birds, in areas where no suitable breeding habitat is present and there is no connectivity between the site and known or potential breeding habitat (so that non-breeding individuals can also be presumed to be absent). Because foraging or roosting birds could easily fly away before being impacted by Program activities, the implementation of Program activities in non-breeding habitat for special-status bird species would also be considered a Tier 1 because such activities would not result in impacts on individuals that rise to the level of "take".

- **Tier 2 –** A special-status species could occur at a site, but take will not occur. Tier 2 is applicable if the biologist determines that one or more special-status species are known to occur or could possibly occur on-site either because (1) suitable breeding habitat is present, or (2) for terrestrial species and fish, suitable non-breeding habitat is present and there is connectivity between the work site and suitable breeding habitat.

  - **Tier 2A (Not Likely to Adversely Affect) –** The activity will not result in take of special-status species based on the location and timing of work; although a special-status species could occur at the location at times, none would be present when the work will occur.

  - **Tier 2B (Not Likely to Adversely Affect individuals, but may be considered Likely to Adversely Affect if permanent habitat impacts occur) –** This activity will not result in take of special-status species with implementation of BMPs (such as pre-activity surveys, exclusion of individuals from the site, and/or implementation of non-disturbance buffers around active nests of special-status birds). Some Tier 2B activities may result in a permanent loss of habitat.

- **Tier 3 (Likely to Adversely Affect) –** The activity may result in take of special-status species, even with implementation of BMPs. Tier 3 is applicable if the biologist determines that (1) special-status species are known to occur or may occur on site either because suitable breeding habitat is present or suitable non-breeding habitat with connectivity between the site and suitable breeding habitat is present; (2) special-status species may be present at the time of day/season in which the Program activity occurs; and (3) special-status species cannot be effectively excluded from the work area, pre-activity surveys cannot definitively determine the absence of the species, and/or "take" in the form of permanent loss of habitat cannot be avoided.

These tiering categories would help guide Midpen in determining which avoidance and minimization measures are necessary to minimize potential take of species. Continuity in oversight and attention will enable the Program to run effectively. A designated staff person from Midpen would serve as the Midpen Project Manager**.** The Midpen Project Manager's primary responsibility would be to supervise and guide Program activities, including implementation of mitigation necessary.

In general, proposed Program activities would take place on an annual cycle, depending on whether they are located away from wetlands and waters of the U.S. and state, riparian resources, and/or federally or state listed species; or activities occur near such resources. Activities occurring away from sensitive resources (Tier 1) may occur year-round, although a majority of these types of activities would take place in the spring and summer season. Activities occurring in areas where special-status species are known to occur or could possibly occur (Tiers 2A, 2B, and 3) would generally be limited to occur between May 15 and October 31.

2.6.3 Maintenance Crew, Work Durations, and Equipment

The size of a work crew implementing proposed Program activities varies between 3 and 6 personnel. For routine maintenance activities, the crew size would be approximately 3 personnel. For vegetation management activities, the crew size would be approximately 7 personnel. Vegetation management activities would be temporary at any given location as crews are expected to cover a large area in a workday. For small facility improvements, the typical crew size would be approximately 2 personnel. For restoration related work, the crew size would be around 4 personnel.

Most proposed maintenance activities and some scale facility improvements would be completed within a couple days but some larger-scale maintenance activities, facility improvement projects (e.g., culvert repair/replacements, road or trail slip-out/slide repairs, sediment removal in ponds, new trails/bridges), and restoration/enhancement projects may be more involved and require up to 3 weeks.

Program activities would generally be conducted during daytime hours (between 7:00 a.m. and 5:00 p.m. depending on the time of year) on weekdays. Weekend operations would occur infrequently, except for volunteer-based events for invasive plant removal by hand.

The specific pieces of equipment used for the proposed Program activities would vary depending on the facility and type of activity required. A summary of typical equipment used by project activity is included below.

- For culvert repair and replacement activities, typical equipment includes compactors, dump trucks, and loaders. For culvert replacement activities that involve trenching or excavation, an excavator may be used. Culvert repair activities occurring at or below the streambed would be conducted by hand in remote areas or by using a bobcat or tractor in areas accessible road or trail.

- Bridge maintenance activities occurring on the bridge itself would be conducted with electric power tools or heavy equipment (i.e., excavators and backhoes) operated outside of the channel. Bridge replacement activities would be conducted with excavators or cranes.

- Typical equipment used for maintenance of road and trail drainage features would include hand shovels, backhoes, mini excavators, dozers, and/or graders. Paved and unpaved ditches would be cleaned with hand tools or mechanical equipment such as dozers, excavators, backhoes, skid steers, box scrapers, and graders depending on the

scale of work and manual cleaned with hand tools. Ditches could also be cleared with vacuum equipment or high pressure/volume water flow to flush out the ditch. Debris would then be cleared by hand at the end of the pipe. Fords and swales would be cleaned as-needed with hand tools for small work or mechanical equipment, such as a dozer, excavator, backhoe, skid-steer, or skip loader. Rolling dips on roads would be excavated with an excavator, bulldozer with rippers, or a grader. Rolling dips on trails would be excavated with a mini excavator, skid steer, or hand tools.

- Sediment and debris would be removed with mechanized equipment in creeks that do not support habitat for salmonids and with hand tools in creeks that do support salmonids. For sediment and vegetation removal and recontouring activities in ponds, heavy equipment such as dozers, loaders, excavators, rollers, and compactors would be used. In some areas, hand tools and hand laborers would be utilized. Portable pumps, with ¼ inch mesh screens on the intakes, may be used for pond draining. Removing sediment in culverts, crossings, and other smaller drainage features may require digging sediment out by hand. Mechanized equipment, such as push loaders and excavators, may be used for larger drainage features or where hand removal is infeasible. Debris removal would be conducted by using hand tools, including come-along cable pullers. Vehicle mounted winches may also be used to remove collected or heavy materials from channels or other heavy equipment, including excavators to remove debris such as tires.

- Bank stabilization work would be conducted with either hand and power tools (i.e., toter or mule) or with larger mechanized equipment such as excavators or dump trucks.

- Water supply structure maintenance activities would generally be conducted by hand, as needed (e.g., cleaning out clogged spring boxes and pipes typically occurs every year). If extensive digging is required, such as for installation of new water line or spring box, small mechanical equipment may be used (i.e., bobcat or small backhoe). When servicing wells, larger mechanical equipment may be required.

- Heavy equipment such as dozers, loaders, excavators, rollers, and compactors would be used for repairing failing pond berms, improving inlets/ outlets, recontouring, and removing invasive vegetation. Excavators, chainsaws, brush cutters, mowers, and articulating arm mowers may be used for clearing and grubbing of vegetation to maintain a pond to the Division of Dam safety requirements. If pond draining is needed for berm stabilization or clearing work, portable pumps with ¼ inch mesh screens on the intakes, may be used. In some areas, hand tools and hand laborers would be utilized.

- Minor maintenance activities would be conducted with hand tools annually and would be small in scale.

- Road and trail brushing activities would be conducted with brushcutters (i.e., weedwhips), hedgers, chainsaws, pole saws, chippers, and tractor-operated mowers. Single-track trails would be mowed with handheld brushcutters, while road-width trails would be mowed with tractor-mounted mowing equipment.

- Pruning trees and shrubs would be conducted with either hand tools or mechanized equipment (e.g., chainsaws).

- Trees within the riparian area would be removed with trimmers and chainsaws; no heavy equipment would be operated from the streambank. For large trees, a licensed tree climber would use necessary equipment to climb and cut the tree into manageable sections and lower those sections to disturbed areas on the ground to prevent damage to nearby trees, vegetation or root zones. Stumps may be removed with a stump grinder; however, roots would be left in place to stabilization the slope.

- Downed trees would be trimmed and repositioned with hand tools. If removal is necessary, equipment, such as a winch and cable, would be used and operated from the top of bank.

- Aquatic vegetation on the water side of the dam would be trimmed with mowers and brush cutters. Vegetation on the dry side of the dam would be trimmed with mowers and approved pesticides.

- Fuel management activities would involve a range of construction equipment and depend on the activity type. In general, fuel management activities would use low impact tools such as hand cutters and pruners where feasible. Equipment utilized for fuel management activities would include tractors, brushcutters, chainsaws, pole pruners, boom flails, chippers and mowing or masticator equipment.

- Pesticide application would be conducted with backpack sprayers, vehicle sprayers, or other applicators.

- Paved road surface maintenance activities would be conducted by hand tools or by using sledgehammers, shovels and wheelbarrows. Depending on the size of the area and quantity of material to removed, material may be removed with a front-end loader, bobcat, or for larger areas, asphalt would be ground down and loaded directly into a 10-wheel dump truck or left in place. Re-paving efforts for small areas may be conducted by hand, utilizing wheelbarrows, shovels and tampers. For larger areas, a paver box with a hopper and a 10-wheel dump truck that holds the hot mix would be used to repave the site.

- Heavy equipment utilized for unpaved road repairs would include dozers, loaders, excavators, rollers, dump trucks, cables and winches.

- Trail maintenance and repair activities would be conducted by hand tools such as shovels, McLeod tools, and pick-mattocks. Mechanical equipment would include power carriers, mini-excavators, and Sweco separators.

- Equipment used for roadway or trail slip-out/slide repair activities may include excavators, bulldozers, front-end loaders, and dump trucks.

- Small scale facility improvements would involve a range of construction equipment and depend on the activity type. Larger equipment would include excavators, bobcats, cranes, dozers, and compactors.

- Aquatic habitat restoration, enhancement, and creation activities would be conducted with hand tools as well as heavy equipment such as dozers, loaders, excavators, rollers, and compactors. Removal of humanmade materials or refuse would be done by hand wherever possible. Cables, winches, and heavy equipment may be used to pull out large material including large woody material; however, equipment would be staged above the top of bank. Invasive plant removal activities would be conducted with hand picks, planting knifes, and weed wrenches or with mechanical equipment including brushcutters, hedgers, chainsaws, chippers, and mowers.

2.6.4 Annual Reporting and Agency Notification

During March through April of each year, Midpen would notify the relevant regulatory agencies that have jurisdictional authority over or oversight of the year's planned projects that are occurring in wetlands and waters of the U.S./state, riparian resources, near federally and state listed species, or other facilities that involve Tiers 2A, 2B, and 3 project activities. The relevant regulatory agencies would be provided with information describing proposed Program activities, locations, natural resource conditions, and any other key resource issues. The notification package would describe which Program activities would result in temporary and permanent impacts on wetlands or waters of the U.S./state, riparian resources, and state or federally listed species. It would also describe in detail Midpen's proposal for providing compensatory mitigation for those impacts as described in more detail in Section 2.7.3 below. If requested, Midpen would host a tour of the identified Program sites. Following regulatory review and coordination, Tier 1 projects outside of sensitive habitat for federally and state listed species, riparian resources, wetlands, and waters of the U.S./state would be implemented between March and completed by December, and summary reporting would occur in winter. Tier 2A, 2B, and 3 projects occurring within sensitive habitat, riparian resources, wetlands, or waters of the U.S. and state would be implemented between May 15 and October 31, but consistent with applicable resource-specific BMPs, with summary reporting occurring in the late fall to winter.

2.7 Programmatic Avoidance and Minimization Measures

2.7.1 Activity Triggers

Maintenance activities would only be conducted when determined to be necessary or in conjunction with other nearby essential work to provide cost saving efficiencies or to minimize equipment entries into an area. The triggers described below would be used by Midpen staff during annual inspections and site evaluations to identify which sites have exceeded the thresholds identified by the triggers. Midpen would then prioritize maintenance activities according to the degree in which the identified site exceeds the maintenance triggers. Sites that exceed the triggers in a greater or more intense manner would be identified as higher priorities.

Maintenance Triggers for Culverts, Channels, Bridges, and Other Facilities

- Repair or replacement of existing culverts would be conducted when an existing culvert has been crushed or otherwise damaged and cannot operate properly; is at risk of future failure or deterioration (e.g., bottom of a corrugated metal pipe culvert is beginning to rust); is clogged with debris, sediment and/or vegetation; is notably undersized and cannot provide adequate conveyance capacity; or has been dislodged, moved, or positioned in such a way that the culvert cannot function properly.

- Bridge maintenance activities would be necessary when the bridge structure and/or abutments are deteriorating and protective paint coating has chipped off or cracks on the exterior have noticeably worsened. Erosion protection improvements at the base of a bridge would be necessary when scour damage begins to undermine the structural stability of bridge wingwalls and/or abutments. Maintenance along bridge decks would be necessary when damage or cracks on the surface have magnified to the degree that the damaged bridge could represent a public safety risk. Debris clearing would be necessary when the capacity beneath the bridge has been reduced by 30% or more due to debris build-up.

- Road and trail drainage feature maintenance would be necessary when debris, sediment, or woody debris have reduced the conveyance capacity by 10% to 30%, or if rock or other materials that are part of the ford/swale have washed away. This work would be necessary to prevent the washout and flooding of roads and trails, and to prevent excess sediment loading and erosion.

- Streambank stabilization work would be necessary when bank failure has occurred and must be repaired to re-establish the banks of a creek, protect the channel's flood conveyance capacity, and prevent additional sediment input to the channel. This work also would be necessary when bank erosion or failure poses a threat to existing infrastructure (e.g., utilities, roads, trails). This work would be necessary if persistent bank erosion is occurring, leading to excess sediment loading and/or damage to riparian vegetation.

- Pond and lake berm stabilization would be necessary when berm erosion or sinking poses a threat to existing infrastructure (e.g., ponds, lakes, roads). This work also would be necessary to prevent excess sediment loading and erosion into the pond or lake.

- Water supply facilities and structures maintenance would be necessary when overhanging shrubs and trees pose a safety risk to these structures, prevent proper intake, or impede access for maintenance. Defensible space around water supply facilities is also required per the Board of Forestry Fire Safe Regulations (2021). In addition, mowing would be necessary when overgrown weeds and grasses are encroaching on the structures.

- Sediment removal from creeks, bridges, and ponds would be necessary when sediment or debris has reduced channel or pond capacity to the extent that the likelihood of overbank is significantly increased and flooding could damage property or substantially threaten public safety. This work also would be necessary when

sediment or debris deposits are evidently causing scour erosion of streambanks supporting bridges or other public facilities like roads and trails. Sediment removal within ponds would occur when needed to maintain habitat for CRLF or storage capacity for cattle.

- Sediment removal/clearing culverts, crossings, and other drainage features would be necessary when culvert inlets and outlets, are blocked with debris or sediment so that the conveyance capacity is reduced by at least 10% to 30%. Culverts that are more than 1/3 blocked may be cleaned at any time, even when the channel is wet.

- Management of downed or standing dead trees may be appropriate if it has been determined that the downed or standing dead tree has potential to increase erosion, flooding, bank failure, or negative impacts to public infrastructure (e.g., bridges or culverts). If erosion and/or flooding risks are likely to occur, Midpen would consider removing or reusing the tree elsewhere. If such risks are unlikely, Midpen would explore options for preserving and/or repositioning the tree along the channel.

Maintenance Triggers for Roads and Trails

- Paved road surface maintenance activities (e.g., pothole repairs) would occur shortly after the road failure occurs to prevent accidents, vehicle damage and other traffic safety risks. Minor road repairs that entail patching cracks and resurfacing would be prioritized based on severity of traffic safety risks and would typically be conducted outside of the rainy season (between April and October).

- Unpaved road surface maintenance activities would be necessary when a road surface has deteriorated or failed due to erosion or stormwater flows, is contributing sediment and subsequent adverse water quality and/or hydrology impacts, or led to erosion down slope.

- Trail maintenance and repair would be necessary when trail tread has worn down and ruts are evident, thus requiring addition of the proper type of soil or surface material and/or re-compaction. The need for trail tread repair work would be determined during periodic inventories. Repair of trail signs and other structures would be conducted to address damaged.

- Roadway/trail slip-out/slide repair work would be necessary when slope failures have occurred on the cut slope side of a roadway or trail; a slip-out repair would be necessary when slope failure has occurred on the fill side. This work would be necessary when the roadway/trail slip-out/slide poses a threat to existing roads or other facilities like utilities, or public safety. This work would be necessary when the roadway/trail slip-out/slide has contributed sediment to a nearby drainage, channel, or other waterbodies.

- Vegetation and fuel management along roads (e.g., mowing, trimming and pruning) would be necessary to maintain appropriate line of sight clearance (usually 6 feet at an intersection), to maintain a 14-foot height clearance for vehicles or equestrians, and to maintain a 7-foot height clearance for pedestrians. Longer line of sight clearance is appropriate for mountain biking intersections. This work would be

necessary when overhanging limbs or trees pose a public safety risk. This work may also include removal of ladder fuels to reduce the impacts of wildland fires or for the removal of invasive species for ecological reasons. Midpen staff inspect trails and roads on a 3-5-year rotation. Midpen aims to brush approximately 66% of all roads and trails each year as certain fast-growing vegetation communities require annual management to maintain the access width.

- Vegetation and fuel management and maintenance of fire breaks along roads, trails, and other open space features (i.e., picnic or rest areas, natural areas, rangeland, staging areas, parking lots, structures) would typically be necessary when shrubs or trees are overhanging or encroaching on the trail or picnic or rest area. Mowing would be needed when overgrown weeds and other grasses encroach the trail or recreational facility. Tree removal would be necessary if a particular tree has a higher likelihood of failure along or near facilities and the situation cannot be fixed by limbing or pruning. Once established, the fuel breaks would be maintained once every five to ten years.

2.7.2 Work Limits and Best Management Practices

The focus of Midpen's Program activities is to protect, maintain, and enhance the natural environment within its Preserves and managed lands. In effort to minimize impacts resulting from Program activities, Midpen developed self-imposing site, annual, and 5-year Program work limits included in **Table 2-3. Table 2-3** also provides an estimate of the typical jurisdictional disturbance per project and quantifies the number of jurisdictional projects per year per activity type.

Table 2-3. Program Activity Work Limits Per Activity Type

Type of Activity	Limits per site	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Culvert, Bridge, Channel, Pond and Other Maintenance							
Culvert repair/replacement	150 LF, 3,000 SF	25	50	20,000 SF	60,000 SF	360 SF	25
	100 CY culvert replacement			5,000 CY	25,000 CY	50 CY	
	10 CY culvert repair			7,500 LF	15,000 LF	90 LF	
Bridge repair/maintenance (railing, decking, minor abutment or armoring)	100 LF; work area is limited to 25 LF upstream/downstream of site	5	10	400 LF	2,500 LF	50 LF; 1,500 SF	5
	5 CY (grading primarily on approach)			20 CY	100 CY	2 CY	
Road and trail ditch clearing and installation	30 CY of sediment and debris removal for every 300 LF; 500 LF	15	50	9,000 LF	45,000 LF	150 LF; 5 CY; 600 SF	5
Fords/ swales replacement, repair, and maintenance	200 LF	2	6	2,000 LF; 5,000 SF	10,000 LF	100 LF; 600 SF	2
	20 CY			120 CY	600 CY	10 CY	
Annual pre-rainstorm preparation and clearing (i.e., hand shovel clearing of fords, rolling dips, ditches, culverts, etc.)	5 CY	100	200	100 CY	500 CY	1 CY	50
Sediment removal from channels (e.g., from landslides, road failures, or slip-outs)	160 LF	10	20	1,000 LF for all sediment removal sites	1,000 LF	40 LF	10
	4,000 SF			Dewatering limit of 1,000 LF for all sites.	20,000 SF	200 SF	
	10 CY			100 CY	1,000 CY	4 CY	
Sediment removal from culverts, crossings, and other drainage features	150 LF Dewatering limit 300 LF	3 sites in an average hydrologic year (based on average seasonal precipitation)	8	23,000 LF; 12,000 SF	15,000 LF; 48,000 SF	100 LF	3
	10 CY	8 sites in a wet hydrologic year		200 CY	1,000 CY	8 CY	

Type of Activity	Limits per site	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Streambank Stabilization	100 LF; 1,000 SF	2 projects in an average hydrologic year	4	200 LF	1,000 LF	60 LF; 600 SF	2
		4 projects in wet hydrologic year		400 LF	2,000 LF		
Water supply structure maintenance (instream)	Vegetation removal is limited to 30 to 100 ft buffer; 4 CY removed per site	2	4	500 SF	2,500 SF	100 SF	2
Minor maintenance activities (i.e., repair of fences, gates, signage, and trash rack clearing)	200 SF	3	6	1,000 SF	5,000 SF	80 SF	1
	4 CY			20 CY	100 CY	1 CY	
Vegetation Management Activities							
Riparian or pond adjacent tree removal (inclusive of all Program activities)	Trees between 6 inch dbh and 24inch dbh. No trees greater than 24 inch dbh would be removed (unless for public safety reasons).	12 trees	36 trees	30 trees	150 trees	750 SF (assumes 30-inch diameter canopy)	12
Tree trimming/pruning (inclusive of all Program activities)	No more than 25% of individual tree canopy would be trimmed/pruned	300 trees	750 trees	750 trees	3,750 trees	500 SF	75
Non-native vegetation removal	4 acres of treatment per site Typical site involves 15% cover over 8 acres	300 acres	450 acres	450 acres	2,250 acres	2,000 SF	35
Vegetation management along roads/trails	Typically, 10 feet on either side of a road or 3 feet along a trail. Steeper side slopes in chaparral and hardwood forest may call for a 10-foot buffer along a road.	230 miles of road/trail	350 miles of road and trail; 665 acres	774 acres	3,870 acres	720 SF (assumed 60-feet along riparian areas with 12-foot treatment area)	50
Fuels management along roads and trails	Typically 100-foot shaded fuel break and 100-foot lighter fuels treatment beyond in each area every 5 years.	8 sites	12 sites, approximately 1 mile per project	80 acres 12 miles of roads	400 acres 60 miles of roads	*See ecosystem resiliency; all Fuels treatments in jurisdictional areas will follow Resiliency treatments.	2 to 4

Type of Activity	Limits per site	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Vegetation management around open space facilities (i.e., for defensible space)	100-foot buffer around each building, 15,000 SF	100 sites, 35 acres[4]	150 buildings	50 acres	250 acres	50 SF	10
Ecosystem Resiliency Fuel Treatments	TBD	10	20	500 acres	2,500 acres	720 SF	2 to 4 fuel sites and 2 to 4 ecosystem resiliency sites
Road and Trail Maintenance							
Paved road surface maintenance (major work)	10,000 LF	2	4	20,000 LF	60,000 LF	500 LF (adjacent to ditches)	1
Minor paved road repair (potholes, tack oil, small subgrade failures)	300 SF 200 LF	5	10	3,000 SF 2,000 LF	15,000 SF 10,000 LF	10 LF (adjacent to ditches)	1
Unpaved road surface maintenance (major sites more than 1,000 LF)	20,000 LF 100 CY	15	30	75,000 LF	375,000 LF	150 LF	12
Trail maintenance repair (major sites more than 1,000 LF)	20,000 LF 100 CY	10	15	25,000 LF	125,000 LF	600 LF	8
Road relocation	500 LF	1	2	1,000 LF	5,000 LF	60 LF	1
	10,000 SF			20,000 SF	100,000 SF	850 SF	
	1,500 CY			2,500 CY	12,500 CY	-	
Trail reroutes	500 LF	0	2	1,000 LF	5,000 LF	80 LF	0
	3,000 SF			4,000 SF	20,000 SF	1,500 SF	
	200 CY			200 CY	1,000 CY	40 CY	
Roadway/trail slip-outs and slide repairs	250 LF	5	10 (or 20 sites in a wet hydrologic year)	2,500 LF	12,500 LF	100 LF	3
	4,000 SF			40,000 SF	200,000 SF	2,000 SF	
	100 CY			1,000 CY	5,000 CY	20 CY	

[4] These numbers may increase as Midpen acquires new lands and constructs new trails and other facilities.

Type of Activity	Limits per site	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
New Small-Scale Facilities Improvements							
New trails and roads construction							
Trail bridge replacements	100 LF	2	4	200 LF	10,000 LF	50 LF	2
	2,000 SF			4,000 SF	20,000 SF	500 SF	
	20 CY			40 CY	200 CY	15 CY	
New trail and trail bridges	100 LF	2	4	400 LF	2,000 LF	100 LF	2
	2,000 SF			8,000 SF	40,000 SF	1,500 SF	
	50 CY			200 CY	1,000 CY	25 CY	
New trail (uplands)	5,800 LF	2	4	10,000 LF	50,000 LF	100 LF	2
	45,000 SF			90,000 SF	450,000 SF	1,500 SF	
	800 CY			16,000 CY	80,000 CY	25 CY	
Vehicle bridge replacement	200 LF	1	2	200 LF	1,000 LF	3,000 SF	1
	4,000 SF			4,000 SF	20,000 SF		
	200 CY			200 CY	1,000 CY		
New Conservation Grazing Infrastructure							
Water lines	6,000 LF	2	4	18,000 LF	90,000 LF	20 SF	1
	60,000 SF			180,000 SF	900,000 SF		
	330 CY			1,000 CY	5,000 CY		
Spring box	200 LF	2	4	400 LF	2,000 LF	30 SF	2
	100 SF			200 SF	1,000 SF		
	10 CY			20 CY	1000 CY		
Tanks, troughs	200 LF	2	4	8,000 LF		10 SF	1
	300 SF			1,200 SF			
	10 CY			40 CY			
Pond diversion	200 LF	0	2	200 LF		50 SF	0
	100 SF			100 SF			
	10 CY			10 CY			

Type of Activity	Limits per site	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
Building Repairs, Utilities, and Other Misc.							
Electrical, plumbing, or other utility lines	1,000 LF	2	2	1,000 LF	5,000 LF	100 SF	0
	6,000 SF			6,000 SF	30,000 SF		
	55 CY			55 CY	275 CY		
Septic line repair	1,000 LF	2	2	2,000 LF,	10,000 LF	400 SF	0
	6,000 SF			6,000 SF	30,000 SF		
	10 CY			10 CY	50 CY		
New Interpretive Facilities/ Signage	50 LF	2	2	100 LF	500 LF	50 SF	1
	100 SF			200 SF	1,000 SF		
	5 CY			10 CY	50 CY		
Existing building and structure repairs	200 LF	5	10	1,000LF	5,000 LF	50 SF	0
	100 SF			500 SF	25,000 SF		
	10 CY			50 CY	250 CY		
Safe wildlife passages	200 LF	1 large and 2 small	1 large and 8 small	400 LF	20,000 LF	200 LF	1
	1,200 SF			2,500 SF	12,500 SF	1,200 SF	
	100 CY			200 CY	1,000 CY	100 CY	
Restoration and Enhancement Projects							
Pond reconstruction	20,000 SF	1	2	20,000 SF	100,000 SF	12,000 SF	1
	1,200 CY			1,200 CY	6,000 CY		
Pond Inlet/Outlet pipe or spillway overflow modification[5]	300LF	1	1	300 LF	1,500 LF	300 LF	1
	2,000 SF			2,000 SF	10,000 SF	2000 SF	
	200 CY			200 CY	1,000 CY	-	
Sediment removal from ponds	600 CY	2	4	1,800 CY 1 acre	9,000 CY 5 acres	900CY, 0.40acres.	2
Pond vegetation removal	2,500 SF	4	6	10,000 SF	50,000 SF	1,000 SF	4

[5] Note that many of these activities are typically aboveground maintenance. Midpen conducts these activities for maintenance or for restoration purposes. These activities may be duplicative to other pond activities listed above and below.

Type of Activity	Limits per site	Average Number of sites per year	Maximum Number of Sites Per Year	Annual limits	5-Year Program limits	Estimated Typical Jurisdictional Disturbance Per Project	Estimated Typical Jurisdictional Sites Per Year
	150 CY			600 CY	3,000 CY		
Pond berm stabilization	200 LF/berm	1	3	600 LF	3,000 LF	200LF/400CY	1
Structure demolitions/ removal in riparian areas	400 CY/berm	4	8	1,200 CY	6,000 CY	1,500 SF	4
In channel debris removal (i.e., removal of tires)	100 LF	2	6	400 LF	2,000 LF	100 SF	2
	3,000 SF			12,000 SF	60,000 SF		
	150 CY			600 CY	3,000 CY		
Road decommissioning	10,000 LF	1	4	20,000 LF	100,000 LF	2,000 SF	1
	160,000 SF			300,000 SF	1,500,000		
	10,000 CY			20,000 CY	100,000 CY		
Stream crossing removal and restoration of natural channel	150 LF	4	12	1,000 LF	5,000 LF	2,000 SF	4
	4,000 SF			24,000 SF	120,000 SF		
	300 CY			1,800 CY	9,000 CY		
Traditional ecological knowledge practices (indigenous stewardship)	24,000 SF	6	12	300,000 SF	1,500,000 SF	100 SF	0

Note: LF = linear feet; SF = square feet; CY = cubic yards); dbh = diameter at breast height

Midpen would implement general avoidance and minimization practices (or referred to as BMPs) as well as measures focused on biological resources and habitat protection, cultural resources protection, erosion control, sediment and water quality control, and dewatering. These BMPs reflect current recommended practices and are incorporated into the Program. These BMPs are included as **Appendix A** as well as in the Manual (**Appendix B**).

2.8 Permits and Approvals

The California Environmental Quality Act (CEQA) documentation for the proposed Program will be used by various regulatory agencies issuing permits, as well as other approvals and consultations for the proposed Program. Specifically, information about the proposed Program and the environmental analysis will be used by several agencies as part of their decision-making process regarding regulations applicable to the proposed Program. **Table 2-4** provides a list of these agencies and the applicable permits, approvals, and consultations that are expected to be required for the proposed Program.

Table 2-4. Proposed Program Regulatory Permits, Approvals, and Consultations

Agency	Permit / Approval / Consultation
Federal Agencies	
U.S. Army Corps of Engineers	Section 404 of the Clean Water Act (CWA) – Regional General Permit
	National Historic Preservation Act Section 106 compliance
U.S. Fish and Wildlife Service	Federal Endangered Species Act – issuance and authorization under 10(a)(1)(A) Recovery Permit or Section 7 incidental take provision of a Biological Opinion
	Migratory Bird Treaty Act compliance
	Bald and Golden Eagle Protection Act compliance
State Agencies	
California Department of Fish and Wildlife	Section 1600 *et seq.* of the California Fish and Game Code – Routine Maintenance Agreement
	California Endangered Species Act (CESA) 2081(a) Memorandum of Understanding
	Native Plant Protection Act compliance
San Francisco Bay Regional Water Quality Control Board (Region 2) and Central Coast Regional Water Quality Control Board (Region 3)	Section 401 of the Clean Water Act (CWA) – water quality certification
	Porter-Cologne Water Quality Control Act – waste discharge requirements
	Section 303(d) of the Clean Water Act – compliance with applicable total maximum daily load (TMDL) requirements or 303(d) listed waters

Agency	Permit / Approval / Consultation
Regional and Local Agencies	
Bay Area Air Quality Management District	Burn permits for pile burning activities.
County of San Mateo	Coastal Development Permit for any activities that occur within the Coastal Zone
	Tree removal permit for removal of any protected trees or heritage trees as defined in the County's Significant and Heritage Tree Protection regulations.
County of Santa Clara	Tree removal permit for removal of protected trees.
Santa Cruz County	Tree removal permit for removal of significant trees.

Chapter 3
ENVIRONMENTAL CHECKLIST

1.	**Project Title**	Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program
2.	**Lead Agency Name and Address**	Midpeninsula Regional Open Space District 330 Distel Circle, Los Altos CA 94022
3.	**Contact Person, Phone Number and Email**	Aaron Hébert, Senior Resource Management Specialist Midpeninsula Regional Open Space District Email: ahebert@openspace.org Phone: (650) 625 - 6561
4.	**Project Location and APN**	Various
5.	**Property Owner(s)**	Varied
6.	**General Plan Designation**	Multiple
7.	**Zoning**	Multiple
8.	**Description of Project**	See Chapter 2, *Project Description.*
9.	**Surrounding Land Uses and Setting**	Varied
10.	**Other Public Agencies whose Approval or Input May Be Needed**	See **Table 2-4** in Chapter 2, *Project Description.*

Determination

On the basis of this initial evaluation:

☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

Brian Malone

Digitally signed by Brian Malone
DN: cn=Brian Malone, o=Midpeninsula Regional Open Space District, ou, email=bmalone@openspace.org, c=US
Date: 2021.07.28 21:45:58 -07'00'

7/28/2021

Signature Date

Name: Brian Malone, Assistant General Manager

3.1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☐	☒

3.1.1 Environmental Setting

Midpeninsula Regional Open Space District (Midpen) lands are located on the San Francisco Peninsula (Peninsula), primarily within the Santa Cruz Mountains. The Santa Cruz Mountains separate the flat bay lands and Santa Clara Valley on the east side of the peninsula from the coastal areas on the west side of the peninsula. The Santa Cruz Mountains are characterized by steep, narrow canyons, water courses, and rolling hills where seasonal streams flow from the upper watershed areas of the mountains through steep-sided forested canyons to the bay lands and to the coast.

Visual Character

Midpen lands are located in the upper portions of the Santa Cruz Mountains and consist of a variety of natural landscapes including ridge-top grasslands, forested canyons, chaparral-covered hillsides, and riparian vegetation along natural creeks. The natural landscapes provide a scenic backdrop to the urbanized areas of the Peninsula. Some lands include rural/agricultural structures such as barns and residences associated with conservation grazing operations. Other Midpen facilities such as trails, trailheads, restrooms, parking

areas, fencing, nature center, offices, and residences are designed to blend into the natural surroundings and are typically located within or adjacent to previously disturbed areas.

Midpen lands offer scenic vistas from ridges and mountain tops featuring forested areas, grasslands, oak woodlands, and the Pacific Ocean and San Francisco Bay. Scenic vistas are found throughout Midpen lands along trails and roads where openings at higher elevations provide views of these natural areas. The overall scenic quality of Midpen lands is high because of the highly varied topography, vegetation patterns, water bodies, and uniqueness adjacent to an urban/suburban setting.

Scenic Highways

Several eligible and officially designated scenic highways identified by the State Scenic Highway Program implemented by California Department of Transportation (Caltrans) are in and adjacent to Midpen lands. Highways designated as Eligible that are bisecting or adjacent to Midpen lands include State Route (SR-) 9, SR-17, SR-35, SR-92, SR-152, and SR-236 as well as portions of Interstate (I-) 280. Officially designated State Scenic Highways bisecting or adjacent to Midpen lands include SR-1, SR-9, SR-35, and I-280 (Caltrans 2021). Cities or counties may also identify scenic corridors, roadways, or trails, which are defined as lands that are visible from a highway that provide scenic and natural features. San Mateo County identifies state scenic corridors along SR-1 (Cabrillo Highway corridor), along SR-280 (Junipero Serra corridor), and along Skyline Boulevard (Skyline Boulevard corridor). San Mateo County also identifies designated scenic corridors along SR-92, SR-84, and several additional County roads (San Mateo County Planning and Building Division 1986). Santa Clara County identifies Bear Creek Road, which provides access to Bear Creek Redwoods Open Space Preserve (OSP) as a scenic roadway (Santa Clara County 1994).

Viewer Groups

Viewer groups include the general public recreating on trails or at recreation facilities in Midpen OSPs, residences within Preserves, tenants who are leasing land from Midpen, Midpen employees, and motorists traveling on roadways adjacent to Midpen lands. Viewer sensitivity would mostly be high because the public accessing and recreating on Midpen lands are more likely to value the natural environment, appreciate the visual experience, and be more sensitive to changes in views or incompatible elements. Groups who view Midpen lands from a distance or for short duration (i.e., motorists and adjoining neighbors) would experience a more moderate viewer sensitivity as they would be more focused on the overall surroundings.

3.1.2 Discussion

a. Would the project have a substantial adverse effect on a scenic vista?

As described above, Midpen lands provide scenic viewing opportunities for the public. Scenic vistas of natural areas, the Pacific Ocean, and the San Francisco Bay are found throughout Midpen lands along trails and roads generally located at high elevations along ridgelines and in open areas.

Some Open Space Maintenance and Restoration Program (Program) activities would occur within channels or ponds, situated at lower elevations (e.g., berm repair, bridge maintenance/replacement, sediment and debris removal, etc.). Due to their location and often the presence of surrounding vegetation, it is unlikely that those activities would have a pronounced effect on scenic vistas. However, some Program activities would occur along trails, roads or in other areas located at higher elevations where such activities would be visible from scenic viewpoints (e.g., roadside/trailside ditch maintenance, trail rerouting, roadway grading, etc.). Vegetation management activities associated with the Program also would influence the visual appearance of Midpen lands; the analysis of impacts associated with vegetation and fuel management activities to scenic vistas is covered in Midpen's Wildland Fire Resiliency Program Environmental Impact Report (EIR) (Panorama 2021).

Depending on the visual sensitivity of an individual Project area, which would vary from moderate to high, temporary visual impacts to scenic vistas could occur but would not be considered significant as Program activities would involve minimal use of heavy equipment in any one area for a short period of time (a few hours to a few days) and would be limited to daytime hours on weekdays with infrequent weekend construction. Similarly, Program activities would not reduce the quality of views within Midpen lands or from nearby adjacent lands because the work would be performed in limited areas of Midpen lands at any given time. Visual changes related to the presence of equipment and workers is generally considered low because viewers perceive it as temporary and can quickly and easily move to uninterrupted areas of Midpen lands. As detailed in Chapter 2, Program activities would be performed to protect and enhance the natural environment and improve public access. Program activities would not result in the construction of any structures or facilities that would block views of surrounding scenic vistas.

Midpen would implement the following Best Management Practices (BMPs), incorporated as part of the Program, to reduce temporary visual impacts on scenic vistas. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-2 Minimize the Area of Disturbance and Site Maintenance
- BMP GEN-7 Waste Management
- BMP GEN-16 Site Stabilization
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-24 Vegetation Management with Prescribed Burns
- BMP BIO-24 Riparian Restoration
- BMP EC-5 Revegetation of Disturbed Areas

Implementation of the BMPs listed above would minimize temporary visual impacts on scenic vistas associated with maintenance by minimizing the area of disturbance, disposing waste and storing materials and equipment properly, minimizing the disturbance of

vegetation, and restoring disturbed and riparian areas as quickly as possible following Program activities. Due to the sensitive manner in which Program activities would be performed, the temporary nature of these activities, and implementation of BMPs that would further minimize adverse effects, the impact on scenic vistas would be **less than significant** and no mitigation is required.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?

Scenic roadways and San Mateo County designated scenic corridors are located in and adjacent to many Midpen lands. Program activities may occur in areas adjacent to designated scenic roadways (e.g., construction of a wildlife crossing at Bear Creek Redwoods OSP adjacent to Bear Creek Road, culvert/repair replacement, trail maintenance, and other facility repairs/improvements). Although the presence of construction equipment in these locations could temporarily disrupt scenic views, such disruption would be temporary. The use of heavy equipment would be minimal and work activities would generally be completed within a few days up to three weeks. In addition, Midpen's Program activities are intended to restore and enhance the natural environment. Although tree removal may be conducted under the Program, tree removal would only occur under circumstances where the tree has or is in danger of falling, is causing damage, or is posing a safety or flood hazard. The analysis of visual impacts associated with other vegetation and fuel management activities is covered in Midpen's Wildland Fire Resiliency Program EIR (Panorama 2021). On the other hand, restoration activities (e.g., invasive plant removal, native riparian plantings, road decommissioning, etc.) conducted under the Program would enhance the natural habitat and scenic resources.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce temporary visual impacts on scenic resources visible from scenic corridors. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-2 Minimize the Area of Disturbance and Site Maintenance
- BMP GEN-7 Waste Management
- BMP GEN-16 Site Stabilization
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-24 Vegetation Management with Prescribed Burns
- BMP BIO-24 Riparian Restoration
- BMP EC-5 Revegetation of Disturbed Areas

Implementation of the BMPs listed above would minimize temporary visual impacts on scenic resources associated with maintenance by minimizing the area of disturbance,

disposing waste and storing materials and equipment properly, minimizing the disturbance of vegetation, and restoring disturbed and riparian areas as quickly as possible following Program activities. Because Program activities would be short-term, visual disruptions along scenic corridors would be temporary, and implementation of BMPs would further minimize adverse effects, there would be no substantial or long-term degradation of scenic resources as viewed by various viewer groups. This impact would be less than significant and no mitigation is required.

c. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

As described above, the Program area is located in a non-urbanized area consisting of natural landscapes and open space. The Program area ranges from ridge-top grasslands, forested canyons, chaparral-covered hillsides, and redwood forests, among other natural landscapes. The visual character and quality of Program sites varies from site to site, but would generally be moderate to high. For example, some culvert repair/replacement along access roads and trails would be situated in redwood forests, along creeks, or near agricultural lands. Temporary degradation of the visual character of work sites could adversely affect public viewer groups such as recreationists and grazing tenants. However, the overall long-term effect of the Program would be to maintain the existing visual quality and in many instances would improve the visual quality, such as through Program activities that stabilize failed pond berms, remove tires, repair dilapidated culverts, and plant native vegetation in riparian areas.

During Program activities, temporary visual impacts would occur from the presence of personnel and equipment, staging, vegetation removal, earthwork, and on-site stockpiling of materials. Specifically, the following effects would occur from the various work activities.

Streambank and Pond Berm Stabilization and Sediment Removal. Pond berms and channel banks would be temporarily exposed and de-vegetated during berm/bank stabilization and sediment removal activities. Work sites would be revegetated and re-contoured to restore aquatic habitat and natural conditions; however, it would take a few years before the aesthetic character of the site would be fully re-established. This temporary visual change would be offset by the immediate aesthetic benefits of blockage removal and stabilization of eroding banks/berms that would allow the waterways and ponds to function more naturally.

Vegetation Management. Vegetation management activities such as brushing and mowing, pruning, tree removal, and fuel management activities would alter densely vegetated areas to partially vegetated or bare until the area becomes re-established. Herbicide application could alter the visual character of a site where targeted vegetation has been treated. In addition, tree removal could alter the visual quality of certain locations. However, as described above, tree removal would only occur under circumstances where the tree has fallen or is in danger of falling (as determined by a

qualified individual), is causing damage, or poses a safety or flood hazard. The analysis of impacts to visual character or quality of public views associated with vegetation and fuel management activities is covered in Midpen's Wildland Fire Resiliency Program EIR (Panorama 2021). Overall, temporary changes in visual density and composition would result; however, the removal of invasive species, addition of native plantings, and other restoration type activities (described below) would restore the Program area to a more natural state. Therefore, revegetation efforts would further offset temporary visual impacts associated with vegetation management activities.

Other Maintenance Activities. Other maintenance activities including culvert repair/replacement, drainage feature maintenance, bridge maintenance, and road and trail maintenance would occur at multiple locations, but would generally occur infrequently at any one site. During maintenance work, visual character may be temporarily degraded due to the presence of construction materials, equipment, and vehicles. However, construction activities at any given site would not last more than a few weeks. Implementation of the below-listed BMPs would reduce temporary effects on the visual character of maintenance sites. Depending on the maintenance site, visual conditions could be improved as a result of proposed maintenance activities. For example, in-stream debris removal would improve the cleanliness at the maintenance site and within the waterway. Further, conducting trail surface repair activities would improve access for the public and the aesthetic quality of the route.

Small Scale Facility Improvements. Some small-scale facility improvement projects such as installation of new trails, roads, re-routes, and new bridges would change the visual character of the area. However, all small-scale facility improvements conducted under the Program would either reduce the threat to, or correct degradation of, the natural environment, thus improving the aesthetic quality of Midpen lands. Other facility improvements such as conservation grazing infrastructure and water infrastructure improvements would not be substantially notable to public viewers and would blend in with the existing infrastructure and facilities on site.

Restoration Activities. Much of Midpen's work revolves around enhancing and restoring the natural environment by improving and/or creating habitat for plant and wildlife species and restoring ecosystem functions. Restoration activities conducted under the Program, including aquatic habitat restoration, native vegetation plantings, invasive species removal, road decommissioning, and conservation grazing improvements would enhance the natural habitat and protect species, thus resulting in a beneficial effect to the aesthetic quality and character of Midpen lands.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce temporary impacts to visual character and quality of public views during Program activities. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-2 Minimize the Area of Disturbance and Site Maintenance
- BMP GEN-7 Waste Management
- BMP GEN-16 Site Stabilization

- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-24 Vegetation Management with Prescribed Burns
- BMP BIO-24 Riparian Restoration
- BMP EC-5 Revegetation of Disturbed Areas

Implementation of the BMPs listed above would minimize temporary impacts to visual character and quality associated with maintenance by minimizing the area of disturbance, disposing waste and storing materials and equipment properly, minimizing the disturbance of vegetation, and restoring disturbed and riparian areas as quickly as possible following Program activities. Because Program activities would be short-term, visual disruptions to public views would be temporary, implementation of BMPs would further minimize adverse effects, there would be no substantial degradation of the visual character and quality of the Program area. This impact would be **less than significant** and no mitigation is required.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Under the existing condition, lighting within Midpen lands is extremely limited, with a minimal amount of exterior lighting at residences and offices for safety. Because Program activities would be conducted during daylight hours only, no nighttime lighting would be needed. Although the Program includes installation of new facilities and small facility improvements (e.g., bridge relocation, installation of interpretive facilities/signage, construction of wildlife crossings, etc.) none of these facility improvements would result in new reflective surfaces or installation of lighting. Thus, **no impacts** would result from the Program.

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3.2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Pub. Res. Code section 12220(g)), timberland (as defined by Pub. Res. Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?	☐	☐	☐	☒

3.2.1 Environmental Setting

Midpen manages approximately 6,500 acres of grazing within five OSPs along the coast, including La Honda Creek, Russian Ridge, Purisima Creek, Skyline Ridge, and Tunitas Creek OSPs under the current Conservation Grazing Program. Midpen also leases suitable agricultural lands (currently over 8,500 acres) to tenants with expertise in managing livestock for grazing purposes.

Approximately 7,700 acres of OSP land is in Williamson Act contracts (Panorama 2021). The majority of Midpen lands are designated as "other land" or "grazing land" by Important Farmland maps published by the California Department of Conservation (CDOC), Farmland Mapping and Monitoring Program (CDOC 2016). "Other land" may consist of vacant, non-agricultural land; brush, timber, wetland, and riparian areas not suitable for livestock grazing; and confined livestock facilities. "Grazing land" is considered land where existing vegetation is used for grazing livestock.

Forested lands are defined as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Midpen lands encompass approximately 30,000 acres of forest and woodland habitat, including around 11,500 acres of coniferous forest consisting of redwood and Douglas fir and around 18,500 acres of other hardwood forest and woodlands. However, none of Midpen lands are zoned as timberland as defined by Public Resources Code Section 4526 or timberland zoned as timberland production as defined by Government Code Section 51104(g).

3.2.2 Discussion

a, b, e. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?

Farmlands (primarily grazing lands) may be located in proximity to Program activities occurring within Midpen OSPs. Grazing lands that are currently managed and leased by Midpen would not be adversely affected by implementation of the Program. In contrary, conservation grazing operations would be enhanced through small-scale infrastructure improvements (e.g., rebuilding spring boxes, repairing water systems, installing fencing around riparian areas/stock ponds, etc.). Wildland fire practices benefiting grazing lands (e.g., prescribed burns) are discussed in more detail in Midpen's Wildland Fire Resiliency Program EIR (Panorama 2021). None of the proposed Program activities would convert or cause changes that would result in the conversion of designated farmland to non-agricultural uses nor conflict with an existing Williamson Act contract. **No impacts** to farmland or agricultural uses would occur with implementation of the Program.

c, d. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)? Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use?

Implementation of the Program would involve routine and selective pruning and removal of trees if the tree is creating a public safety risk, limiting stream capacity, or threatening natural areas or water quality. Pruning trees may also be necessary to provide emergency, maintenance, and recreational access to Midpen facilities; improve visibility to inspect Midpen facilities; provide adequate sight distance for safety and aesthetic reasons protect

infrastructure; and to meet local fire codes. The intent of Midpen's work is to preserve and protect its forests and woodlands to enhance natural ecosystems and not to permanently convert forest land to non-forest uses. Implementation of the Program would not result in a loss of forest land nor would it convert forestry land to non-forestry use. **No impacts** to forest land would occur with implementation of the Program.

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3.3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The Clean Air Act is implemented by the United States (U.S.) Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: particulate matter, carbon monoxide, nitrogen oxides (NOx), ground-level ozone and lead. Of these criteria pollutants, particulate matter and ground-level ozone pose the greatest threat to human health. The California Air Resources Board (CARB) sets standards for criteria pollutants that are more stringent than NAAQS, and includes the following additional contaminants: visibility reducing particles, sulfates, and vinyl chloride.

The Program area is largely located within the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). A small portion of the Program area is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). BAAQMD and MBARD manage air quality within their jurisdictions for attainment and permitting purposes. **Table 3.3-1** shows the current SFBAAB and NCCAB attainment statuses for the state and federal ambient air quality standards.

The BAAQMD and MBARD have also developed thresholds of significance for criteria air pollutants (BAAQMD 2017a, MBUAPCD 2008). **Table 3.3-2** provides the BAAQMD's and MBARD's recommended significance criteria for analysis of air quality impacts, including cumulative impacts**.** The term "sensitive receptor" is used to refer to facilities or land uses that include members of the population particularly sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses. Examples of sensitive receptors within the Project area include schools, hospitals, community centers, childcare facilities, and residential areas.

The Santa Clara County General Plan, San Mateo County General Plan, and the Santa Cruz County General Plan each include policies to reduce air pollution by achieving and maintaining air quality which meets or exceeds state and federal standards.

Table 3.3-1. SFBAAB and NCCAB Attainment Status of the State and Federal Ambient Air Quality Standards

Contaminant	Averaging Time	Concentration	SFBAAB Attainment Status (San Mateo and Santa Clara Counties)		NCCAB Attainment Status (Santa Cruz County)	
			State Standards Attainment Status[1]	Federal Standards Attainment Status[2]	State Standards Attainment Status[1]	Federal Standards Attainment Status[2]
Ozone	1-hour	0.09 ppm	N	*See footnote 3*	T	*See footnote 3*
	8-hour	0.070 ppm	N	N	T	A
Carbon Monoxide	1-hour	20 ppm	A		A	
		35 ppm		A		U/A
	8-hour	9.0 ppm	A	A[4]	A	U/A
Nitrogen Dioxide	1-hour	0.18 ppm	A		A	
		0.100 ppm[6]		U		U/A
	Annual arithmetic mean	0.030 ppm	A		A	
		0.053 ppm		A		U
Sulfur Dioxide (SO_2)	1-hour	0.25 ppm	A		A	
		0.075 ppm		A		U
	24-hour	0.04 ppm	A		A	
		0.14 ppm		A		U
	Annual arithmetic mean	0.030 ppm		A		U
Particulate Matter (PM10)	24-hour	50 µg/m^3	N		N	
		150 µg/m^3		U		U
	Annual arithmetic mean	20 µg/m^3	N		N	
Fine Particulate Matter (PM2.5)	24-hour	35 µg/m^3		N (Moderate)[7]		U/A
	Annual arithmetic mean	12 µg/m^3	N	U/A	A	U/A
Sulfates	24-hour	25 µg/m^3	A		A	
Lead[8]	30-day average	1.5 µg/m^3	A		A	
Hydrogen Sulfide	1-hour	0.03 ppm	U		U	
Vinyl Chloride[8] (chloroethene)	24-hour	0.010 ppm	U		U	
Visibility Reducing Particles	8 hour (10:00 to 18:00 PST)	*See footnote 5*	U		U	

A – Attainment
N – Non-attainment
U – Unclassified
T – Nonattainment-Transitional
ppm – parts per million
µg/m^3 – micrograms per cubic meter
PST – pacific standard time

Notes:

1. California standards for ozone, carbon monoxide, sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - particulate matter of aerodynamic radius of 10 micrometers or less (PM10), and visibility-reducing particles are values that are not to be exceeded. The standards for sulfates, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour, or 24-hour average (i.e., all standards except for lead and the PM10 annual standard), then some measurements may be excluded. In particular, measurements that are excluded include those that the California Air Resources Board (CARB) determines would occur less than once per year on average.
2. National standards shown are the "primary standards" designed to protect public health. National air quality standards are set by U.S. Environmental Protection Agency (USEPA) at levels determined to be protective of public health with an adequate margin of safety. National standards other than for ozone, particulates, and those based on annual averages are not to be exceeded more than once per year. The 1-hour ozone standard is attained if, during the most recent 3-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the 4th highest daily concentrations is 0.075 ppm (75 parts per billion) or less. The 24-hour PM10 standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m^3. The 24-hour particulate matter of aerodynamic radius of 10 micrometers or less (PM2.5) standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM10 is met if the 3-year average falls below the standard at every site. The annual PM2.5 standard is met by spatially averaging annual averages across officially designated clusters of sites and then determining if the 3-year average of these annual averages falls below the standard.
3. The national 1-hour ozone standard was revoked by USEPA on June 15, 2005. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 ppm to 0.070 ppm. An area meets the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. This table provides the attainment statuses for the 2015 standard of 0.070 ppm.
4. In April 1998, the Bay Area was redesignated to attainment for the national 8-hour carbon monoxide standard.
5. Statewide Visibility-Reducing Particle Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.
6. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average of nitrogen dioxide at each monitoring station within an area must not exceed 0.100 ppm (effective January 22, 2010).
7. On January 9, 2013, USEPA issued a final rule to determine that the Bay Area attains the 24-hour PM2.5 national standard.
8. CARB has identified lead and vinyl chloride as toxic air contaminants with no threshold level of exposure below which there are no adverse health effects determined.

Source: CARB 2019, USEPA 2020, BAAQMD 2017b

Table 3.3-2. BAAQMD and MBARD CEQA Thresholds of Significance for Criteria Air Pollutants

Criteria Air Pollutants and Precursors (Regional)	BAAQMD			MBARD Operational Thresholds
	Operational Thresholds		Construction Thresholds	
	Average Daily Emissions (lb/day)	Maximum Annual Emissions (tpy)	Average Daily Emissions (lb/day)	Daily Emissions (lb/day)
Reactive Organic Gases (ROG)	54	10	54	137[a]
Nitrogen oxides (NOx)	54	10	54	137[b]
Particulate Matter (PM10)	82	15	82 (exhaust)	82
Fine Particulate Matter (PM2.5)	54	10	54 (exhaust)	None
PM10/PM2.5 (fugitive dust)	None		BMPs	None
Local Carbon Monoxide (CO)	9.0 ppm (8-hour average), 20.0 ppm (1-hour average)		None	550
Sulfur oxide (SOx), as SO_2	None		None	150
Odors	Five confirmed complaints per year averaged over 3 years		None	None

tpy – tons per year; lb/day – pounds per day; ppm – parts per million; CEQA – California Environmental Quality Act

[a.] Threshold for VOC (Volatile Organic Compounds)

[b.] As NO_2

Source: BAAQMD 2017a, Monterey Bay Unified Air Pollution Control District (MBUAPCD) 2008

3.3.2 Environmental Setting

Study Area

For the purposes of the air quality analysis, the study area consists of the locations where physical actions associated with the proposed Program would take place. Program activities would occur at Midpen preserves located in the Counties of San Mateo, Santa Clara, and Santa Cruz (described in Section 2.4). This area is largely located within the SFBAAB and under BAAQMD jurisdiction. A small portion of the study area, approximately 3% of the total Program area, is located in the NCCAB under MBARD jurisdiction. The study area for air quality impacts is evaluated at both local and regional scales. Air quality at the local scale involves evaluating the potential for local emissions "hot spots" to result in and adjacent to anticipated Program activity sites from Program-related emissions of pollutants of local concern, including carbon monoxide, particulate matter, and toxic air contaminants. Air quality at the regional scale involves evaluating air pollutants of regional concern such as ozone, ozone precursors, and particulate matter.

San Francisco Bay Area Air Basin

CARB has divided California into regional air basins according to topographic air drainage features. The SFBAAB, managed by the BAAQMD, comprises all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties, as well as portions of Solano and Yolo Counties. Air quality is determined by natural factors such as climate, topography, and meteorology, in addition to the presence of air pollution sources and ambient conditions.

The SFBAAB is characterized by complex terrain, consisting of coastal mountain ranges, inland valleys, and bays, all of which distort normal wind flow patterns. The Coast Ranges split, resulting in a western coast gap, the Golden Gate, and an eastern coast gap, Carquinez Strait; these allow air to flow in and out of the SFBAAB and the Central Valley (BAAQMD 2017a).

BAAQMD divides the SFBAAB into subregions with distinct climate and topographic features. The proposed Program area is located primarily in the Peninsula Subregion of the SFBAAB, with some preserves occurring also in the Santa Clara Valley Subregion.

Peninsula Subregion

The Peninsula subregion extends from northwest of San Jose to the Golden Gate. The Santa Cruz Mountains run up the center of the peninsula, with elevations exceeding 2,000 feet at the southern end, decreasing to 500 feet in South San Francisco. Coastal towns experience a high incidence of cool, foggy weather in the summer. Cities in the southeastern Peninsula experience warmer temperatures and fewer foggy days because the marine layer is blocked by the ridgeline to the west. The blocking effect of the Santa Cruz Mountains results in variations in summertime maximum temperatures in different parts of the Peninsula. For example, in coastal areas the mean maximum summer temperatures are in the mid-60's, while in Redwood City the mean maximum summer temperatures are in the low-80's. Mean minimum temperatures during the winter months are in the high-30's to low-40's on the eastern side of the Peninsula and in the low 40's on the coast.

On the eastern side of the mountains, winds are generally from the west, although wind patterns in this area are often influenced greatly by local topographic features. Air pollution potential is highest along the southeastern portion of the Peninsula. This is the area most protected from the high winds and fog of the marine layer. Pollutant transport from upwind sites is common. In the southeastern portion of the Peninsula, air pollutant emissions are relatively high due to motor vehicle traffic as well as stationary sources. At the northern end of the Peninsula, pollutant emissions are high, especially from motor vehicle congestion. Localized pollutants, such as carbon monoxide, can build up in "urban canyons." Winds are generally fast enough to carry the pollutants away before they accumulate (BAAQMD 2017a).

Santa Clara Valley

The Santa Clara Valley is bounded by the Bay to the north and by mountains to the east, south and west. Temperatures are warm on summer days and cool on summer nights, and winter temperatures are fairly mild. At the northern end of the valley, mean maximum temperatures are in the low-80's during the summer and the high-50's during the winter, and mean

minimum temperatures range from the high-50's in the summer to the low-40's in the winter. Further inland, where the moderating effect of the Bay is not as strong, temperature extremes are greater. For example, in San Martin, located 27 miles south of the San Jose Airport, temperatures can be more than 10 degrees warmer on summer afternoons and more than 10 degrees cooler on winter nights. Winds in the valley are greatly influenced by the terrain, resulting in a prevailing flow that roughly parallels the valley's northwest-southeast axis. A north-northwesterly sea breeze flows through the valley during the afternoon and early evening, and a light south-southeasterly drainage flow occurs during the late evening and early morning. In the summer, the southern end of the valley sometimes becomes a "convergence zone," when air flowing from the Monterey Bay gets channeled northward into the southern end of the valley and meets with the prevailing north-northwesterly winds. Wind speeds are greatest in the spring and summer and weakest in the fall and winter. Nighttime and early morning hours frequently have calm winds in all seasons, while summer afternoons and evenings are quite breezy. Strong winds are rare, associated mostly with the occasional winter storm.

The air pollution potential of the Santa Clara Valley is high. High summer temperatures, stable air and mountains surrounding the valley combine to promote ozone formation. In addition to the many local sources of pollution, ozone precursors from San Francisco, San Mateo and Alameda Counties are carried by prevailing winds to the Santa Clara Valley. The valley tends to channel pollutants to the southeast. In addition, on summer days with low level inversions, ozone can be recirculated by southerly drainage flows in the late evening and early morning and by the prevailing northwest winds in the afternoon. A similar recirculation pattern occurs in the winter, affecting levels of carbon monoxide and particulate matter. This movement of the air up and down the valley increases the impact of the pollutants significantly. Pollution sources are plentiful and complex in this subregion.

The Santa Clara Valley has a high concentration of industry at the northern end, in the Silicon Valley. Some of these industries are sources of air toxics as well as criteria air pollutants. In addition, Santa Clara Valley's large population and many work-site destinations generate the highest mobile source emissions of any subregion in the SFBAAB.

North Central Coast Air Basin

The NCCAB consists of Santa Cruz, San Benito, and Monterey Counties. It covers an area of 5,159 square miles along the coast, and has a population of over 750,000 (CARB 2011). The Santa Cruz Mountains dominate the northwest portion of NCCAB, and the Diablo Range marks the northeastern boundary. The Santa Clara Valley extends into the northeastern tip of the basin. Further south, the Santa Clara Valley becomes the San Benito Valley, which runs northwest-southeast, with the Gabilan Range as its western boundary. To the west of the Gabilan Range is the Salinas Valley, which extends from Salinas at the northwest end to south of King City. In the summer, a high-pressure system over the Pacific Ocean is dominant and causes persistent west and northwest winds over the entire California coast. The onshore wind brings fog and relatively cool air into the coastal valleys. The northwest-southeast orientation of the mountain ridges tends to restrict and channel the summer onshore air. In the fall, the surface winds become weak. The airflow is occasionally reversed in a weak offshore movement and the relatively stationary air mass is held in place. During the winter,

the Pacific high-pressure system moves south and has less influence on the NCCAB. Air frequently flows in a southeasterly direction out of the Salinas and San Benito Valleys, especially during night and morning hours.

3.3.3 Discussion

a., b. Would the project conflict with or obstruct implementation of the applicable air quality plan, OR result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Use of vehicles and equipment, such as chainsaws, woodchippers, and excavators, for Program activities would generate emissions of criteria air pollutants. Fuel combustion involved with vehicle and equipment use would release particulate matter (PM) and other contaminants associated with motor vehicle operation, including carbon monoxide and ozone precursors (reactive organic gases [ROG] and NOx).

Estimated average daily and maximum annual emissions of criteria air pollutants were modeled using CalEEMod 2016.3.2 and are presented in **Tables 3.3-3** and **3.3-4**. Emissions estimates present a conservative Program scenario based on a potential heavy year for each maintenance activity (i.e., anticipated maximum annual activities as presented in **Table 2-3** of the *Project Description*); therefore, actual daily and annual emissions would often be lower.

Emissions resulting from vegetation management and fuel management activities (e.g., controlled burns, conservation grazing, and herbicide application) were not included in the Program emissions modeling or analysis below. The analysis of impacts associated with vegetation and fuel management activities is covered in Midpen's Wildland Fire Resiliency Program EIR (Panorama 2021) and Integrated Pest Management Program (IPMP) EIR as Addended (Midpen, 2014; Midpen, 2019).[1] Further, emissions provided in **Table 3.3-3** represent the initial year of Program implementation. Over the duration of the Program, fleet vehicle turnover would gradually result in lower emissions of criteria air pollutants due to stricter emissions requirements for newer engines and adherence to Midpen's Climate Action Plan.[2] For additional information on how emissions were estimated refer to **Appendix C**.

[1] While the emissions resulting from vegetation and fuel management activities are covered in Midpen's Wildland Fire Resiliency Program EIR and IPMP EIR as Addended, the emissions from vehicle and equipment trips to Program sites for the purpose of completing vegetation or fuel management activities have been included in the CalEEMod model for the proposed Program.

[2] Midpen has adopted a Climate Action Plan to identify goals and strategies to reduce GHG emissions generated by Midpen activities. The Climate Action Plan calls for a 20 percent reduction from the 2016 baseline in 2022 and ultimately an 80 percent reduction by 2050. Strategies are identified to reduce GHG emissions associated with four different sectors, one of which is "vehicle fleet, equipment, and business travel," which would apply to the vehicles and equipment used during implementation of the Program.

Table 3.3-3. Daily Emissions Estimates (pounds per day)

Source	ROG	NOx	PM10	PM2.5	CO	SOx as SO_2
Vehicles/Equipment	2.23	19.69	9.23	5.08	21.23	0.05
Chainsaws/Brushcutters/Chippers	25.54	0.62	0.15	0.15	63.08	0.00
Total	**27.77**	**20.31**	**9.38**	**5.23**	**84.31**	**0.05**
BAAQMD Threshold[a]	54	54	82[b]	54[b]	-	-
MBARD Threshold	137	137	82	-	550	150
	No	No	No	No	No	No

Note: See **Table 3.3-2** for BAAQMD and MBARD CEQA Thresholds of Significance for criteria air pollutants.
[a.] BAAQMD's threshold is for average daily emissions while MBARD's threshold is for maximum daily emissions.
[b.] BAAQMD's operational thresholds for particulate matter (PM) apply only to exhaust emissions.
[c.] MBARD's threshold is for volatile organic compound (VOCs).
*Source: Data compiled by Horizon in 2021 (refer to **Appendix C**).*

Table 3.3-4. Maximum Annual Emissions Estimates (tons per year)

Source	ROG	NOx	PM10 (Exhaust)	PM2.5 (Exhaust)
Vehicles/Equipment	0.29	2.56	1.2	0.66
Chainsaws/Brushcutters/Chippers	3.32	0.08	0.02	0.02
Total	**3.61**	**2.64**	**1.22**	**0.68**
BAAQMD Threshold[a]	10	10	15	10

Note: See **Table 3.3-2** for BAAQMD CEQA Thresholds of Significance for criteria air pollutants.
[a.] MBARD does not have annual emissions thresholds.
*Source: Data compiled by Horizon in 2021 (refer to **Appendix C**).*

Tables 3.3-3 and **3-3.4** show that even under a conservative maximum scenario, Program activities would generate emissions substantially below both daily and annual BAAQMD significance thresholds for all criteria air pollutants. Emissions would also be below MBARD's significance thresholds, though only a small portion of the Program's activities would take place in MBARD's jurisdiction. As part of their Climate Action Plan, Midpen is increasing the use of electric and alternative fuel vehicles and equipment, increasing vehicle fuel economy, and increasing the use of electric transportation options, which will further decrease emissions of criteria air pollutants over time.

Midpen also would implement the following BMPs, incorporated as part of the Program, to reduce emissions of criteria pollutants to the greatest extent feasible and ensure the Program meets BAAQMD's fugitive dust requirements. Descriptions of each BMP are provided in Chapter 2, Project Description.

- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-15 Dust Management Controls
- BMP GEN-16 Site Stabilization

Implementation of the BMPs listed above would minimize the potential for fugitive dust by minimizing ground disturbance and the amount of earthwork, stabilizing active work sites along with construction entrances and exits to prevent track out, implementing BAQQMD basic dust control measures, and covering or restoring bare soil surfaces as quickly as possible. Due to the temporary nature of the Program activities and with the implementation of the above listed BMPs, the proposed Program would not conflict with or obstruct implementation of the applicable air quality plan, or result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard. This impact would be **less than significant.** No mitigation is required.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are those segments of the population most susceptible to poor air quality: children, the elderly, and individuals with pre-existing serious health problems affected by air quality (e.g., asthma) (CARB 2005). Examples of locations that contain sensitive receptors are residences, schools and school yards, parks and playgrounds, daycare centers, nursing homes, and medical facilities. Residences include houses, apartments, and senior living complexes. Medical facilities can include hospitals, convalescent homes, and health clinics. Playgrounds include play areas associated with parks or community centers.

Program activities would occur in Midpen preserves; mostly along creeks, roads, trails, and culverts not in close proximity to sensitive receptors, except for activities conducted in some locations in Pulgas Ridge and Rancho San Antonio OSPs. Given the scale of the proposed Program covering thousands of acres over multiple OSPs, unknown locations of future preserves, and the anticipated limited duration of Program activities at any given site, individual sensitive receptors have not been identified. However, it is assumed that receptors in the vicinity of Program activities could include any of the receptor types mentioned previously, in particular single-family residences in rural, suburban, and urban settings.

Operation of maintenance vehicles and equipment would generate diesel particulate matter (DPM), which CARB has identified as a toxic air contaminant (TAC). In the Program area, some small areas in and around the Mt. Umunhum Trail in the Sierra Azul Preserve contain ultramafic rock outcrops that may contain naturally occurring asbestos (NOA) (Jennings et al. 1977). NOA was identified as a TAC in 1986 by CARB.

Sensitive receptors could be exposed to DPM and/or NOA during Program activity implementation; however, most of the Program-related work would take place in fairly remote locations inside large preserves, decreasing the likelihood and potential magnitude of sensitive receptor exposure. As discussed above, the Program would not generate emissions of criteria air pollutants in excess of BAAQMD significance thresholds, and any work near individual sensitive receptors would be both infrequent and temporary. Therefore, potential impacts from DPM would be less than significant.

Midpen also would comply with CARB's Asbestos ATCM (Airborne Toxic Control Measure) for Construction, Grading, Quarrying, and Surface Mining Operations, which specifies construction and grading practices to be implemented when working in or adjacent to areas supporting NOA, including submittal of an Asbestos Dust Mitigation Plan for BAAQMD approval when disturbance exceeds one acre. ATCM measures include keeping vehicle speeds at or below 15 mph or less, applying water for dust control prior to and during ground disturbance, keeping storage piles wet or covered, and preventing track-out.

Midpen also would implement the following BMPs, incorporated as part of the Program, to further decrease the risk of NOA exposure for sensitive receptors to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, Project Description.

- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-15 Dust Management Controls
- BMP GEN-16 Site Stabilization

Implementation of the BMPs listed above would minimize the potential for fugitive dust in NOA areas by minimizing ground disturbance and the amount of earthwork, stabilizing active work sites along with construction entrances and exits to prevent track out, implementing BAAQMD basic dust control measures, and covering or restoring bare soil surfaces as quickly as possible. Due to the temporary nature of the Program activities, Program emissions of criteria air pollutants being below significance thresholds based on a modeled conservative implementation scenario, and with the implementation of the above listed BMPs, the proposed Program would not expose sensitive receptors to substantial pollutant concentrations. This impact would be **less than significant.** No mitigation is required.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Sediment removal and diesel used for maintenance equipment have potential to generate localized objectionable odors. Excavated sediment from ponds or stream channels may contain high levels of organic material or reduced sulfur, which upon excavation and/or decomposition, could generate odors. On average Midpen expects to conduct up to 28 sediment and debris removal projects and three (3) pond maintenance projects annually.

The BAAQMD indicates that odor impacts could result from siting a new odor source near existing sensitive receptors. As the proposed Program's sediment removal and pond maintenance activities would be small and infrequent, the number of people exposed to odor from any sediment removal event would be small and the duration of exposure would be temporary and short. Therefore, the proposed Program is not considered to have the potential to generate substantial annoyances from odors to sensitive receptors. This impact would be **less than significant**. No mitigation is required.

3.4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or .S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (CWA) (including, but not limited to, marsh, vernal pool, and coastal wetland, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted habitat conservation plan (HCP); natural community conservation plan (NCCP); or other approved local, regional, or state HCP?	☐	☐	☒	☐

3.4.2 Setting

Definitions

Special-Status Plant Species

For the purposes of this analysis, special-status plant species include the following:

- Listed under the Federal Endangered Species Act (FESA) as threatened, endangered, proposed threatened, proposed endangered, or a candidate species
- Listed under the California Endangered Species Act (CESA) as threatened, endangered, rare, or a candidate species
- Listed by the California Native Plant Society (CNPS) as California Rare Plant Rank (CRPR) 1A, 1B, 2A, 2B, 3, or 4
- Considered sensitive or locally rare by qualified botanists, and/or tracked and given special consideration by Midpen. Examples include (but are not limited to) Nature Serve ranked species and International Union for Conservation of Nature listed species.

The CNPS, a non-governmental conservation organization, has developed CRPRs for plant species of concern in California in the CNPS Inventory of Rare and Endangered Plants. The CRPRs include lichens, vascular, and non-vascular plants, and are defined as follows:

- CRPR 1A Plants considered extinct.
- CRPR 1B Plants rare, threatened, or endangered in California and elsewhere.
- CRPR 2A Plants considered extinct in California but more common elsewhere.
- CRPR 2B Plants rare, threatened, or endangered in California but more common elsewhere.
- CRPR 3 Plants about which more information is needed - review list.
- CRPR 4 Plants of limited distribution-watch list.

The CRPRs are further described by the following threat code extensions:

- .1—seriously endangered in California;
- .2—fairly endangered in California;
- .3—not very endangered in California.

Sensitive Natural Communities

Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special-status plants or their habitat. California

Department of Fish and Wildlife's (CDFW's) California Natural Community List (CDFW 2020a) is based on the best available information, and indicates which natural communities are considered sensitive at the current stage of the California vegetation classification effort. Natural communities with ranks of S1, S2, and S3 are considered sensitive natural communities and therefore addressed under California Environmental Quality Act (CEQA). *A Manual of California Vegetation* (Sawyer et al. 2009) defines the currently recognized method of vegetation classification and mapping in California, which is accepted by CNPS and CDFW, and is utilized to determine the rarity and endangerment of these vegetation types that can result in sensitive natural community designation.

Midpen has also identified vegetation types within their lands as Biologically Highly Significant (BHS), which are considered sensitive natural communities herein. Natural communities designated as BHS within Midpen lands are globally rare, or restricted just to the San Francisco Bay Area or the Santa Cruz Mountains. Other communities, such as wetlands, riparian communities, and grasslands, though once more widespread, have been made rare because of widespread habitat conversion for urban and agricultural uses. Some communities designated as BHS by Midpen are ruderal or dominated by non-native or invasive species and have received a BHS designation due to the presence of sensitive native resources (botanical, wildlife, edaphic [from soils], occur in wetlands, or otherwise) within those communities. The sources of BHS designations are from Midpen's Conservation Atlas (Midpen 2014) and their vegetation classification Geographic Information System (GIS) dataset (Midpen 2018).

The Program area contains vegetation communities, wetlands, and other landscape features (e.g., rock outcrops) that are: (1) classified as sensitive natural communities in California; (2) considered "biologically highly significant" by Midpen; or (3) both. Most of the riparian vegetation communities, wetlands, and other aquatic features in the Program area are protected under the federal Clean Water Act, the state's Porter-Cologne Water Quality Control Act (Porter-Cologne Act), the California Coastal Act, Section 1602 of California Fish and Game Code, or a combination of these regulations. These vegetation communities, wetlands, and landscape features are generally referred to as "sensitive communities" or "sensitive natural communities" in this section.

Special-Status Wildlife Species

For the purposes of this analysis, special-status wildlife species include the following:

- Animal species listed by the U.S. Fish and Wildlife Service (USFWS) or CDFW as Threatened or Endangered; proposed for listing as Threatened or Endangered; or as a candidate for listing as Threatened or Endangered.

- Animal species considered as "Endangered, Rare or Threatened" as defined by Section 15380 of the CEQA Guidelines. Section 15380(b) states that a species of animal or plant is "Endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors. A species is "rare" when either "(A) although not presently threatened with extinction, the species is

existing in such small numbers throughout all or a significant portion of its range that it may become Endangered if its environment worsens; or (B) the species is likely to become Endangered within the foreseeable future throughout all or a portion of its range and may be considered 'Threatened' as that term is used in the ESA [Endangered Species Act]."

- Animal species designated as "Species of Special Concern" or "Fully Protected" by the CDFW. Although these species have no legal status under CESA, CDFW recommends their protection as their populations are generally declining and they could be listed as Threatened or Endangered (under CESA) in the future. "Fully Protected" species generally may not be taken or possessed at any time.

- Birds designated by the USFWS as "Birds of Conservation Concern." Although these species have no legal status under FESA, USFWS recommends their protection as their populations are generally declining, and they could be listed as Threatened or Endangered (under FESA) in the future.

In addition, Midpen maintains its own lists of sensitive plant and animal species, which include a number of species that do not necessarily meet the "special-status" definitions above. These additional species include, but are not limited to, species classified or listed under designations such as USFWS Birds of Management Concern or CDFW Watchlist species. These additional sensitive species also include species such as the Santa Cruz kangaroo rat, which is very scarce and local and is being considered by CDFW for addition to its list of mammal species of special concern. Midpen takes those species into consideration during planning and implementation of Program activities and may analyze impacts to these additional species under CEQA even if not strictly required or done by common practice. Therefore, Midpen may consider impacts of Program activities to selected sensitive plants and animals in addition to those listed in **Tables 3.4-3** and **3.4-4**.

Critical Habitat

Critical habitat is a term defined and used in FESA. It is a specific geographic area(s) that contains features essential for the conservation of a species listed by the USFWS as Threatened or Endangered and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. An area is designated as "critical habitat" after USFWS publishes a proposed federal regulation in the Federal Register and then they receive and consider public comments on the proposal. The final boundaries of the critical habitat area are also published in the Federal Register. Federal agencies are required to consult on actions they carry out, fund, or authorize to ensure that their actions will not destroy or adversely modify critical habitat. A critical habitat designation generally has no effect on situations or projects that do not involve a federal agency (USFWS 2020).

Existing Environment

Regional Ecological Setting

Overview

Midpen lands encompass portions of three counties: San Mateo, Santa Clara, and Santa Cruz counties. These lands, comprised of separate OSPs, are primarily managed to preserve a regional greenbelt of open space land. Midpen lands protect a variety of habitats rich in both numbers and variety of plants and animals. OSPs support tidal salt marshes in the east along the San Francisco Bay shoreline, home to the endangered Ridgway's rail (*Rallus obsoletus*) and salt marsh harvest mouse (*Reithrodontomys raviventris*) as well as used by thousands of migratory birds. The heart of Midpen lands is at higher elevations in the Santa Cruz Mountains. These lands are covered in a diverse mix of oak woodland, grassland, chaparral, coastal scrub, and both evergreen and coniferous forests that form an impressive scenic backdrop for the densely populated San Francisco Bay Area and Central California Coast. Creeks and streams that run through Midpen lands provide refuge area for endangered coho salmon (*Oncorhynchus kisutch*) and threatened steelhead trout (*Oncorhynchus mykiss irideus*). The waterways also provide important habitat and movement corridors for upland wildlife, and have been identified as part of the Conservation Lands Network's Bay Area Critical Linkages (Penrod et al. 2013), connecting wildlife habitat in the Santa Cruz Mountains east to the Diablo Range and south to the Gabilan Mountains.

Ecological subregions (ecoregions) provide a relevant context for biological resources. Midpen lands are located within the Santa Cruz Mountains and Leeward Hills subsections of the Central California Coast Section (Griffith et al. 2016). Two OSPs are in the Bay Flats ecoregion. Each of these subsection ecoregions are further described below (Griffith et al. 2016).

Santa Cruz Mountains

The Santa Cruz Mountains subsection is located between the Pacific Ocean and San Andreas Fault. The majority of Midpen lands are located within this subsection, with the exception of Sierra Azul OSP, Ravenswood OSP, and Steven's Creek Shoreline Nature Area (Griffith et al. 2016). The climate is temperate to hot in this subsection, but generally very mild, due to prevalent marine effects. Mean annual precipitation is about 20 to 60 inches, practically all of which is precipitated via rain although some snow can occur at higher elevations. Summer fog is common. Water runoff is rapid and streams on the northeast side of the mountains are usually dry during summer, while those on the seaward side are generally perennial. Natural lakes, or sag ponds, occur in the San Andreas fault zone.

The mountains in this subsection are northwest trending with rounded edges, steep sides, and narrow canyons. The crest of this range is near the northeast edge of the range, parallel to the San Andreas Fault on the northeast side of the mountains. Many of the streams present flow in a southwest direction. There are some dissected marine terraces along the coast, and narrow floodplains and terraces have some recent alluvium. The elevation range for this subsection is from sea-level to approximately 2,000 feet, with a high point of 3,231 feet on Castle Rock Ridge.

Leeward Hills

The Leeward Hills subsection is located on the interior, or northeast, side of the Santa Cruz Mountains between the San Andreas fault and the alluvial plain in the Santa Clara Valley at the south end of San Francisco Bay. Of all Midpen lands, only Sierra Azul OSP lies within this subsection. The Leeward Hill subsection is much drier than the seaward side of the mountains. The climate is hot and sub-humid, with moderate marine influence. Mean annual precipitation is about 15 to 30 inches, precipitated primarily as rain, except for some snow on at higher elevations. Runoff is rapid and the streams are generally dry during the summer. There are no natural lakes, but numerous reservoirs.

The mountains in this subsection are northwest trending with rounded edges, steep sides, and narrow canyons. The crest of this range is near the northeast edge of the range, parallel to the San Andreas Fault on the northeast side of the mountains. Most of the streams on the leeward side that drain toward the northeast are relatively short. The San Andreas fault is near the southwest edge of the subsection, but generally lies in the adjacent Santa Cruz Mountains subsection to the west. Elevations range from about 200 feet up to 3,790 feet on Loma Prieta Peak.

Bay Flats

The Bay Flats ecoregion includes the near-water flats around San Pablo Bay in the north and those at the southern end of San Francisco Bay. Elevations are sea level to about 10 feet on Quaternary bay fill of silt and clay. High tides inundate most of the area. Soil temperature regimes are isomesic and soil moisture regimes are aquic. Common vegetation includes pickleweed and saltgrass. The southern part of the ecoregion is somewhat warmer and drier than the northern part and has less summer fog. The southern part receives 14 to 16 inches of annual precipitation, whereas the northern part receives 20 to 28 inches. Several salt evaporation ponds are found in the southern Bay Flats, where saltwater is impounded within levees in the former tidelands. As the water evaporates, microorganisms of several kinds change the color of the water. Restoration efforts are underway to return some salt ponds to a mix of tidal marsh, mudflat, and other wetland habitats**.** Ravenswood OSP and Steven's Creek Shoreline Nature Area are within Bay Flats.

Biological Setting of Midpen Lands

Overview

Midpen lands generally flank the crest of the Santa Cruz Mountains from the cities of Half Moon Bay and San Carlos in the north to Loma Prieta Peak in the south and range from nearly sea level to 3,790 feet. From Miramontes Ridge OSP to the southern end of Castle Rock Ridge, near Bear Creek Redwoods OSP, the Santa Cruz Mountains crest runs parallel, and west, of the San Andreas Rift Zone. Only Sierra Azul OSP is included in the southern Santa Cruz Mountains. Many other notable peaks within the Santa Cruz Mountains fall within Midpen lands in addition to Loma Prieta Peak, such as Kings Mountain (2,315 feet), Black Mountain (2,810 feet), Saratoga Summit (580 feet), and Mount Umunhum (3,442 feet). Midpen lands on the west side of the Santa Cruz Mountain crest, especially those at lower elevations, have a stronger coastal influence especially in terms of higher precipitation and fog cover;

including Miramontes Ridge, Purisima Creek Redwoods, Tunitas Creek, El Corte de Madera Creek, and La Honda Creek OSPs. Midpen lands on the east (leeward) side of the crest are less directly influenced by the coast and experience lower precipitation totals and fewer days of fog, except the OSPs located in passes, including Teague Hill, Rancho San Antonio, Picchetti Ranch, and Sierra Azul OSPs.

Water Resources

Midpen lands contain a variety of water resources that include freshwater, estuarine/brackish, and marine habitats. Water features on and immediately downstream of Midpen lands include year-round streams, ephemeral and perennial creeks, lakes, reservoirs, ponds, and wetlands. Salt marshes occur along the edge of San Francisco Bay.

Within Midpen lands, seven major watersheds empty into either the Pacific Ocean (west of Santa Cruz Mountains crest) or San Francisco Bay (east of Santa Cruz Mountains crest). Hydrology in these watersheds is influenced by precipitation, surface water runoff, geologic stratigraphy, topography, soil permeability, and plant cover. Drainages range from ephemeral and intermittent to perennial streams. Additional information on waters and hydrology is provided in Section 3.10, "Hydrology and Water Quality."

Significant and Influential Underlying Substrates

Overview

Certain geologic substrates found in the area have a significant effect on the plant species associations they support. Within Midpen lands, two primary bedrock types, serpentinite and Butano Sandstone, affect the constituent vegetation associates. These two bedrock types and derived soils support many of the endemic rare plants known to this region. Refer to Section 3.7, "Geology, Soils, and Seismicity" for more information on the bedrock types underlying Midpen lands.

Serpentine

Serpentine and other ultramafic rocks are the parent material for soils high in magnesium, iron, silicates, and nickel and low in calcium. These chemical and mineral properties create a toxic environment that most plant species are unable to tolerate. Evolutionary and distributional responses to these conditions have resulted in plant species that are endemic to serpentine, are locally or regionally confined to serpentine, are indifferent and occur both on and off serpentine, or are plant species that do not occur on serpentine (Kruckeberg 1984). Primary serpentinite bedrock is mostly found on the east side of the San Andreas Rift Zone in this region, with few exceptions. The OSPs that contain serpentine habitat include El Sereno, Long Ridge, Monte Bello, Rancho San Antonio, Saratoga Gap, Sierra Azul, Skyline Ridge, and St. Joseph's Hill. Of these OSPs, Sierra Azul, Monte Bello, and El Sereno contain the largest amount of serpentine habitat (Brabb et al. 2000; Wentworth et al. 1999).

Butano Sandstone

Butano sandstone is Eocene aged deposits forming sandstone, mudstone, and shale (Brabb et al. 2000). This sandstone is unique to the area due to its physical and chemical composition

and is correlated to a local endemic manzanita species. Within Midpen lands this bedrock mainly occurs within Purisima Creek, El Corte de Madera Creek, and La Honda OSPs.

Natural Communities and Habitats

The Program area consists of approximately 64,000 acres of open space in the Counties of San Mateo, Santa Clara, and Santa Cruz (**Figure 2-1**) located in 26 open space preserves and a number of easements and/or areas of management agreement. However, the Ravenswood OSP and Stevens Creek Nature Study Area, as well as similar areas along the edge of San Francisco Bay and along the immediate Pacific Ocean shoreline (e.g., west of Highway 1) are not included in the Program area at this time. Biological resources unique to those areas are therefore not discussed further in this chapter. Otherwise, this chapter provides a regional and programmatic characterization of the Program area. Project-level analysis of biological resources present in the areas of specific Program activities cannot be conducted at this time because the Program Manual is designed for future covered activities that may occur in the Program area, rather than discrete Program sites.

Vegetation communities and habitats within the Program area are shaped by the ecological forces at work in the region. Precipitation, topography, soil, climate, the frequency of natural disturbance, and human management (including fire suppression) are all factors that affect the type and pattern of vegetation communities present. The topography encompassing the Midpen boundary and Sphere of Influence is extremely varied, with elevations ranging from sea level to 3,476 feet above mean sea level atop Mt. Umunhum in Sierra Azul OSP. Overall, the Program area is characterized by dry, mild summers and moist, cool winters. Local temperatures are strongly influenced by the San Francisco Bay to the east, the Pacific Ocean to the west, and the Santa Cruz Mountains, which results in a variety of microclimates. The west side of the Santa Cruz Mountains experiences a marine climate, characterized by cool, foggy summers and relatively wet winters while the Bay side of the mountains is generally warmer and sunnier.

Vegetation communities within the Program area were mapped using GIS vegetation data provided by Midpen, which is derived from Classification and Assessment with Landsat of Visible Ecological Groupings (CALVEG) data provided by the U.S. Forest Service (U.S. Department of Agriculture [USDA] U.S. Forest Service [USFS] 2004), and then further refined by vegetation mapping carried out by Midpen staff for individual projects. **Figure 3.4-1** shows the general vegetation mapping, as provided by Midpen. Nomenclature of general vegetation types was provided by Midpen and is based on, but not identical to, that of the CALVEG classification system. In general, this mapping has a minimum mapping unit of 2.5 acres and captures general habitat conditions at a map scale unit larger than what would be appropriate for individual project-level analysis, because habitat features smaller than 2.5 acres are not included. Field surveys would be necessary to accurately delineate habitats at a specific Program activity site. Midpen is currently in the midst of a collaborative project led by the Golden Gate National Parks Conservancy (GGNPC) and including other regional open space partners, to produce a fine-scale (minimum mapping unit of 0.1 to 0.5 acre) vegetation map for San Mateo County. When those spatial data are available, they will be used in the annual assessment of Program activity impacts.

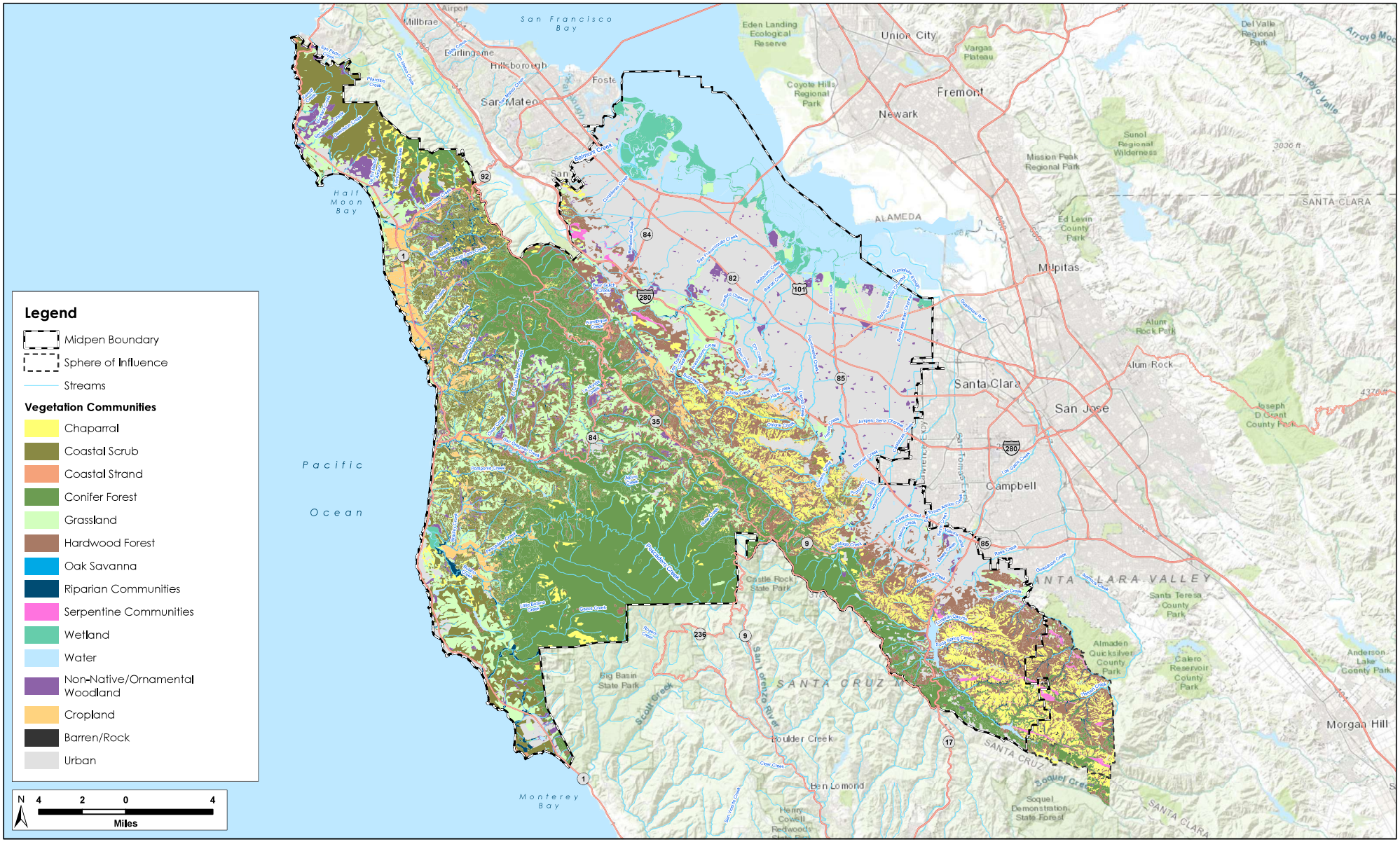

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Figure 3.4-1: Vegetation Communities Map

Midpeninsula Regional Open Space District Routine Maintenance and Facilities Improvements Program
November 2019

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Vegetation data provided by Midpen include 15 general vegetation communities or land use types within the Midpen boundary and Sphere of Influence (see **Figure 3.4-1**): chaparral, coastal scrub, coastal strand, conifer forest, grassland, hardwood forest, oak savanna, riparian communities, serpentine communities (described below as a subset of "grassland"), wetland, water (described below as "aquatic"), non-native/ornamental woodland, cropland, barren, and urban. The general distribution and dominant plant and animal species composition of each habitat/land use type is described below. Descriptions of the plant and animal species typically occurring in each community focus primarily on common (i.e., non-special-status) species. The potential occurrence of special-status species in the Program area is described in detail under the heading *Special-Status Species*. Vegetation descriptions below are based on the following resources: Holland's system of classification (Holland 1986), the *California Manual of Vegetation* (Sawyer et al. 2009), and the California Wildlife Habitat Relationship System (CWHR) (Meyer and Laudenslayer 1988).

While shown on **Figure 3.4-1** and present within the larger Midpen boundary and Sphere of Influence, coastal strand, cropland, and barren areas occur in minimal quantities within the Program area on which this biological resources evaluation focuses. Therefore, these communities or land use types are not discussed further below.

Chaparral

Chaparral is a shrub-dominated vegetation, with few to no trees, composed primarily of drought tolerant species. The vegetation structure and species composition of chaparral varies throughout the Program area, and therefore different chaparral types are largely a function of elevation, distance from the coast, slope, and aspect. In the Program area, chaparral vegetation has been mapped variously in the preserves as mixed chaparral, mesic chaparral, chamise chaparral, manzanita chaparral, ceanothus chaparral, leather oak chaparral, and black sage chaparral. Annual grasses and forbs, perennials, and/or short-lived shrubs can occur in young stands of chaparral, but are often crowded and shaded out by larger shrubs such as chamise (*Adenostoma fasciculatum*) as the vegetation matures. The short-lived shrubs that occur early on include species of buckwheat (*Eriogonum* spp.), deerweed (*Acmispon glaber*), and various species of ceanothus (*Ceanothus* spp.). In the Program area, chaparral occurs on slopes and ridges with thin soils and may occur on serpentine sites (see discussion of serpentine communities below).

Chaparral communities are typically dry and provide relatively low and homogeneous structure. However, a variety of animal species do occur. Mammals that use chaparral and coastal scrub habitats for cover include the coyote (*Canis latrans*), mountain lion (*Puma concolor*), black-tailed deer (*Odocoileus hemionus columbianus*), bobcat (*Lynx rufus*), and brush rabbit (*Sylvilagus bachmani*), among others. Nests of San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*) are often present in abundance in chaparral. The Santa Cruz kangaroo rat (*Dipodomys venustus venustus*) occurs in limited areas where silverleaf manzanita chaparral is present on sandy soils of the Franciscan sandstone formation. Such specialized habitat occurs in the Program area only in Sierra Azul OSP, where this kangaroo rat is known to be present, and at Pulgas Ridge OSP, where the species occurred historically but is no longer present. Bats such as the pallid bat (*Antrozous pallidus*) and canyon bat (*Parastrellus hesperus*) forage over these arid scrublands. Bird species that nest

in these habitats include the California scrub-jay (*Aphelocoma californica*), blue-gray gnatcatcher (*Polioptila caerulea*), Bewick's wren (*Thryomanes bewickii*), California thrasher (*Toxostoma redivivum*), California towhee (*Melozone crissalis*), spotted towhee (*Pipilo maculatus*), California quail (*Callipepla californica*), wrentit (*Chamaea fasciata*), and both Allen's (*Selasphorus sasin*) and Anna's hummingbirds (*Calypte anna*). Reptiles that occur here include the gopher snake (*Pituophis catenifer*), western rattlesnake (*Crotalus viridis*), southern alligator lizard (*Elgaria multicarinata*), and western fence lizard (*Sceloporus occidentalis*). Amphibians may be scarce due to the dry conditions, but during the wet season, amphibians such as California newt (*Taricha torosa*) disperse through chaparral.

Coastal Scrub

Coastal scrub is a shrub-dominated vegetation, typically composed of low growing to moderate sized shrubs that occur closer to the coast in the Program area. Although precipitation is often limited, this community rarely experiences drought stress typical of inland habitats with similar levels of rainfall because of the high humidity and moderate temperatures typical of the coastal environment in which it is found. Coastal scrub differs from chaparral vegetation in that many of the shrubs have softer leaves with flexible branches. Shrub structure within the community can differ, and often depends on the degree of coastal influence. Along the coast, shrubs may be prostrate while further inland they may be several feet tall. The habitat supports a shrub overstory and an herbaceous, grassy understory. Common shrub species in coastal scrub include coyote brush (*Baccharis pilularis*), blue blossom ceanothus (*Ceanothus thyrsiflorus*), California sagebrush (*Artemisia californica*), California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), and wooly sunflower (*Eriophyllum lanatum*). In the herb understory, bracken fern (*Pteridium aquilinum*) and sword fern (*Polystichum munitum*) are dominant and other associates include cowparsnip (*Heracleum maximum*), Indian paintbrush (*Castilleja* spp.), yerba buena (*Clinopodium douglasii*), and California oatgrass (*Danthonia californica*).

Wildlife species found in coastal scrub communities are very similar those found in chaparral communities and provide habitat for a diverse assemblage of bird species.

Conifer Forest

In the Program area, conifer forest communities are represented by redwood forest, montane hardwood-conifer, and mixed Douglas-fir forests, which are differentiated by the dominance of one or another conifer species. Forested communities in the Program area are structurally similar and support dense stands of mature trees that form overlapping canopies. These conifer forest types are differentiated by the relative dominance of different tree species, which is largely controlled by moisture gradients and soil characteristics. Conifer forests dominate much of the Program area, particularly at higher elevations in, and along the less developed western slope of, the Santa Cruz Mountains.

Redwood forest is a composite habitat name for a variety of conifer species that grow in the coastal influence zone, but which tend to be dominated in the tallest overstory by coast redwood (*Sequoia sempervirens*). The majority of redwood forests are second growth (i.e., they were previously logged). Old growth redwood forest stands occur but are scarce in the Program area. Redwood forests are largely restricted to areas of coastal influence with

relatively stable temperatures and summer coastal fog. Montane hardwood-conifer is a habitat type that contains both hardwoods and conifers in a closed canopy forest setting. Characteristically, this habitat contains a mixture of small stands, either pure conifer stands or small pure broadleaf tree stands. Common trees are redwood, Douglas-fir (*Pseudotsuga menziesii*), tanoak (*Notholithocarpus densiflorus*), Pacific madrone (*Arbutus menziesii*), coast live oak (*Quercus agrifolia*), big leaf maple (*Acer macrophyllum*), California bay (*Umbellularia californica*), and incense cedar (*Calocedrus decurrens*). Douglas-fir forests are typically more strongly dominated by Douglas-fir and tend to grow more inland and at higher elevations within the Program area.

Wildlife species that occur in conifer forest communities of the Program area are generally similar among the various conifer forest types. In the Program area, conifer forests provide foraging and nesting habitat for many bird species, including the Pacific wren (*Troglodytes pacificus*), chestnut-backed chickadee (*Poecile rufuscens*), Pacific-slope flycatcher (*Empidonax difficilis)*, Steller's jay (*Cyanocitta stelleri*), acorn woodpecker (*Melanerpes formicivorus*), brown creeper (*Certhia americana*), band-tailed pigeon (*Patagioenas fasciata*), and hermit warbler (*Setophaga occidentalis*). Marbled murrelets (*Brachyramphus marmoratus*) nest in forests of mature, especially old-growth, redwood and Douglas-fir. Winter residents of these forests include Townsend's warbler (*Setophaga townsendi*) and varied thrush (*Ixoreus naevius*). Mammals using conifer forests in the Program area include bobcat, mountain lion, black-tailed deer, and western gray squirrel (*Sciurus griseus*). Hollow trees and logs provide denning sites and nesting sites for many species including the coyote and raccoon (*Procyon lotor*), while cavities in mature trees are used by cavity-dwelling species such as the acorn woodpecker, pileated woodpecker (*Dryocopus pileatus*), northern saw-whet owl (*Aegolius acadicus*), and western screech-owl (*Megascops kennicottii*), as well as bats such as the Yuma myotis (*Myotis yumanensis*) and Townsend's big-eared bat (*Corynorhinus townsendii*). Common amphibians and reptiles found in coniferous forests include the California newt, California slender salamander (*Batrachoseps attenuatus*), western fence lizard, southern alligator lizard and California giant salamander (*Dicamptodon ensatus*).

Grassland

Grassland communities are dominated by grasses and may also contain a diverse set of forbs. These communities provide many important environmental functions for soil stabilization, increasing water infiltrations, and nutrient cycling. In addition, grasslands serve as habitat for many special-status species. In the Program area, both annual and perennial grasslands occur. Annual grasslands are defined as those typically dominated by non-native grasses, whereas perennial grasslands are those in which a significant component of vegetative cover consists of native perennial bunchgrasses. Some of the perennial grassland habitat types in the Program area occur within areas mapped as "serpentine communities" shown on **Figure 3.4-1**.

Annual Grassland

Annual grassland habitat occurs on flat plains and rolling hills, and is an open community composed mainly of annual plant species. Grasses begin to grow during the cool late fall and early winter months and by summer much of the biomass, although standing, is dead. Introduced annual grasses are dominant and include wild oats (*Avena* spp.) and non-native brome species (*Bromus* spp.). The forb community includes many non-native species such as filarees (*Erodium* spp.), mustards (*Brassica* spp. and *Hirschfeldia* spp.), and thistles such yellow star-thistle (*Centaurea solstitialis*) and Italian thistle (*Carduus pycnocephalus*). Native species can be a significant component of the composition, including native grass species such as bromes (*Bromus* spp.) and needlegrasses (*Stipa* spp.), and native forbs such as yarrow (*Achillea millefolium*), common fiddleneck (*Amsinckia intermedia*), clarkias (*Clarkia* spp.), blue-eyed grass (*Sisyrinchium bellum*), soap plant (*Chlorogalum pomeridianum*), and California poppy (*Eschscholzia californica*). Annual grasslands are found throughout the Program area, primarily in lower and middle elevations.

In the more highly urbanized portions of the Program area, especially east of the Santa Cruz Mountain ridges, wildlife use of grasslands is limited by human disturbance, extent of the habitat in a specific area, abundance of non-native and invasive species, and isolation of grassland habitat remnants from more extensive grasslands. In more rural areas, large expanses of grassy open areas provide higher-quality habitat for these grassland-associated wildlife species.

California ground squirrels (*Spermophilus beecheyi*), where they are present, are an important component of grassland communities, providing a prey base for diurnal raptors and terrestrial predators throughout the Program area. The burrows of California ground squirrels also provide refugia for wildlife species including fence lizards, garter (*Thamnophis* spp.) and gopher snakes, and wintering and migrant burrowing owls (*Athene cunicularia*). Other rodent species present in grassland habitats include the California vole (*Microtus californicus*), Botta's pocket gopher (*Thomomys bottae*), and deer mouse (*Peromyscus maniculatus*). Diurnal raptors such as red-tailed hawks (*Buteo jamaicensis*), northern harriers (*Circus hudsonius*), white-tailed kites (*Elanus leucurus*), and American kestrels (*Falco sparverius*) forage for small mammals over grasslands during the day, and at night nocturnal raptors, such as barn owls (*Tyto alba*) and great horned owls (*Bubo virginianus*), forage for nocturnal rodents such as deer mice. Some bird species, such as western meadowlarks (*Sturnella neglecta*) and grasshopper sparrows (*Ammodramus savannarum*), breed and forage in the Program area solely in grasslands. Mammals such as the coyote, American badger (*Taxidea taxus*), black-tailed jackrabbit (*Lepus californicus*), and striped skunk (*Mephitis mephitis*) utilize grassland habitats in the Program area for foraging. Open grassland habitat with bare ground is important foraging habitat for the pallid bat and Mexican free-tailed bat (*Tadarida brasiliensis*). Amphibians occur in extensive grasslands in low numbers due to the relative lack of cover and the generally dry and hot microclimate; however, more mobile amphibians such as California red-legged frog (*Rana draytonii*) can traverse grasslands during the wet season. Reptiles present include western fence lizard, southern alligator lizard, western skink (*Eumeces skiltonianus*), western terrestrial garter snake (*Thamnophis elegans*), gopher snake, western rattlesnake, California kingsnake, and in some local areas, San Francisco garter snakes (*Thamnophis sirtalis tetrataenia*).

Perennial Grassland

Perennial grasslands are typically dominated by native species including native, perennial bunchgrasses. Perennial grasslands of two main types occur in the Program area: coastal prairie and serpentine bunchgrass grassland. Coastal prairie is unmapped by CALVEG, and would be restricted in the Program area to preserves such as Tunitas Creek OSP, Miramontes Ridge OSP, or Purisima Creek Redwoods OSP that experience coastal influence. Serpentine bunchgrass grassland occurs in areas mapped as "serpentine communities" on **Figure 3.4-1**.

Coastal Prairie

Coastal prairies occur on marine terraces near the Pacific Coast and have a dense herbaceous layer with grasses as a significant portion of the vegetation, including Pacific reedgrass (*Calamagrostis nutkaensis*), California oatgrass, tufted hairgrass (*Deschampsia cespitosa*), and sedges (*Carex* spp.). Wildflowers and native forbs are a component and include goldfields (*Lasthenia* spp.), lupines (*Lupinus* spp.), and clovers (*Trifolium* spp.).

Perennial bunchgrasses can be found in this habitat as well and can include needlegrasses (*Stipa* spp.), California oatgrass, Idaho fescue (*Festuca idahoensis*), one-sided bluegrass (*Poa secunda*), California brome (*Bromus carinatus*), and melic grasses (*Melica* spp.). Relic coastal prairies will often have native perennial bunchgrasses as a significant portion of the vegetation.

The general vegetation structure of coastal prairie habitat is similar to that of non-native grassland habitat, and wildlife species composition in the Program area is similar between perennial and annual grasslands. However, small mammal abundance may be greater in areas dominated by perennial bunchgrasses, if such areas provide greater cover, and raptors may be more abundant in areas dominated by perennial bunchgrasses as a result.

Serpentine Communities

In the Program area, serpentine communities are found in four Midpen preserves in the Program area: Pulgas Ridge OSP, St. Joseph's Hill OSP, El Sereno OSP, and Sierra Azul OSP. Serpentine habitats in these preserves consist of serpentine bunchgrass grasslands, serpentine wildflower fields, serpentine chaparral, serpentine seeps, and serpentine barrens. Serpentine grasslands are grasslands dominated by perennial bunchgrass such as needlegrasses and melic grasses. Notably, non-native annual grasses are less abundant in serpentine communities than in annual grassland communities. The soils of serpentine communities have extremely high levels of iron and magnesium, making them inhospitable for many species of plants. Serpentine soils can also contain other metals such as chromium, cobalt or nickel that can cause plant toxicity. In addition, the nitrogen and water-holding capacity of the soils may also be low, making the soils less fertile. However, a unique group of vascular plant species, which can tolerate the relatively low calcium to magnesium ratio, has evolved in response to these conditions. As a result, serpentine grasslands generally support native plant communities, including a number of special-status plants (discussed in *Special-Status Plant Species* below). Serpentine wildflower fields occur where the vegetation is dominated by native forb cover consisting of species indicative of serpentine substrates. These communities occur in a matrix with serpentine grassland and serpentine barrens (e.g.,

serpentine rock outcrops or thin soils where vegetation is sparse and limited to small pockets of herbaceous vegetation). Serpentine chaparral consists of fire-adapted shrub vegetation found on serpentine soils. Serpentine chaparral is generally more open than other chaparral types and shrubs tend to be shorter. A common dominant shrub species on serpentine chaparral in the Program area is leather oak (*Quercus durata*). As with serpentine grassland, serpentine chaparral supports special-status plants that are specially adapted and restricted to the unique soil conditions.

Several invertebrate species, including the federally threatened Bay checkerspot butterfly (*Euphydryas editha bayensis*), which was extirpated from the Program area but recently reintroduced to Edgewood County Park and San Bruno Mountain State and County Park, depend on serpentine grasslands because their host-food plants are found primarily in this habitat. Although serpentine grassland habitats in the Program area provide unique habitat structure that may be attractive to certain grassland bird species, the relatively small size and of these habitat patches and their relative isolation from the few other patches of serpentine habitat limit their attractiveness to grassland bird species. Within the Program area, serpentine grassland in general provides habitat for generalist species that do not require large tracts of intact grassland, such as red-tailed hawks, American kestrels, savannah sparrows (*Passerculus sandwichensis*), grasshopper sparrows, and western meadowlarks.

Rock Outcrops

Rock outcrops are present in a variety of plant communities, including grasslands. These outcrops often support few plants due to the paucity of soil, but they provide unique habitat for some wildlife species. On large outcrops, white-throated swifts (*Aeronautes saxatilis*), common ravens (*Corvus corax*), barn owls, and other birds nest and roost in cavities or on ledges, and cliff swallows (*Petrochelidon pyrrhonota*) may attach mud nests under rock overhangs. Near-ground rock outcrops are used by western rattlesnake and other reptiles for thermoregulation. Outcrops may also provide roosting habitat for Pallid bat, big brown bat (*Eptesicus fuscus*), small-footed myotis (*Myotis ciliolabrum*), Yuma myotis, California myotis (Myotis californicus), little brown myotis (*Myotis lucifugus*), fringed myotis (*Myotis thysanodes*), long-legged myotis (*Myotis volans*), and canyon bat.

Hardwood Forest

In the Program area, hardwood forest communities are represented by closed-canopy forests dominated by hardwoods such as coast live oak or California bay. They generally occur in the transition zone between forests and woodland or scrub communities, and in the Program area occur in greatest abundance at somewhat lower elevations than much of the conifer forest. In the majority of the Program area, coast live oak tends to be the dominant canopy species in this forest type. Other co-occurring trees in the canopy include Pacific madrone, tanoak, and canyon live oak (*Quercus chrysolepis*). At drier sites, the co-occurring trees include valley oak (*Quercus lobata*), blue oak (*Quercus douglasii*), and gray pine (*Pinus sabiniana*). Depending on site moisture characteristics, the canopy tends to be closed on moister sites and open and widely spaced on drier sites. As with the overstory, the understory composition varies, including shade tolerant shrubs, ferns, and herbs. In the more open settings, grassland species typically occur. Where the hardwood forest intergrades with

chaparral and coastal scrub, the understory may contain California sagebrush, sticky monkeyflower (*Diplacus aurantiacus*), or coyote brush.

Hardwood forests and woodlands produce mast crops that are an important food source for many birds and mammals, including wild turkey (*Meleagris gallopavo*), oak titmouse (*Baeolophus inornatus*), Bewick's wren, Hutton's vireo (*Vireo huttoni*), California scrub-jay, Steller's jay, acorn woodpecker, California quail, black-tailed deer, and San Francisco dusky-footed woodrat. Dusky-footed woodrats can be quite abundant in this habitat type, and the deer mouse and California mouse (*Peromyscus californicus*) also commonly occur. As with coniferous forests, hollow trees and logs, as well as cavities in older mature trees, provide important denning sites for coyotes, raccoons, striped skunks, and bobcats. Cavities in mature trees are also used by cavity-dwelling species such as the oak titmouse, acorn woodpecker, hairy woodpecker (*Dryobates villosus*), and chestnut-backed chickadee, as well as bats such as the Yuma myotis, California myotis, hoary bat (*Lasiurus cinereus*), big brown bat, long-eared myotis (*Myotis evotis*), and occasionally pallid bat. Common amphibians and reptiles found in hardwood forests and woodlands include the California slender salamander, western fence lizard, gopher snake, southern alligator lizard, and California kingsnake.

Oak Savanna

Oak savanna vegetation is mapped where the tree canopy is open and generally has an open grassland understory. Oak savanna habitats generally occur in the transition zone between forests and scrub or grassland communities, and oak savanna is much less extensive in the Program area than those adjacent communities. Oak savanna types include coast live oak woodland, California buckeye (*Aesculus californica*) woodland, gray pine woodland, and valley oak woodland. The herbaceous understory is typically composed of the one of the grassland types described above in *Hardwood Forest*.

Wildlife using oak savanna includes many species that occur in hardwood forests, such as wild turkey, California scrub-jay, Steller's jay, as well as species that are associated primarily with open habitats, such as red-tailed hawk, American kestrel, lazuli bunting (*Passerina amoena*), western bluebird (*Sialia mexicana*), mourning dove (*Zenaida macroura*), and California towhee.

Riparian Communities

Riparian communities occur at the interfaces between terrestrial and aquatic communities, particularly along streams. In California, riparian habitats generally support exceptionally rich animal communities even though they occupy a limited amount of the land cover. The importance of riparian areas in the Program area far exceeds their minor proportion of the total acreage because of their prominent location within the landscape and the intricate linkages between terrestrial and aquatic communities (Gregory et al. 1991). The presence of at least seasonal (and often year-round) water and abundant invertebrates provide foraging opportunities for many species, and the diverse habitat structure provides cover and nesting opportunities. In the Program area, riparian communities are classified by habitat subcategories as riparian woodland or riparian shrubland, depending on whether a tree canopy is present or not.

Riparian woodland habitats are forest and woodland communities dominated by trees such as red willow (*Salix laevigata*), Fremont's cottonwood (*Populus fremontii*), western sycamore (*Platanus racemosa*), and valley oak in the tallest canopy layer. A lower subcanopy can occur that includes tree species such as white alder (*Alnus rhombifolia*), boxelder (*Acer negundo*), and black walnut (*Juglans hindsii*). Below the tree canopy is a shrub layer that can include native shrubs such as wild rose (*Rosa californica*), California blackberry, poison oak, and coyote brush. Understory herbs include grasses, miner's lettuce (*Claytonia perfoliata*), Douglas' sagewort (*Artemisia douglasiana*), poison hemlock (*Conium maculatum*), hoary nettle (*Urtica dioica*), rushes (*Juncus* spp.), and sedges (*Carex* spp. and *Cyperus* spp.). This habitat occurs along stream courses and rivers throughout the Program area.

Riparian shrubland habitats are those dominated by shrubs such as sandbar willow (*Salix exigua*), arroyo willow (*Salix lasiolepis*), dogwood (*Cornus sericea*), coast twinberry (*Lonicera involucrata*), and California wax myrtle (*Morella californica*), and in some areas currant (*Ribes* spp.). This habitat type often represents pioneer vegetation, which will colonize recently established sand or gravel bars within floodplains. Tall shrub vegetation may establish on gravel banks and terraces adjacent to the more active channels that are either open water or streambeds devoid of vegetation. If not cleared by either human or natural disturbance, this vegetation would, in many settings, develop into a tree-dominated riparian vegetation such as that described above. In some areas, particularly on channel banks and higher floodplain terraces, this vegetation consists of stands of coyote brush.

The maturity and structural diversity of the riparian habitats in the Program area support a high diversity and density of vertebrate species, particularly birds. The wider, more mature riparian corridors provide suitable foraging and breeding habitat for several functional groups of birds including insectivores (e.g., warblers, flycatchers), seed-eaters (e.g., finches), raptors, and cavity-nesters (e.g., swallows and woodpeckers) in addition to a variety of common amphibians, reptiles, and mammals. Among the numerous species of birds that use the riparian habitats for breeding are the Pacific-slope flycatcher, black-headed grosbeak (*Pheucticus melanocephalus*), warbling vireo (*Vireo gilvus*), and Wilson's warbler (*Cardellina pusilla*). The yellow warbler (*Setophaga petechia*) may breed in small numbers at a few locations, but is a much more abundant spring and fall migrant. Raptors such as red-shouldered hawk (*Buteo lineatus*) and Cooper's hawk (*Accipiter cooperii*) nest within riparian corridors and forage in adjacent habitats. Riparian habitats are also used heavily by migrants, including many passerine species, such as western tanagers (*Piranga ludoviciana*) and western wood-pewees (*Contopus sordidulus*) as well as wintering birds. Silver-haired bat (*Lasionycteris noctivagans*), western red bat (*Lasiurus blossevillii*), and hoary bat are all foliage-roosting species that may roost in riparian trees.

A number of species of reptiles and amphibians occur in riparian corridors within the County. Leaf litter, downed tree branches, and fallen logs provide cover for the arboreal salamander (*Aneides lugubris*), California newt, and Sierran chorus frog (*Pseudacris sierra*) among others. Several lizards may also occur here, including the western fence lizard, western skink, and southern alligator lizard. Mammals such as the ornate shrew (*Sorex ornatus*), California vole, Audubon's cottontail (*Sylvilagus audubonii*), San Francisco dusky-footed woodrat, and raccoon also use riparian habitats.

Aquatic and Wetland Communities

Aquatic and wetland communities are those which are periodically to perennially saturated or inundated. These communities provide many important environmental functions, such as recycling nutrients, purifying water, attenuating floods, and recharging groundwater. In addition, they serve as habitat for many aquatic species. Aquatic and wetland communities present in the Program area include lacustrine habitats (shown as "water" on **Figure 3.4-1**), wetlands, and streams.

Lacustrine habitats contain standing water in areas that are flooded year-round or for the majority of the year. These habitats form from depressions where small ponds may form (man-made in the case of stock ponds), or from dammed stream and river channels. Ponds, lakes, and reservoirs are all examples of lacustrine habitats.

Wetlands are communities vegetated with herbaceous plants and occurring in soils that are inundated or saturated either temporarily or permanently. Freshwater emergent wetlands in the Program area consist of emergent, herbaceous vegetation occurring in portions of drainages where the water source is perennial and slow-moving throughout most of the year, or in depressions where the groundwater table may be high. Freshwater emergent wetlands in the Program area typically occur as dense growth of perennial, obligate wetland species such as cattail (*Typha* spp.), bulrush (*Schoenoplectus* spp.), sedges, water smartweeds (*Persicaria* spp.), and watercress (*Nasturtium officinale*). The exact composition of any wetland is variable and dependent on the hydrology of the landscape. Seasonal wetlands are dominated by hydrophytes (i.e., wetland-adapted plants) that will persist in channels or depressions that are only seasonally moist. These include ruderal, non-native species such as bristly ox tongue (*Helminthotheca echioides*), curly dock (*Rumex crispus*), Italian thistle (*Carduus pycnocephalus*), sheep sorrel (*Rumex acetosella*), rabbit's foot grass (*Polypogon monspeliensis*), Italian ryegrass (*Festuca perennis*), and cocklebur (*Xanthium strumarium*) and natives such as umbrella sedge (*Cyperus eragrostis*) and California mugwort (*Artemisia douglasiana*).

Streams are shown on **Figure 3.4-1** as blue-line features and include perennial and intermittent drainages throughout the Program area. Streams within the Program area often have some riparian, described as a separate vegetation community above, natural communities associated with them. These aquatic features also commonly support wetland vegetation, and lacustrine features may also be associated with streams, particularly when channels are impounded. Vegetation in stream habitats is more likely associated with the adjacent wetlands and riparian communities than the streams themselves. Aquatic vegetation such as algae may grow on stream beds, and in slower moving waters duckweed (*Lemna* spp.) and other floating and submerged aquatic species may be present.

Aquatic and wetland habitats provide important habitat for a variety of wildlife species. Reservoirs and lakes, such as Lexington Reservoir, Howell Reservoir, and Lake Elsman, as well as other smaller lakes and bodies of water located throughout the Program area, provide habitat for waterbirds such as the double-crested cormorant (*Phalacrocorax auritus*), great blue heron (*Ardea herodias*), great egret (*Ardea alba*), Canada goose (*Branta canadensis*), and mallard (*Anas platyrhynchos*). Wintering ducks, such as bufflehead (*Bucephala clangula*) and

ring-necked duck (*Aythya collaris*), also use reservoirs, lakes, and small ponds throughout the Program area. Small numbers of some species of shorebirds, such as the spotted sandpiper (*Actitis macularius*), forage and roost at the edges of small ponds and lakes during migration and winter. Bald eagles (*Haliaeetus leucocephalus*), ospreys (*Pandion haliaetus*) and terns (*Sterna* spp.) forage at larger reservoirs and lakes, such as at Lexington reservoir.

Aquatic and wetland habitats provide important foraging habitat for bats. Yuma myotis forage over open water habitat, almost exclusively. Silver-haired bats also forage over open water, while little brown myotis and western red bat often forage over woodland streams.

Amphibian species that breed in ponds and lakes throughout the Program area include the native Sierran chorus frog and western toad (*Anaxyrus boreas*) and the non-native American bullfrog (*Lithobates catesbeianus*). The California red-legged frog is a widespread breeder in ponds, streams with suitable egg mass attachment sites, and wetlands that support deeper water. Western pond turtles (*Actinemys [=Emys] marmorata*) are also present in some ponds and lakes.

Despite the limited amount of freshwater marsh habitat available in the Program area, small numbers of sora (*Porzana carolina*) and Virginia rail (*Rallus limicola*) forage in freshwater marshes in the Program area during migration and in winter. American coots (*Fulica americana*), common gallinules (*Gallinula chloropus*), pied-billed grebes (*Podilymbus podiceps*), and several species of ducks breed in freshwater wetlands, channels, and ponds in and around emergent vegetation. Passerine species that breed in freshwater marshes include the marsh wren (*Cistothorus palustris*), song sparrow (*Melospiza melodia*), common yellowthroat (*Geothlypis trichas*), and red-winged blackbird (*Agelaius phoeniceus*).

Fish species present in aquatic habitats in the region are discussed below in *Fish Resources*.

Non-Native/Ornamental Woodland

The ornamental woodland cover type in the Program area consists of vegetation that is dominated by one or more species of non-native, often planted, trees. The most common expression of this habitat type in the Program area is that of eucalyptus (*Eucalyptus globulus*) groves, some of which are remnant plantations, and some of which have established on their own. Other common tree species constituting ornamental woodland in the Program area include blackwood acacia (*Acacia melanoxylon*), cultivated Douglas-fir, non-native Monterey pine (*Pinus radiata*), and Monterey cypress (*Hesperocyparis macrocarpa*).

These trees may provide nesting habitat for birds, but generally the habitat value of homogenous stands of trees is lower than native forest communities described above due to the lower diversity of structural and food resources of monotypic stands and the paucity of understory vegetation and ground cover below dense canopies of species such as eucalyptus and cypress. However, certain eucalyptus species can provide foraging and nesting habitat for breeding, wintering, and migrant birds. Bird species that often frequent eucalyptus trees include the Anna's hummingbird, yellow-rumped warbler (*Setophaga coronata*), and migrant yellow warbler. Red-shouldered hawks, red-tailed hawks, and white-tailed kites often nest in mature eucalyptus trees.

Eucalyptus trees also provide roosting habitat for several bat species. The exfoliating bark provides roosting habitat for Yuma myotis and California myotis, while the foliage provides roosting habitat for silver-haired bat, western red bat, and hoary bat.

Urban

The urban land cover type as depicted in **Figure 3.4-1** can be described as a "developed" habitat. Within the Program area, urban land uses consist primarily of urban and suburban areas; within preserves, urban land uses would include paved roads, parking areas, office and maintenance buildings, and maintenance yards and gravel lots associated with those areas, as well as landscaped areas around historical sites and buildings, cultural landscapes (e.g., Alma Cultural Landscape), and visitors' centers**.** Vegetation within urban land uses is dominated by turf grass, ornamental, non-native plants associated with landscaping and irrigation, or ruderal non-native species such as Italian thistle, yellow star thistle (*Centaurea solstitialis*), and upright veldt grass (*Ehrharta erecta*).

Urban habitats typically support a suite of relatively common wildlife species that are tolerant of periodic human disturbance. Some of the most abundant species in developed habitats, such as the Brewer's blackbird (*Euphagus cyanocephalus*), American crow (*Corvus brachyrhynchos*), Eurasian collared-dove (*Streptopelia decaocto*), European starling (*Sturnus vulgaris*), rock pigeon (*Columba livia*), Virginia opossum (*Didelphis virginiana*), house mouse (*Mus musculus*), eastern gray squirrel (*Sciurus carolinensis*), fox squirrel (*Sciurus niger*), Norway rat (*Rattus norvegicus*), and black rat (*Rattus rattus*), are non-native species that are well adapted to the cover, nesting/denning, and foraging conditions provided by developed areas. In addition, a number of native species have adapted to these conditions. Native bird species commonly found in urban habitats in the Program area include the black phoebe (*Sayornis nigricans*), house finch (*Carpodacus mexicanus*), northern mockingbird (*Mimus polyglottos*), Anna's hummingbird, and California towhee**.** Native mammals such as the deer mouse, raccoon, and striped skunk utilize these developed areas heavily as well.

Many bridges and other structures, such as old barns, sheds, and other buildings in the Program area, including those on Midpen preserves, provide important nesting and roosting sites for some species of birds and bats. Bats such as the Yuma myotis, California myotis, Mexican free-tailed bat, Townsend's big-eared bat, pallid bat, and big brown bat may roost in bridges, structures, unoccupied buildings, and/or large trees throughout the Program area, including other structures on Midpen preserves. Caves and abandoned mines, although not common on Midpen properties, also provide roosting habitat for Townsend's big-eared bat, pallid bat, small-footed myotis, little brown myotis, fringed myotis, long-legged myotis, and Mexican free-tailed bat. Birds such as the black phoebe, cliff swallow, barn swallow (*Hirundo rustica*), northern rough-winged swallow (*Stelgidopteryx serripennis*), and white-throated swift also use bridges and other structures in the Program area for nesting.

Fish Resources

Aquatic features in the Program area, including streams, sloughs, ponds, and lakes, provide habitat for both native and non-native fish species. Rivers, creeks, and streams within the Program area located on the west side of the crest of the Santa Cruz Mountains flow downstream to the Pacific Ocean, while those located on the east side of the crest of the Santa Cruz Mountains flow downstream to the San Francisco Bay. Perennial streams in the Program area support fish resources year-round, especially where wetland and riparian vegetation are present to provide cover, shade, and foraging opportunities. Intermittent drainages can provide habitat for fish species during wet periods, if fish are able to access these drainages from perennially wet areas, but typically dry out in the summer.

Native fish that inhabit waterbodies in the Program area include the Pacific lamprey (*Entosphenus tridentata*), threespine stickleback (*Gasterosteus aculeatus*), prickly sculpin (*Cottus asper*), staghorn sculpin (*Leptocottus armatus*), and coastrange sculpin (*Cottus aleuticus*) (Leidy 2007). Rainbow trout (*Oncorhynchus mykiss*) in the Program area include both resident individuals present in Program area streams throughout their lifetimes (including trout in stream reaches that are separated from marine and estuarine habitats by barriers such as dams) and anadromous Central California Coast steelhead that spawn in freshwater streams and forage as adults in marine habitats before returning to their natal streams to breed (Leidy et al. 2005). Central California Coast Coho salmon (*Oncorhynchus kisutch*) is another anadromous fish that spawns in limited coastal streams in the Program area. In addition, a number of non-native fishes have been introduced to the Program area, including the yellowfin goby (*Acanthogobius flavimanus*), common carp (*Cyprinus carpio*), white crappie (*Pomoxis annularis*), brown bullhead (*Ameiurus nebulosus*), mosquitofish (*Gambusia affinis*), largemouth bass (*Micropterus salmoides*), and bluegill (*Lepomis macrochirus*) (University of California, Davis 2019, Leidy 2007).

Common Wildlife

Common wildlife species are defined as those that have no special status of any kind. Numerous common wildlife species are expected to occur on Midpen lands (Natural Resources Database 2020). **Table 3.4-1** includes a list of some of the more prevalent and well-known common vertebrate species but is by no means a comprehensive accounting of all wildlife that may be present on Midpen lands.

Table 3.4-1 Representative Common Species That May Occur on Midpen Lands

Common Name	Scientific Name
Birds	
Acorn woodpecker	*Melanerpes formicivorus*
American coot	*Fulica americana*
American crow	*Corvus brachyrhynchos*
Anna's hummingbird	*Calypte anna*
Barn owl	*Tyto alba*

Common Name	Scientific Name
Barn swallow	*Hirundo rustica*
Bushtit	*Psaltriparus minimus*
California quail	*Callipepla californica*
California scrub-jay	*Aphelocoma californica*
Chestnut-backed chickadee	*Poecile rufescens*
Common merganser	*Mergus merganser*
Dark-eyed junco	*Junco hyemalis*
Great horned owl	*Bubo virginianus*
Mallard	*Anas platyrhynchos*
Northern flicker	*Colaptes auratus*
Pacific slope flycatcher	*Empidonax difficilis*
Red-shouldered hawk	*Buteo lineatus*
Red-tailed hawk	*Buteo jamaicensis*
Red-winged blackbird	*Agelaius phoeniceus*
Steller's jay	*Cyanocitta stelleri*
Turkey vulture	*Cathartes aura*
Mammals	
Black-tailed jackrabbit	*Lepus californicus*
Bobcat	*Lynx rufus*
Botta's pocket golpher	*Thomomys bottae*
Brush rabbit	*Sylvilagus bachmani*
California ground squirrel	*Otospermophilus beecheyi*
California myotis	*Myotis californicus*
California pocket mouse	*Peromyscus californicus*
California vole	*Microtus californicus*
Coyote	*Canis latrans*
Deer mouse	*Peromyscus maniculatus*
Gray fox	*Urocyon cinereoargenteus*
House mouse	*Mus musculus*
Mexican free-tailed bat	*Tadarida brasiliensis*
Mountain lion	*Puma concolor*
Mule deer	*Odocoileus hemionus*
Raccoon	*Procyon lotor*

Common Name	Scientific Name
Striped skunk	*Mephitis*
Virginia opossum	*Didelphis virginiana*
Western gray squirrel	*Sciurus griseus*
Reptiles	
California alligator lizard	*Elgaria multicarinata*
California kingsnake	*Lampropeltis getula californiae*
Coast gartersnake	*Thamnophis elegans terrestris*
Coast range fence lizard	*Sceloporus occidentalis bocourtii*
Northern pacific rattlesnake	*Crotalus oreganus*
Pacific gopher snake	*Pituophis catenifer*
Red-eared slider*	*Trachemys scripta elegans*
Skilton's skink	*Plestiodon skiltonianus*
Amphibians	
American bullfrog*	*Lithobates catesbeianus*
Arboreal salamander	*Aneides lugubris*
California newt	*Taricha torosa*
California slender salamander	*Bastrachoseps attenuatus*
California toad	*Anaxyrus boreas halophilus*
Sierran tree frog	*Pseudacris sierra*
Yellow-eyed ensatina	*Ensatina escscholzii xanthoptica*

Notes: *Denotes non-native species

Critical Habitat

Figure 3.4-2 shows the critical habitat areas in and around Midpen lands. Much of the northern portion of Midpen lands fall within California red-legged frog Critical Habitat Units SNM-1 and SNM-2 (USFWS 2010), including all or nearly all of El Corte Madera Creek, La Honda Creek, Russian Ridge, Skyline Ridge, and Tunitas Creek OSPs, and portions of Miramontes Ridge, Purisima Creek Redwoods, Windy Hill, Coal Creek, Monte Bello, and Long Ridge OSPs.

A very small portion of Midpen lands fall within designated critical habitat for marbled murrelet (USFWS 2011). A sliver of land within Purisima Creek Redwoods OSP immediately west of Skyline Boulevard falls within Unit CA-13. This area is roughly 1,100 feet long and at most 250 feet wide, and totals approximately 3.3 acres. Critical Habitat Unit CA-14a is located immediately adjacent to Midpen lands, bordering Long Ridge OSP and Skyline Ridge OSP.

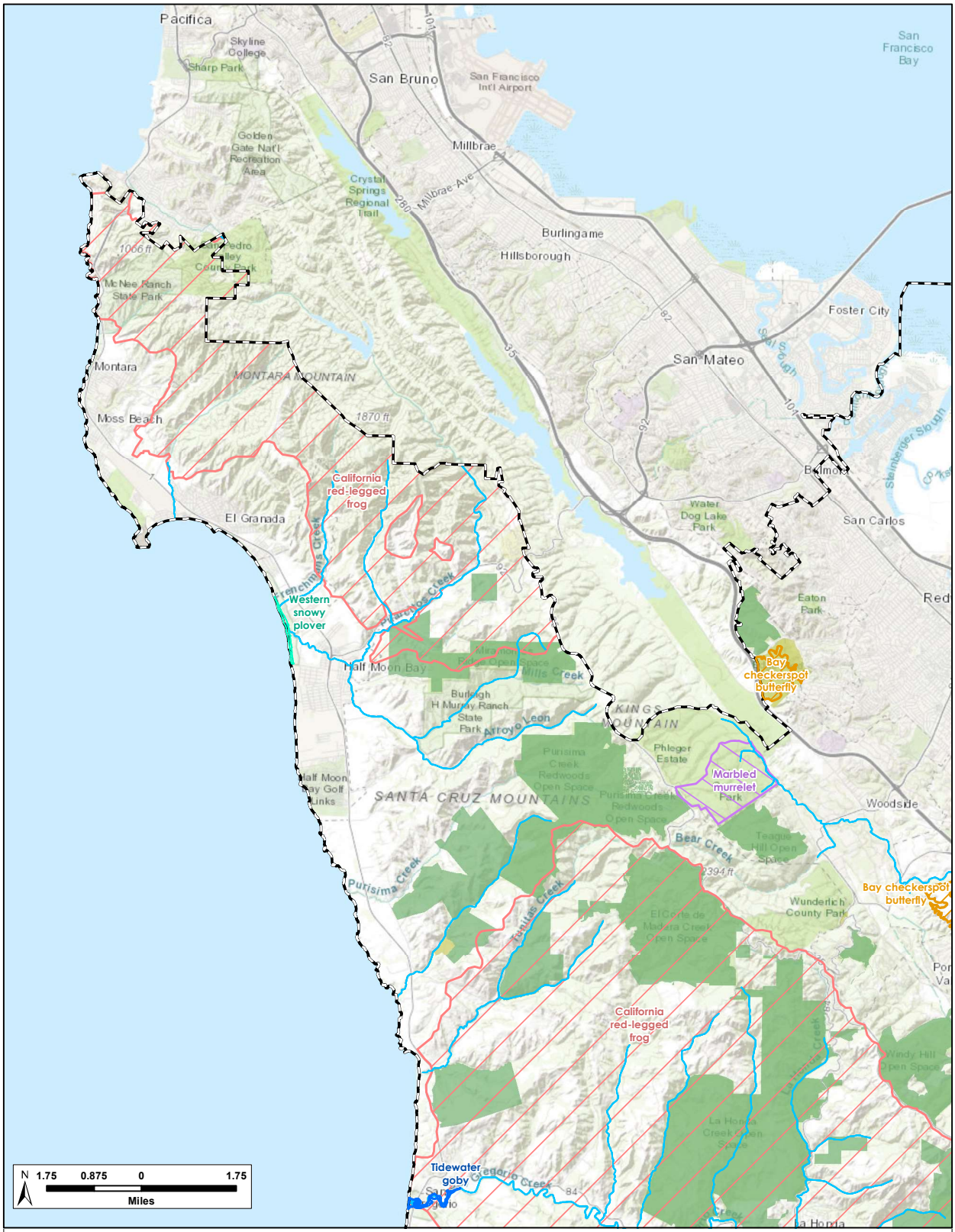

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Figure 3.4-2 Designated Critical Habitat
Midpeninsula Regional Open Space District Routine Maintenance and Facilities Improvements Program
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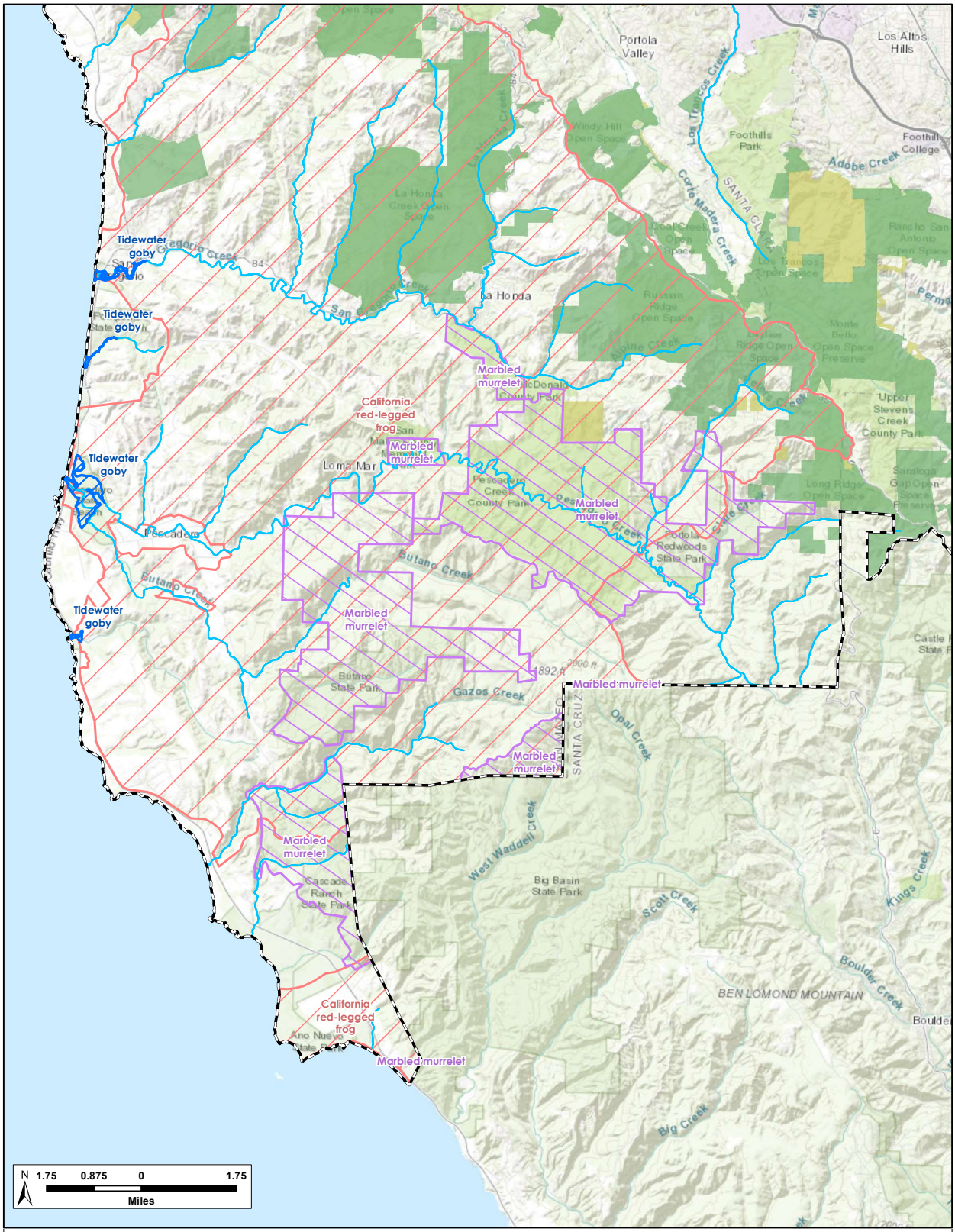

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Figure 3.4-2 Designated Critical Habitat
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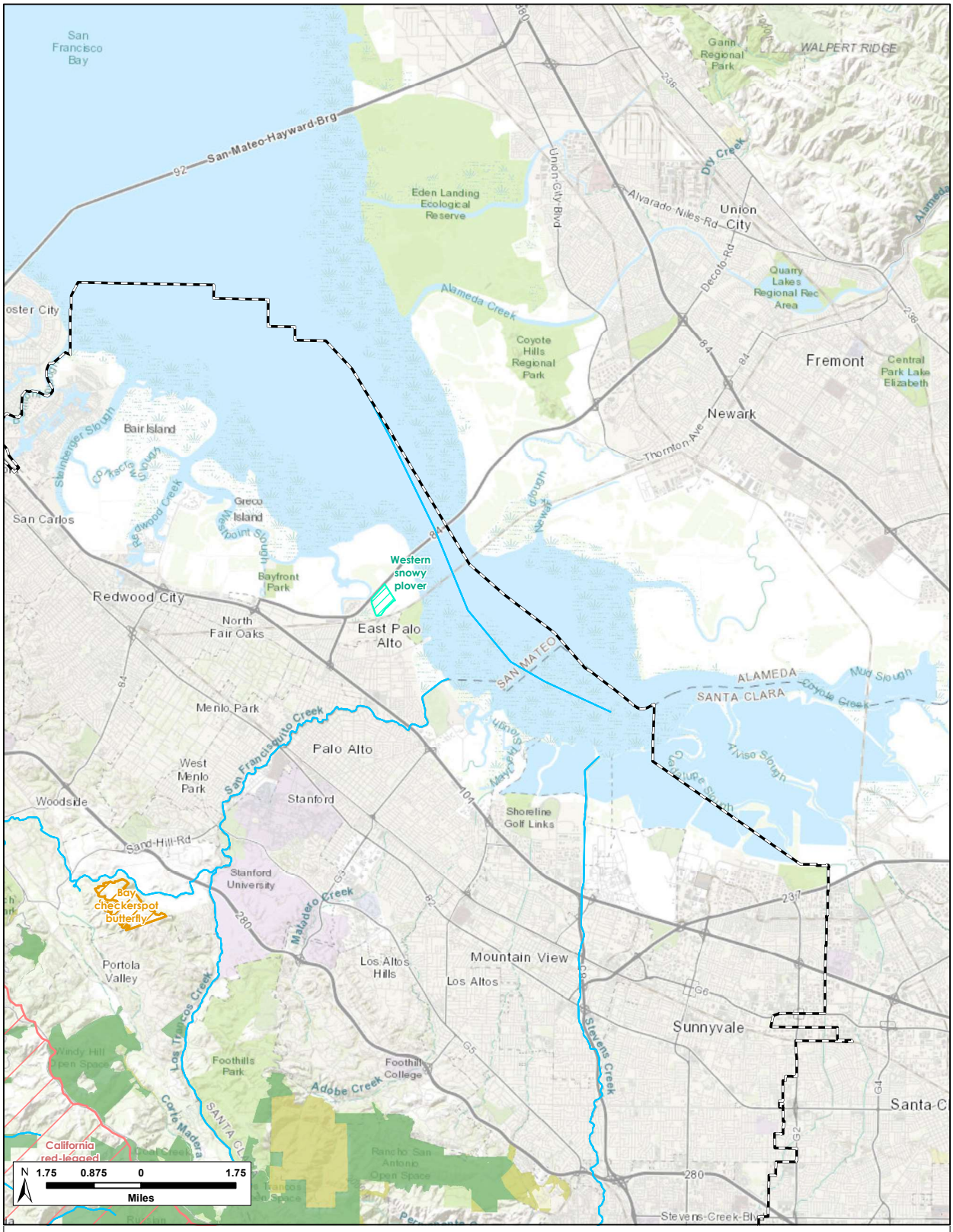

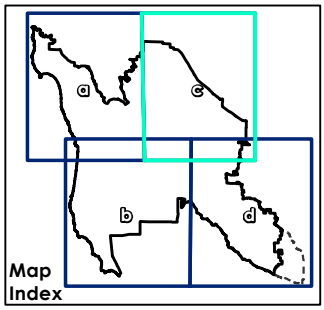

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

USFWS Critical Habitat*

- Bay checkerspot butterfly
- California red-legged frog
- Western snowy plover
- Steelhead

**Spatial data not available for the Central California Coast ESU of coho salmon but Designated Critical Habitat encompasses accessible reaches of all rivers between Punta Gorda and the San Lorenzo River (NMFS 1999).*

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Figure 3.4-2 Designated Critical Habitat
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November 2019

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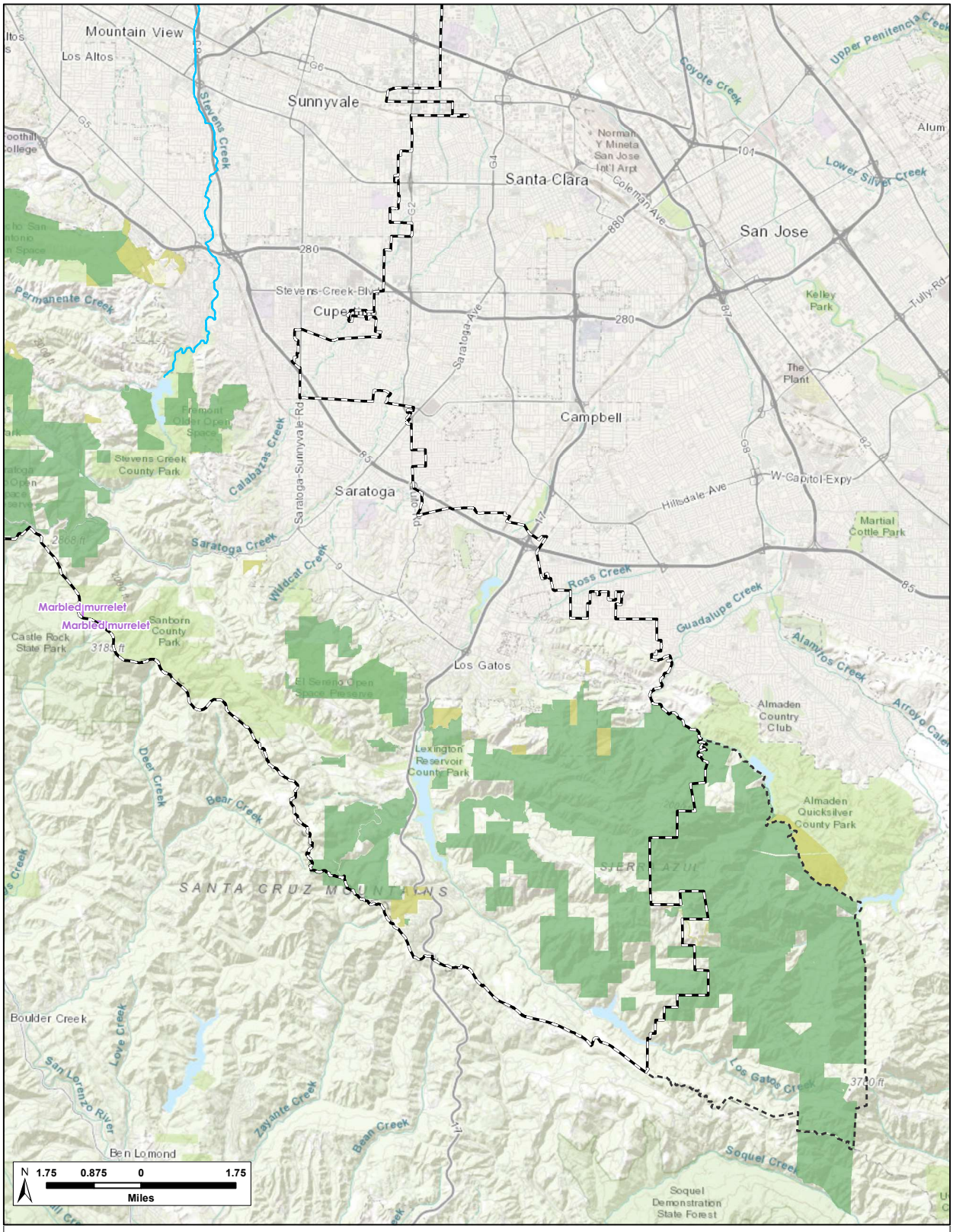

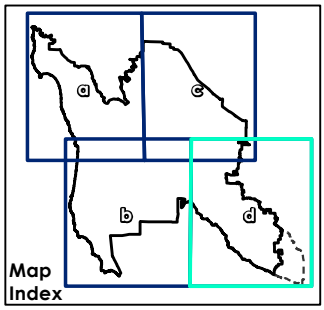

Legend

- Midpen Boundary
- Sphere of Influence
- Preserves Within Program Area
- Easement or Management Agreement Within Program Area

USFWS Critical Habitat*

- Marbled murrelet
- Steelhead

**Spatial data not available for the Central California Coast ESU of coho salmon but Designated Critical Habitat encompasses accessible reaches of all rivers between Punta Gorda and the San Lorenzo River (NMFS 1999).*

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Figure 3.4-2. Designated Critical Habitat
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Streams that have been designated as critical habitat for California central coast Evolutionary Significant Unit (ESU) of steelhead (National Marine Fisheries Service [NMFS] 2005) are present in Miramontes Ridge, Purisima Creek Redwoods, Tunitas Creek, La Honda Creek, Russian Ridge, Los Trancos, Skyline Ridge, Long Ridge, and Windy Hill OSPs. Streams designated as critical habitat for California central coast evolutionarily significant unit (ESU) coho salmon (NMFS 1999) are present in Miramontes Ridge, Tunitas Creek, La Honda Creek, and Skyline Ridge OSPs. The entirety of San Francisco Bay and its adjacent tidal marshes and sloughs are designated critical habitat for Southern DPS green sturgeon (*Acipenser medirostris*) (NMFS 2009). This area includes nearly all of the tidal marshes and sloughs within Ravenswood OSP as well as the reach of Stevens Creek that is immediately adjacent to Stevens Creek Shoreline Nature Study Area.

Critical habitat for special-status plants does not occur within any Midpen OSPs.

Regional Habitat Conservation Plans

A very small portion of Midpen lands along the eastern boundary of Sierra Azul OSP are within the mapped Santa Clara Valley Habitat Plan (Habitat Plan) area (ICF International 2012). The Habitat Plan covers nine wildlife and nine plant species, listed in **Table 3.4-2**.

Table 3.4-2 Covered Species of the Santa Clara Valley Habitat Plan

Common Name	Scientific Name
Plants	
Tiburon Indian paintbrush	Castilleja affinis ssp. neglecta
Coyote ceanothus	Ceanothus ferrisiae
Mount Hamilton thistle	Cirsium fontinale var. campylon
Santa Clara Valley dudleya	Dudleya abramsii ssp. setchellii
Fragrant fritillary	Fritillaria liliacea
Loma Prieta hoita	Hoita strobilina
Smooth lessingia	Lessingia micradenia var. glabrata
Metcalf Canyon jewelflower	Streptanthus albidus ssp. albidus
Most beautiful jewelflower	Streptanthus albidus ssp. peramoenus
Invertebrates	
Bay checkerspot butterfly	Euphydryas editha bayensis
Amphibians	
California tiger salamander	Ambystoma californiense
Foothill yellow-legged frog	Rana boylii
California red-legged frog	Rana draytonii
Reptiles	
Western pond turtle	Actinemys marmorata

Common Name	Scientific Name
Birds	
Tricolored blackbird	Agelaius tricolor
Western burrowing owl	Athene cunicularia hypugaea
Least Bell's vireo	Vireo bellii pusillus
Mammals	
San Joaquin kit fox	Vulpes macrotis mutica

Sensitive Natural Communities

Sensitive natural communities are of limited distribution statewide or within a county or region that provides important habitat value to native species. Most natural communities within Midpen OSPs are considered sensitive, with a few exceptions such as annual grasslands. Sensitive natural communities within OSPs include, but are not limited to California bay forests, redwood forests, California buckeye groves, oak woodlands, bigleaf maple forests, northern maritime chaparral, northern interior cypress forest, riparian woodlands, and wetlands. Serpentine grassland is a sensitive natural community that is not mapped in the study area because of the scale of mapping unit, but may be present in small patches.

Special-Status Species

Overview

In evaluating habitat suitability for special-status plant and wildlife species to occur within the Program area, relevant literature, knowledge of regional biota, and available occurrence and distribution data were considered. Midpen maintains a GIS database and on-line web-based application that integrates the records Midpen's own past and recent detections of special-status species.

Special-Status Plant Species

A list of special-status plant species known to occur, or thought to have potential for occurrence, in the Program area was compiled using CNPS lists (CNPS 2020a); California Natural Diversity Database (CNDDB) records (CDFW 2020b) for San Mateo, Santa Clara, and Santa Cruz counties; data from CalFlora (2019) and the Consortium of California Herbaria (CCH1) (CCH1 2019); and occurrence records based on surveys by Midpen biologists (refer to **Appendix D**). Special-status plant records from CNDDB and Midpen surveys are mapped on **Figure 3.4-3**.

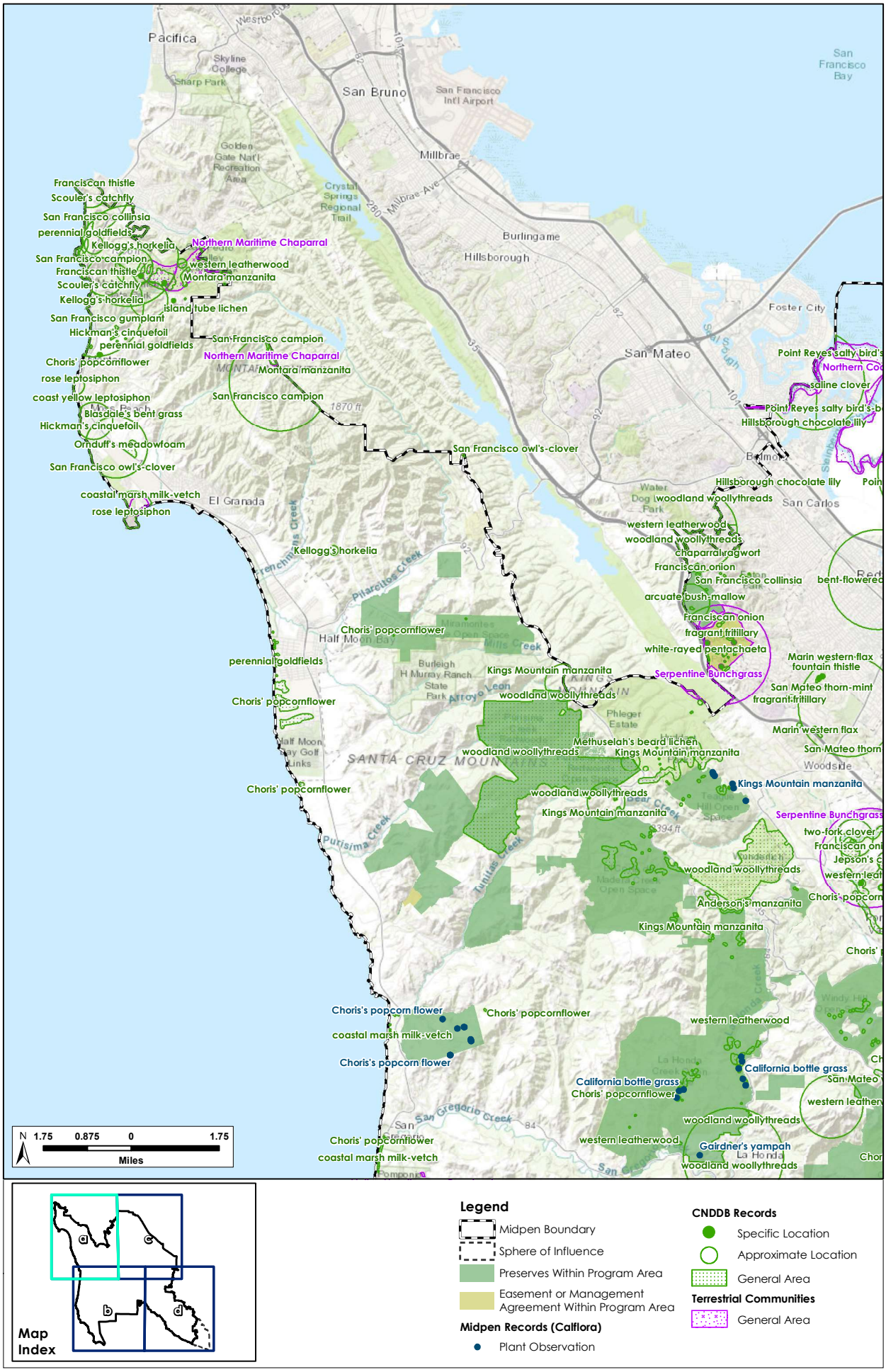

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Figure 3.4-3 Special-Status Plants Map
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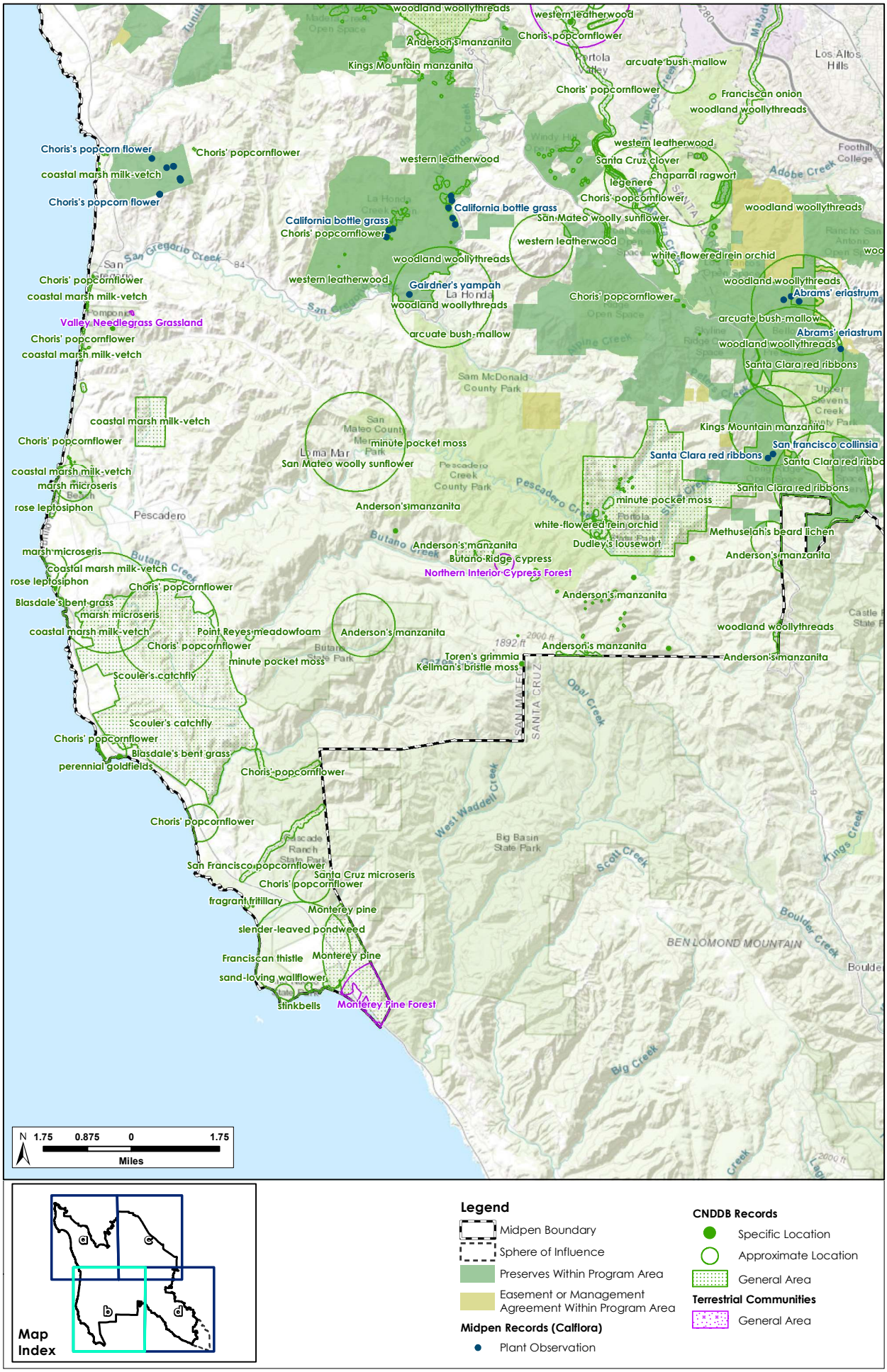

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Figure 3.4-3 Special-Status Plants Map
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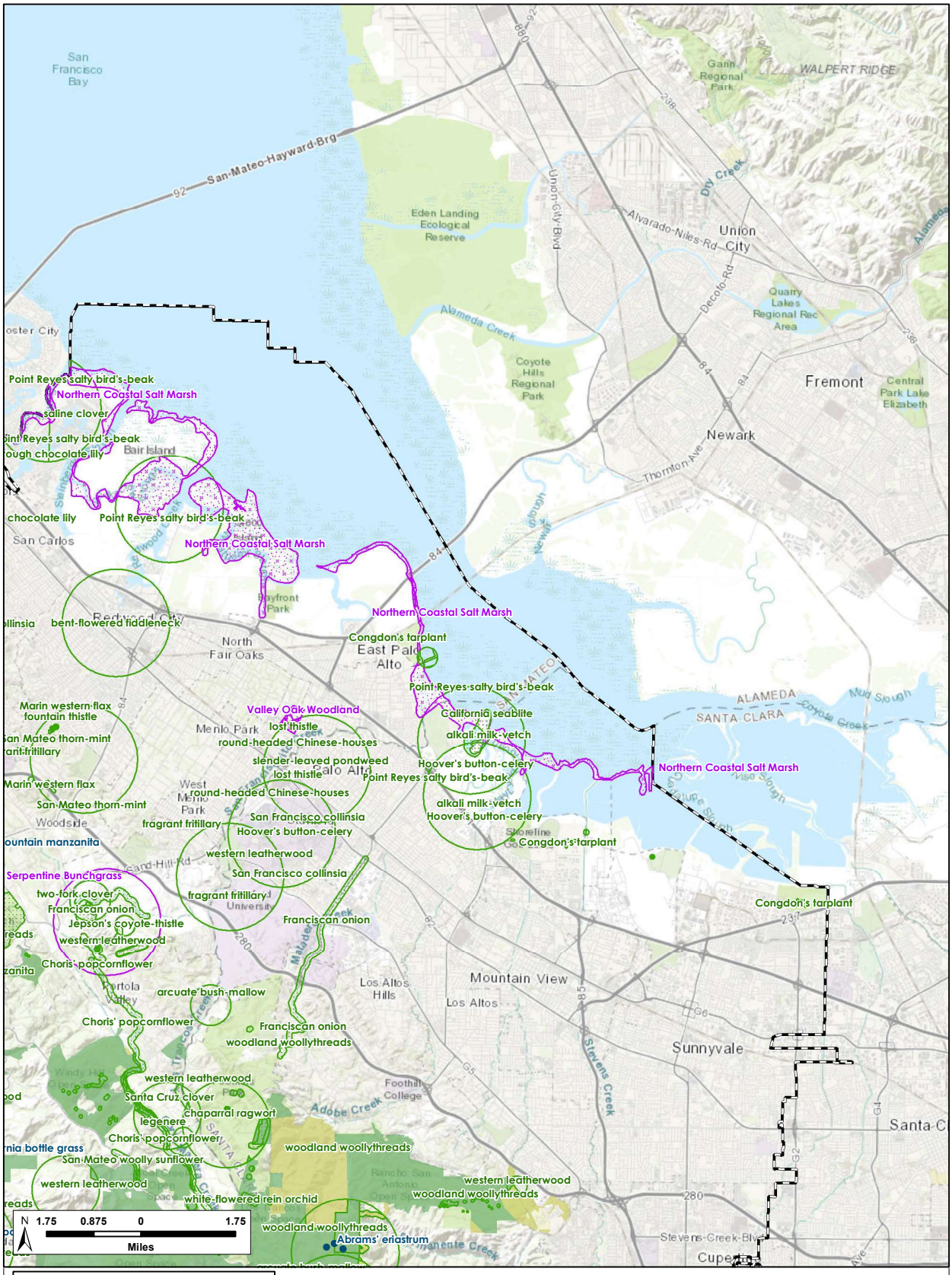

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Figure 3.4-3 Special-Status Plants Map
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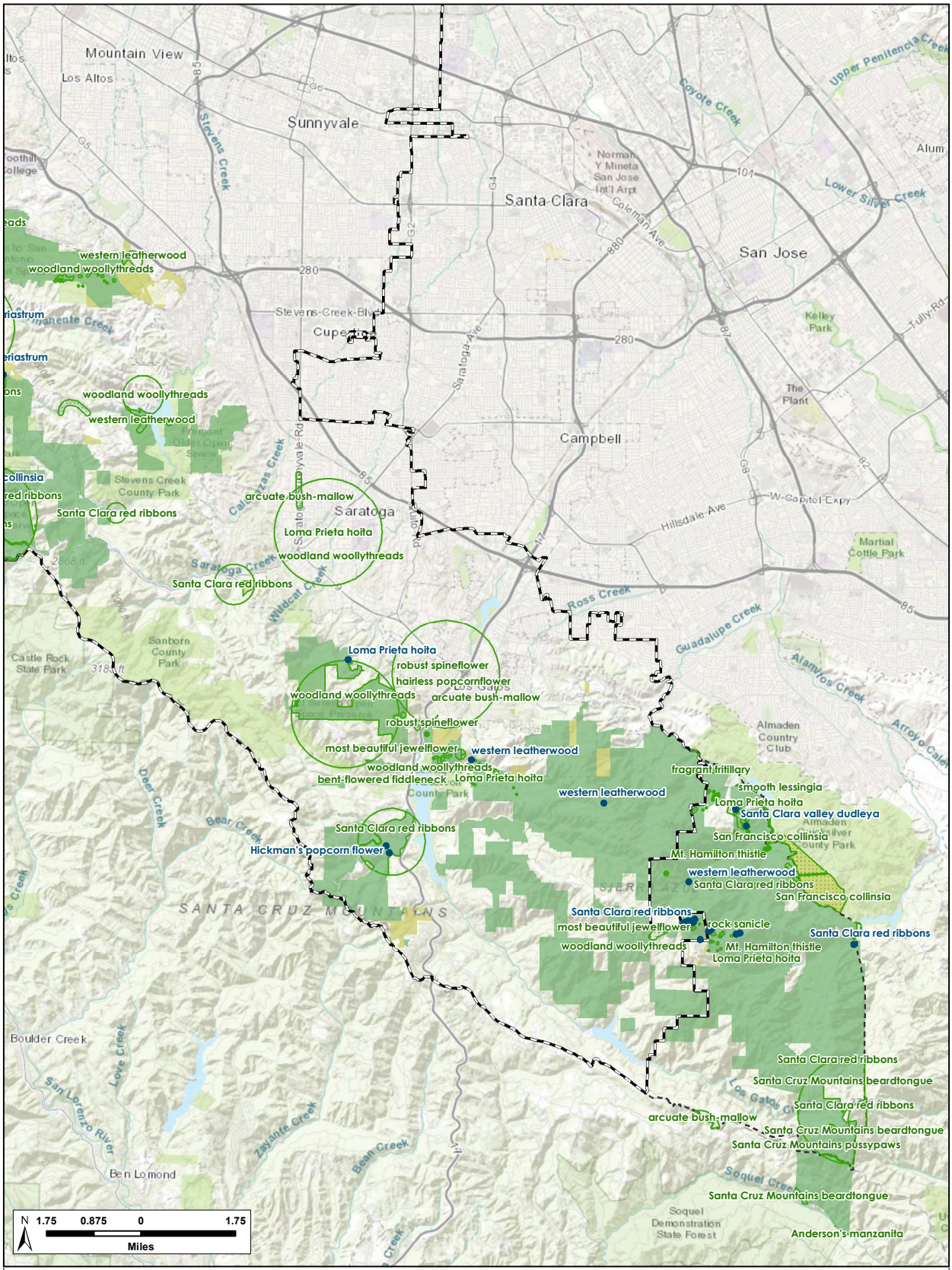

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Figure 3.4-3 Special-Status Plants Map
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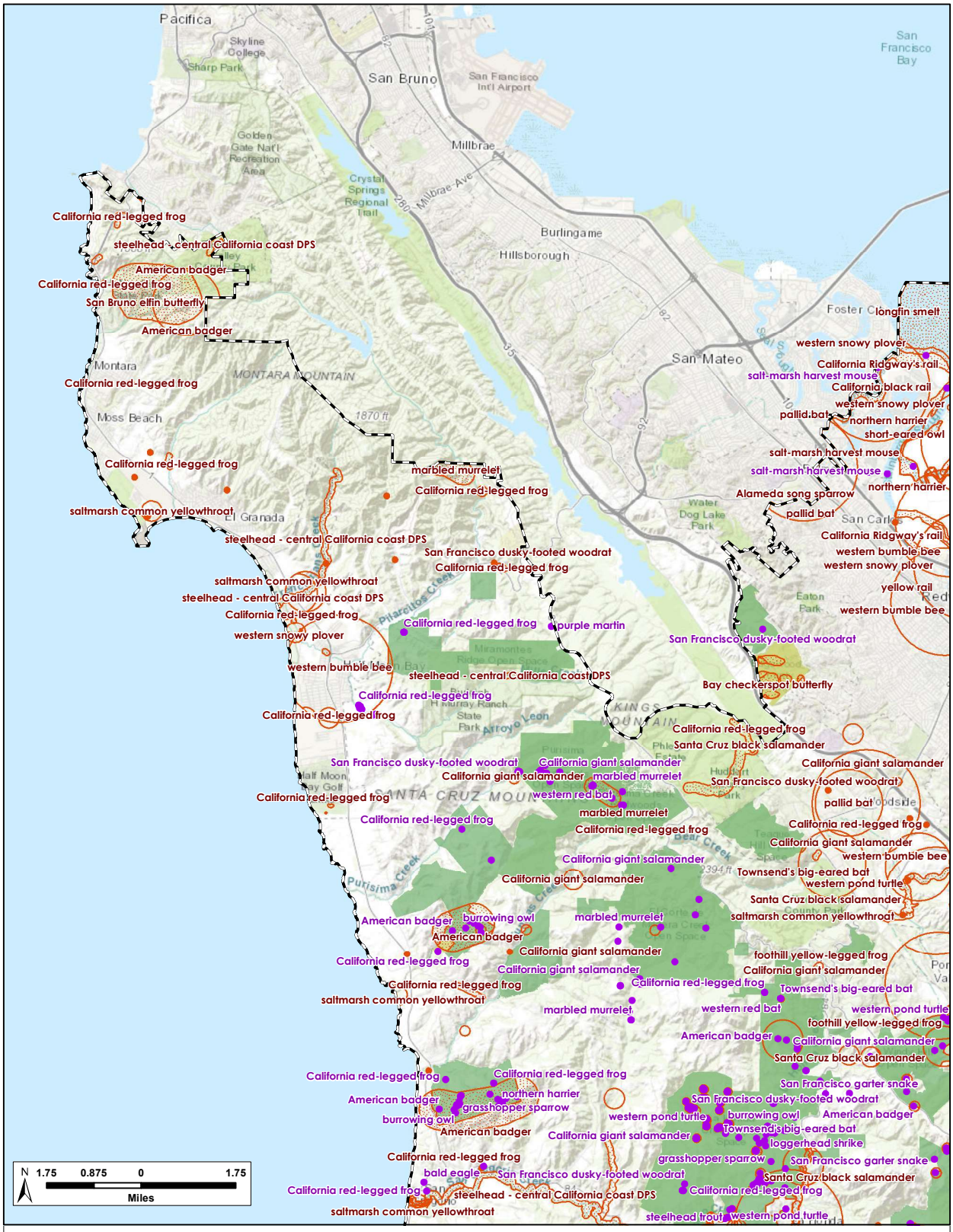

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Figure 3.4-4 Special-Status Animals Map
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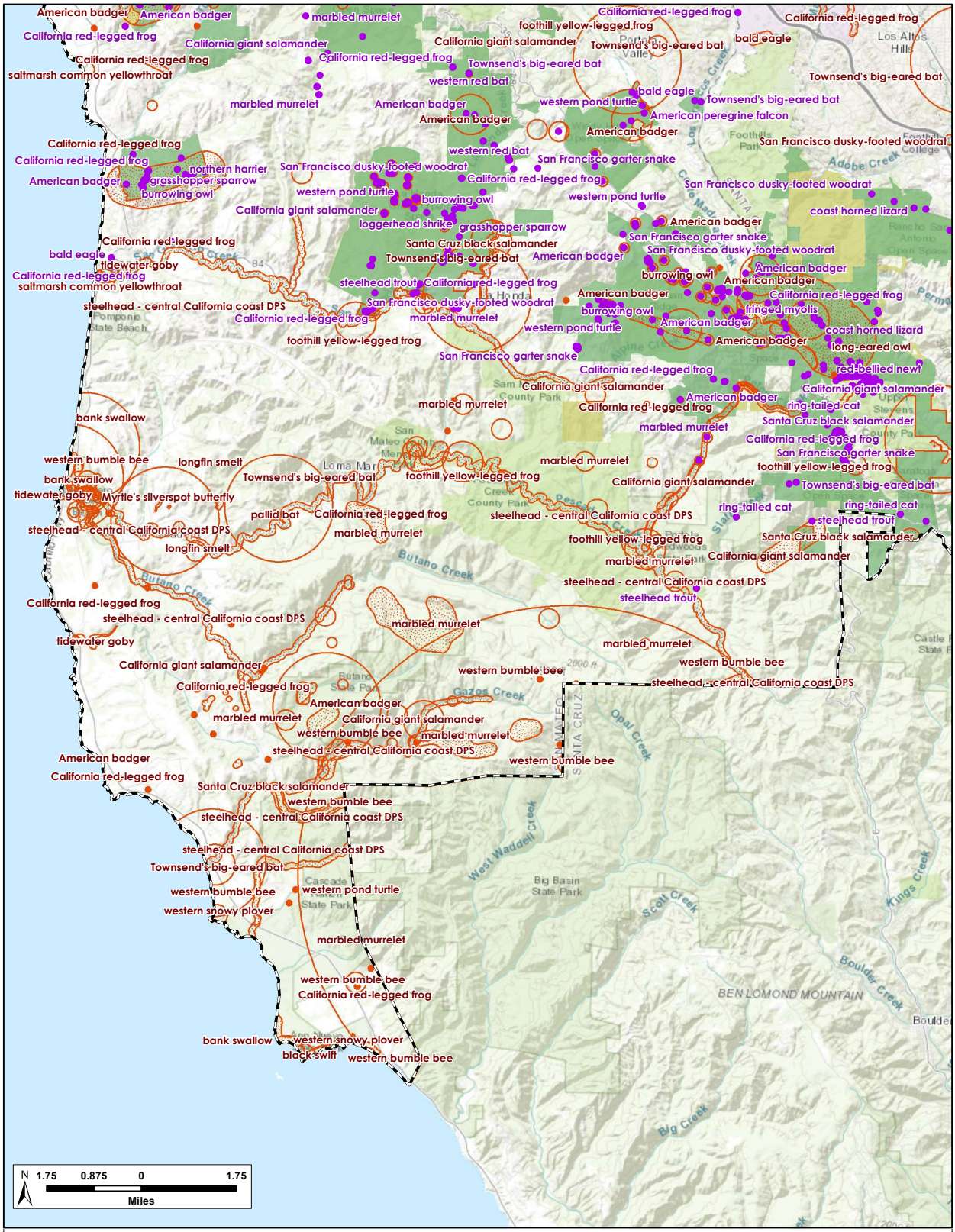

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Figure 3.4-4 Special-Status Animals Map
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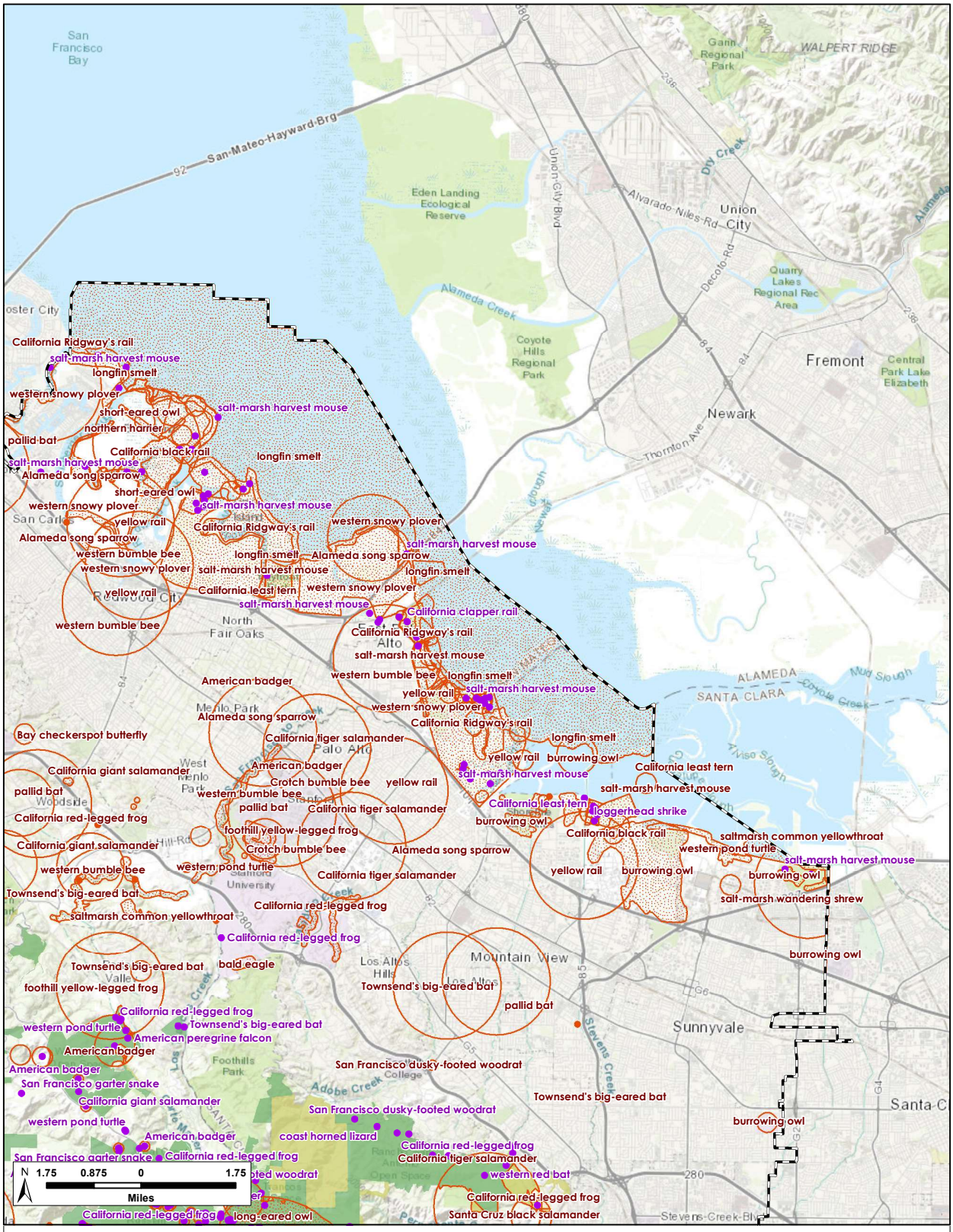

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Figure 3.4-4 Special-Status Animals Map
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November 2019

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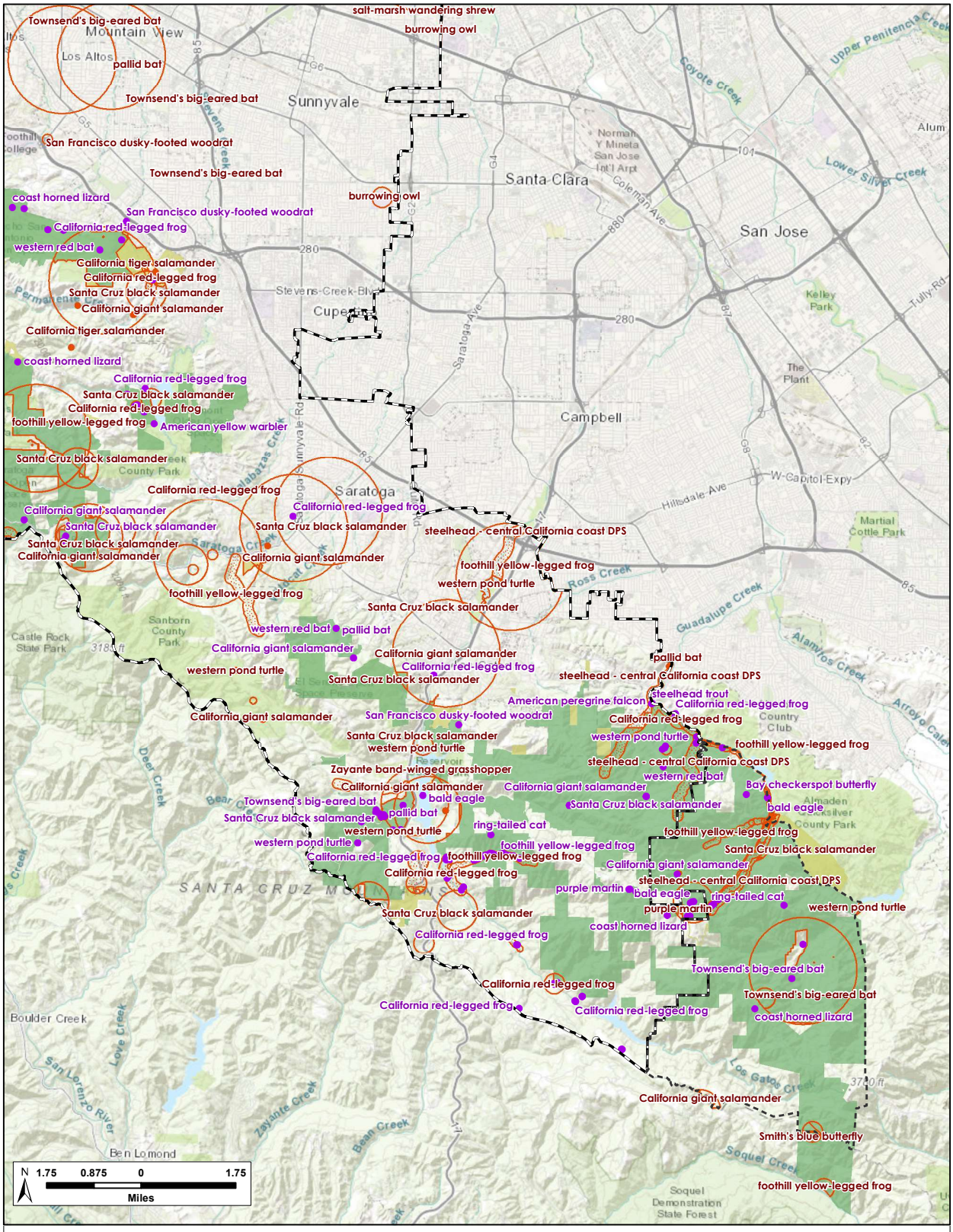

H. T. HARVEY & ASSOCIATES
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Figure 3.4-4 Special-Status Animals Map
Midpeninsula Regional Open Space District Routine Maintenance and Facilities Improvements Program
November 2019

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Although the CNPS is not a regulatory agency, and the CNPS's CRPR designations confer no formal regulatory protection, plants appearing as CRPR 1B or 2 are, in general, considered to meet CEQA's Section 15380 criteria, and adverse effects on these species may be considered significant. Impacts on plants that are listed by the CNPS as CRPR 3 or 4 are also considered during CEQA review, although because these species are typically not as rare as CRPR 1B or 2, impacts on them are less frequently considered significant.

Table 1 in **Appendix D** identifies the 97 special-status plant species known to occur, or thought to have potential for occurrence, in the Program area and describes their distribution, legal status, general habitat requirements, and known occurrences in the Program area. Special-status plants that are restricted to coastal dune, coastal strand, and/or coastal or bay salt marsh habitats are not included in Table 1 in **Appendix D** or discussed further, as the Program area does not include these areas and habitat types.

Special-Status Wildlife Species

Table 2 in **Appendix D** identifies 52 special-status animal species that are listed, proposed, or candidate species under the state or federal Endangered Species Act, designated as California species of special concern by CDFW, or listed as fully protected by the California Fish and Game Code and that are known to occur or may occur within the Program area, and characterizes their potential to occur within Midpen preserves. Their distribution, legal status, general habitat requirements, and known occurrences within Midpen preserves are also provided. Known occurrence locations of special-status animals, based on CNDDB (CDFW 2020b) and observations by Midpen staff, are provided in **Figure 3.4-4**. Designated critical habitat of federally-listed species within the vicinity of the Program area and Sphere of Influence is shown above in **Figure 3.4-2**.

3.4.3 Regulatory Setting

Federal

Federal Endangered Species Act

FESA provides legislation to protect federally listed plant and animal species. USFWS also designates critical habitat for Endangered or Threatened species under FESA. A critical habitat designation protects areas that are necessary for the conservation of the species. Section 9 of the FESA (50 Code of Federal Regulations 17.3) prohibits the take, possession, sale, or transport of any FESA-listed species. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, capture, collect, or attempt to engage in any such conduct" (16 U.S. Code [USC] Section 1532[19]). Federal regulation 50 Code of Federal Regulations 17.3 further defines the term harm in the take definition to mean any act that actually kills or injures a federally listed species, including significant habitat modification or degradation. For plants, the FESA prohibits removing, possessing, maliciously damaging, or destroying any listed plant on areas under federal jurisdiction, and removing, cutting, digging up, damaging, or destroying any listed plant on non-federal land in knowing violation of state law (16 USC Section 1538[a][2][B]).

Midpen currently holds FESA Section 10(a)(1)(A) Recovery Permits for San Francisco garter snake and California red-legged frog. The Biological Opinion on the issuance of the permit also addresses marbled murrelet, Bay checkerspot butterfly, and Santa Clara Valley dudleya.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) is administered by USFWS and implements four treaties between the U.S. and Canada, Mexico, Japan, and Russia, respectively, to manage and conserve migratory birds that cross national borders. The MBTA makes it unlawful in any manner, unless expressly authorized by permit pursuant to federal regulations, to pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export at any time, or in any manner, any migratory bird, or any part, nest, or egg of any such bird. The definition of "take" referred to by MBTA is defined as any act to "pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect." This includes most actions, direct and indirect, that could result in "take" or possession, whether temporary or permanent, of any protected species (Avian Power Line Interaction Committee and USFWS 2005). Although harassment and habitat modification do not constitute a take in themselves under MBTA, such actions that result in direct loss of birds, nests, or eggs including nest abandonment or failure, are considered take under such regulations.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BGEPA) declares it is illegal to take bald eagles, including their parts, nests, or eggs unless authorized. "Take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." Disturb means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause injury to an eagle, a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or nest abandonment. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment. Bald eagles are known to nest in the region and could occur on Midpen lands. Activities conducted under the Program must comply with BGEPA.

Clean Water Act of 1977

The U.S. Army Corps of Engineers (USACE) has jurisdiction over waters of the U.S., which are classified as wetlands, navigable waters, or other waters and include marine waters, tidal areas, stream channels, and associated wetlands. Under federal regulations, wetlands are defined as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Wetlands generally include swamps, marshes, bogs, and similar areas. USACE does not

consider "isolated" wetlands (i.e., waters not connected to navigable waters) to be waters of the U.S.

Section 404 of the Federal Clean Water Act (CWA) requires a project applicant to obtain a permit before engaging in any activity that involves any discharge of dredged or fill material into waters of the U.S., including wetlands. Fill material is material placed in waters of the U.S. where the material has the effect of replacing any portion of a water of the U.S. with dry land, or changing the bottom elevation of any portion of a water of the U.S. Waters of the U.S. include navigable waters; interstate waters; all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce; relatively permanent tributaries to any of these waters; and wetlands adjacent to these waters. Wetlands are defined as those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Potentially jurisdictional wetlands must meet three wetland delineation criteria: hydrophytic vegetation, hydric soil types, and wetland hydrology. Wetlands that meet the delineation criteria may be jurisdictional under Section 404 of CWA pending USACE verification.

Under Section 401 of the CWA, an applicant for a Section 404 permit must obtain a certificate from the appropriate state agency stating that the intended dredging or filling activity is consistent with the state's water quality standards and criteria. In California, the authority to grant water quality certification is delegated by the State Water Resources Control Board (SWRCB) to the nine Regional Water Quality Control Boards (RWQCBs).

A primary objective of the proposed Program is streamlining the regulatory permitting process by obtaining comprehensive long-term permits that improve work planning and implementation, and reduce delays. Midpen is applying for a Section 404 Regional General Permit from USACE and Section 401 water quality certificate from the RWQCB to cover Program activities that would result in fill.

State

California Endangered Species Act

CESA provides protection for candidate plants and animal species as well as those listed as threatened or endangered by CDFW. CESA prohibits the take of any such species unless authorized; however, California case law has not interpreted habitat destruction, alone, as included in the state's definition of take. Take is defined in the Fish and Game Code Section 86 as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" (California Fish and Game Code Section 86). CDFW administers the act and authorizes take through Section 2081 agreements, Section 2080.1 consistency determinations (for species that are also listed under the federal ESA), or NCCP.

Midpen currently has a Memorandum of Understanding (MOU) with CDFW describing measures that will avoid take of San Francisco garter snake and California tiger salamander for activities that are performed on their lands for scientific research and habitat creation, enhancement, and maintenance activities related to the conservation and recovery of these

species. In addition, Midpen is currently able to take foothill yellow-legged frog for scientific, educational, or propagation purposes under a letter from CDFW (dated July 2017). This agreement is being revisited as part of Midpen's programmatic permitting effort. Midpen also maintains a Scientific Collecting Permit for state listed special-status reptiles and amphibians.

Fish and Game Codes

Wetlands and Nesting Birds

Fish and Game Code governs state-designated wetlands, including riparian and stream habitat, and mandates that mitigation be implemented to replace wetland extent and value lost to development. Sections 1600–07 of the Fish and Game Code regulate activities that would alter the flow, substantially change or use any materials from the bed, channel, or bank of any river, stream, or lake, or dispose of any debris. Activities that affect these areas, as well as associated riparian habitats, require a Streambed Alteration Permit from CDFW.

Midpen currently holds a Routine Maintenance Agreement under the California Fish and Game Code § 1602, Lake or Streambed Alteration Agreement, which is valid through 2024. Program activities would be covered under a new or amended Routine Maintenance Agreement.

Fully Protected Species (Fish and Game Code sections 3511, 4700, 5000, 5050, 5515)

The classification of a species as fully protected provides protection to rare, Threatened, or Endangered species. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock. Impacts to these species need to be avoided to ensure compliance with the regulations.

Porter-Cologne Water Quality Control Act and Section 401 of the Clean Water Act

The RWQCBs administers the Porter-Cologne Act and Section 401 of the CWA. The Porter-Cologne Act requires that "any person discharging waste, or proposing to discharge waste, within any region that could affect the 'waters of the state' to file a report of discharge" with the local RWQCB. Waters of the state as defined in the Porter-Cologne Act are "any surface water or groundwater, including saline waters, within the boundaries of the state."

Pursuant to Section 401 of the CWA, the RWQCB considers waters of the state to include, but not be limited to, rivers, streams, lakes, bays, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, diked bay lands, seasonal wetlands, and riparian woodlands. RWQCB has also claimed jurisdiction and exercised discretionary authority over "isolated waters."

Midpen conducts routine maintenance activities in compliance with a Section 401 Water Quality Certifications (WQCs) and Waste Discharge Requirements (WDRs) from the San Francisco Bay RWQCB, (Order No. R2-2010-0083, adopted in June 2010). The San Francisco Bay RWQCB has granted waiver letters to allow Midpen to continue conducting work under the existing Order while they apply for a new Section 401 permit.

California Coastal Act and San Mateo County's Local Coastal Program

The California Coastal Act of 1976 requires new development (e.g., buildings, roads, pipe, and utility lines) that occur within the Coastal Zone to obtain a Coastal Development Permit (CDP) from either the California Coastal Commission (CCC) or the local government. While the CCC is the primary agency that issues these permits, once a local agency has a Local Coastal Program (LCP) that has been certified by the CCC, that local agency takes over the primary responsibility for issuing CDPs. All development planned in the Coastal Zone requires either issuance of a CDP or a CDP Exemption.

Midpen activities occurring within the Coastal Zone would be located within San Mateo County. In 1980, the San Mateo County Board of Supervisors and the CCC approved the San Mateo County's LCP. Development must comply with the policies in the LCP. In 1981, the County's Planning and Building Development assumed responsibility for implementing the State Coastal Act in the unincorporated area of the County, including issuance of CDPs. Thus, under the proposed Program, activities that are planned within the Coastal Zone must either obtain a CDP or an exemption from these permit requirements. Activities that involve in-kind facility replacement (i.e., no expansion) are likely to be exempt; however, any upsizing or change in the location or size of infrastructure would require a CDP (e.g., a larger culvert would be considered an expansion and would require a CDP). In addition, activities occurring where sensitive species or habitat may occur would also require a CDP.

Local

Midpeninsula Regional Open Space District – Resource Management Policies

Midpen's resource management includes management of natural, cultural, and agricultural resources. Midpen recognizes the protection of biological resources as one of the primary benefits of open space (Midpen 2021b). Midpen's resource management goals and policies adhere to a strategy of protecting and restoring known rare, endangered, special-status species and sensitive habitats, as well as seriously degraded or deteriorating areas. Further, Midpen's resource management policies give priority to sensitive habitats and consider the relative scarcity of the specific resources involved. Relevant goals to the implementation of the proposed Program include:

Goal VM: Sustain and promote viable and diverse native plant communities characteristic of the region.

Goal WM: Maintain and promote healthy and diverse native wildlife populations.

Goal ES: Use sustainable land management techniques to maintain, restore, or simulate natural disturbance in priority habitats.

Goal HC: Protect ecosystem integrity by maximizing habitat connectivity.

Midpeninsula Regional Open Space District – Vision Plan

Midpen prepared the Vision Plan to articulate the core values for conservation and management of open space over the next 40 years or more. The themes and goals were developed based on Midpen's mission statement and adopted policies (Midpen 2014). The following themes and goals pertain to the biological resources within Midpen lands that the proposed Program must be consistent with and support:

Stewardship:

- Restore the natural environment, control invasive plants and animals, and limit the spread of pathogens
- Promote natural ecosystem processes
- Protect watersheds and restore stream flow to improve habitat for fish and wildlife

Biodiversity:

- Protect large contiguous areas of intact habitat that represent the Peninsula and South Bay's full mosaic of natural communities
- Conserve sensitive species and special natural communities

Connectivity:

- Increase connectivity between protected areas to support natural wildlife movement patterns

San Mateo County Heritage Tree Ordinance

According to the Heritage Tree Ordinance of San Mateo County (Ordinance No. 2427), a permit is required for the removal, destruction, or trimming of any Heritage Tree on public or private property, with Heritage Trees defined as: (a) Class 1 trees designated by the Board of Supervisors and (b) Class 2 - any one of 16 designated species of trees of specified diameter at breast height (dbh) (28-inch dbh bigleaf maple [*Acer macrophyllum*]; 48-inch dbh madrone *[*Arbutus menziesii]; 20-inch dbh golden chinquapin [*Chrysolepis chrysophylla*]; all Santa Cruz cypress [Cupressus abramziana]; 12-inch dbh Oregon ash [*Fraxinus latifolia*]; 48-inch dbh tan oak [*Lithocarpus densiflorus*]; 48-inch dbh coast live oak (*Quercus agrifolia*]; 40-inch dbh canyon live oak [*Quercus chrysolepis*]; all Oregon white oak [*Quercus garryana*]; 32-inch dbh black oak [*Quercus kelloggii*]; 40-inch dbh interior live oak [Quercus wislizenii]; 48-inch dbh valley oak [*Quercus lobata*]; 30-inch dbh blue oak [*Quercus douglasii*]; 48-inch dbh California bay [*Umbellularia californica*]; 30-inch dbh California nutmeg [*Torreya californica*]; or 72-inch dbh coast redwood [*Sequoia sempervirens*]), healthy and generally free from disease.

Removal or trimming of heritage trees would require a permit from the County.

San Mateo County Significant Tree Ordinance

According to the Significant Tree Ordinance of San Mateo County (Part Three of Division VIII of the Municipal Code), a permit is required for the removal or destruction of any Significant Tree within Design Review Districts or Scenic Corridors. A Significant Tree is any tree over

38 inches in circumference (12-inch dbh) measured at 4-1/2 feet above the ground or immediately below the lowest branch. In zoning areas for residential hillside/design review districts (RH/DR) the definition of a significant tree is any tree over 19 inches in circumference (6-inch dbh). In the RH/DR district, permits are required for trimming indigenous trees (native to San Mateo County) as well as cutting trees. This ordinance is not the same as the Heritage Tree Ordinance, and is listed separately in the General Plan for San Mateo County (San Mateo County Planning and Building Division 1986). Removal or trimming of ordinance-sized trees would require a permit from the County. Note that the County is currently preparing updates to the Significant and Heritage Tree Removal regulations to improve management of individual trees and tree canopy in the County, and to improve the tree removal and trimming permit process in a manner that is consistent with the County's General Plan (San Mateo County 2021a). Interim regulations regarding Significant and Heritage trees went into effect on November 18, 2016 (San Mateo County 2021b).

County of Santa Clara – Tree Preservation and Removal Ordinance (Section C16.6)

The County of Santa Clara Tree Preservation and Removal Ordinance (County Code, Sections C16.1–C16.17) protects trees meeting specified conditions. Any person proposing to remove a protected tree is required to file for an administrative permit no less than 10 days prior to removal, or for heritage trees, 90 days prior to removal. A protected tree on any private or public property consists of any of the following:

- Any tree having a main trunk or stem measuring 37.7 inches or greater in circumference (12 inches or more in diameter) at a height of 4.5 feet above ground level, or in the case of multi-trunk trees a total of 75.4 inches in circumference (24 inches or more in diameter) of all trunks in the following areas of the county:
  - parcels zoned "Hillsides" (3 acres or less),
  - parcels within a "-d" (Design Review) combining zoning district,
  - parcels within the Los Gatos Specific Plan area.
- Any tree having a main trunk or stem measuring 18.8 inches or greater in circumference (6 inches or more in diameter) at a height of 4.5 feet above ground level, or in the case of multi-trunk trees, a total of 37.7 inches in circumference of all trunks (12 inches or more of the diameter) in the "h1" New Almaden Historic Preservation zoning district.
- Any heritage tree, as that term is defined in Section C16-2 of the Tree Preservation Ordinance.
- Any tree required to be planted as a replacement for an unlawfully removed tree, pursuant to Section C16-17(e) of the Tree Preservation Ordinance.
- Any tree that was required to be planted or retained by the conditions of approval for any use permit, building site approval, grading permit, architectural and site approval (ASA), design review, special permit or subdivision.

- On any property owned or leased by the County of Santa Clara, any tree that measures more than 37.7 inches in circumference (12 inches or more in diameter) measured 4.5 feet above the ground, or that exceeds 20 feet in height.
- Any tree, regardless of size, within road rights-of-way and easements of the County, whether within or without the unincorporated territory of the County.

Removal of any significant trees would be subject to the requirements of the County of Santa Clara County Code and thus require a permit.

3.4.4 Discussion

a. Would the project have a substantial adverse effect, either directly or indirectly or through habitat modifications, on any species identifies as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

To evaluate resource sensitivity at work sites under the proposed Program, Midpen would undertake the following process: (1) identify the type of activity and confirm the specific location; (2) conduct a desktop audit to evaluate whether suitable habitat for special-status species is present and determine if a site visit is necessary; and (3) classify the activity at the site in one of the four tiers defined below. The tiered approach is intended to help both Midpen and regulatory agency staff identify resource and site sensitivity and thereby prioritize impact avoidance and minimization measures and/or BMPs and mitigation needs.

- **Tier 1 (No Effect) –** There is no potential for a special-status species to be present in the area at any time. Tier 1 is appropriate if the biologist determines that Program activities would occur in creek reaches inaccessible to special-status fish or, for terrestrial special-status species other than birds, in areas where no suitable breeding habitat is present and there is no connectivity between the site and known or potential breeding habitat (so that non-breeding individuals can also be presumed to be absent). Because foraging or roosting birds could easily fly away before being impacted by Program activities, the implementation of Program activities in non-breeding habitat for special-status bird species would also be considered a Tier 1 because such activities would not result in impacts on individuals that rise to the level of "take".

- **Tier 2 –** A special-status species could occur, at least at times, at a site, but take will not occur. Tier 2 is applicable if the biologist determines that one or more special-status species are known to occur or could possibly occur on-site either because (1) suitable breeding habitat is present, or (2) for terrestrial species and fish, suitable non-breeding habitat is present and there is connectivity between the work site and suitable breeding habitat.
  - **Tier 2A (Not Likely to Adversely Affect) –** The activity will not result in take of special-status species based on the location and timing of work; although a special-status species could occur at the location at times, none would be present when the work will occur.

  - **Tier 2B (Not Likely to Adversely Affect individuals, but may be considered Likely to Adversely Affect if permanent habitat impacts occur) –** This activity will not result in take of special-status species with implementation of BMPs (such as pre-activity surveys, exclusion of individuals from the site, and/or implementation of non-disturbance buffers around active nests of special-status birds). Some Tier 2B activities may result in a permanent loss of habitat.

- **Tier 3 (Likely to Adversely Affect) –** The activity may result in take of special-status species, even with implementation of BMPs. Tier 3 is applicable if the biologist determines that (1) special-status species are known to occur or may occur on site either because suitable breeding habitat is present or suitable non-breeding habitat with connectivity between the site and suitable breeding habitat is present; (2) special-status species may be present at the time of day/season in which the Program activity occurs; and (3) special-status species cannot be effectively excluded from the work area, pre-activity surveys cannot definitively determine the absence of the species, and/or "take" in the form of permanent loss of habitat cannot be avoided.

These tiering categories would help Midpen determine which avoidance and minimization measures are necessary to minimize potential take of species. In general, proposed Program activities would take place on an annual cycle, depending on whether they are located away from wetlands and waters of the U.S. and state, riparian resources, and/or federally or state listed species; or activities occur near such resources. In general, activities occurring away from sensitive resources (Tier 1) may occur year-round, although a majority of these types of activities would take place in the spring and summer season. Activities occurring in areas where special-status species are known to occur or could possibly occur (Tiers 2A, 2B, and 3) would generally be limited to occur between May 15 and October 31.

Knowing which tier is applicable to Program activity sites helps guide the planning and impact avoidance approach. It is also noteworthy that Midpen has been conducting biological resources assessments for many years within its preserves as part of its ongoing land management; therefore, desktop reviews for Program activities would draw on existing documented knowledge regarding habitat suitability for special-status species, as well as the conditions (including habitat, time of day, and season) in which special-status species have been observed.

Impacts to Special-status Plant Species

Program activities would have the potential to destroy or otherwise harm special-status plant species if they are present in work areas. Table 1 in **Appendix D** lists the special-status plant species known to occur in the Program area.

Midpen would implement the following BMPs, incorporated as part of the Program, to avoid impacts to special-status plant species to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-26 Non-native Plant Removal and Herbicide Management
- BMP BIO-4 Special-status Plant Species Avoidance Measures
- BMP BIO-6 Invasive Plant Material Management and Disposal
- BMP BIO-7 Sudden Oak Death and Plant Pathogen Control
- BMP BIO-19 Bay Checkerspot Butterfly and Santa Clara Valley Dudleya Protection Measures
- BMP BIO-24 Riparian Avoidance

Standard operating procedures for Program activities would include implementing BMP BIO-4: Special-status Plant Species Avoidance Measures. This measure includes rare plant avoidance measures within riparian habitat or Waters of the State and/or U.S. and within one-quarter (1/4) mile of a known rare plant occurrence, or within suitable rare plant habitat. It includes protocol-level surveys for sensitive plant species, establishment of site-specific avoidance buffers in coordination with CDFW, avoidance of rare plants and associated buffer zones. If at any time rare plants cannot be avoided, Program activities would not be conducted until Midpen coordinates with CDFW and a mitigation plan is agreed upon. All prescribed grazing areas within Midpen have been mapped for sensitive status plant species and there are not currently any federally or State-listed plants within grazed properties. BMP BIO-19 requires annual monitoring of grazed properties by the Midpen rangeland ecologist to ensure no newly listed species or previously undiscovered species are present. Additionally, this BMP requires surveys by a qualified botanist for sensitive status plant species every 3 years for all Program roads and trail activities in grassland areas. Woodland, hardwood, shrub and scrub, and forested areas would be mapped by a qualified botanist every 5 years. Finally, BMP BIO-19 requires surveys prior to treatment of all areas having known occurrences of Santa Clara Valley dudleya for which recovery actions are proposed. Listed plants would be avoided either through timed activities (e.g., mowing after annuals set seed) or flagging individual plants for avoidance. The remaining BMPs listed above would further reduce the direct and indirect impacts to rare plants that could result from Program activities by minimizing disturbance areas, proper siting of activities, and properly managing invasive non-native species and the potential spread of pathogens. With implementation of these BMPs, the proposed Program would not result in a significant adverse effect on any special-status plant species or their habitat. Therefore, this impact would be **less than significant** and no mitigation is required.

Impacts to Special-status Invertebrate Species

Table 2 in **Appendix D** lists the special-status invertebrate species known to occur in the vicinity of the Program area. Most invertebrate species listed in 3.4-4 have no potential to be impacted by Program activities because the Program is not within the species current range, or the species are associated with habitats (e.g., vernal pools) that would not be impacted by Program activities. Two special-status invertebrate species are considered to have the

potential to occur in the Program area: Bay checkerspot butterfly (*Euphydryas editha bayensis*), and monarch butterfly (*Danaus plexippus plexippus*).

No Bay checkerspot populations are currently present in existing Midpen preserves; however, the species was historically observed in the Sierra Azul OSP and has been reintroduced to Edgewood County Park (Friends of Edgewood 2021), located just south of Midpen's Pulgas Ridge OSP. There is some potential for very small numbers of individuals to occasionally disperse to Pulgas Ridge, though the species is not expected to breed there due to the absence of high-quality habitat. Designated critical habitat Unit 3 (Edgewood Park/Triangle) is present immediately adjacent to Midpen lands, and Midpen holds an easement over Edgewood Park. However, no critical habitat has been designated on existing Midpen preserves, and suitable habitat is not present at any other Midpen preserve.

Along the Peninsula and throughout the Program area, monarch butterflies occur primarily as migrating individuals in the fall and spring (CDFW 2020b). Wintering sites are mostly coastal or near the edge of San Francisco Bay. Purisima Uplands property within Purisima Creek OSP and perhaps Tunitas Creek OSP contain wintering habitat.

Midpen intends to avoid all impacts to special-status invertebrate species. Standard operating procedures for stream maintenance program activities would include implementing BMP BIO-19: Bay Checkerspot Butterfly and Santa Clara Valley Dudleya Protection Measures. This measure requires that all areas having known occurrences of Bay checkerspot butterfly host plants for which recovery actions are proposed be surveyed prior to treatment. Host plants would be avoided either through timed activities (e.g., mowing after annuals set seed) or flagging individual plants for avoidance. In any areas in which host plants cannot be avoided, seed would be collected and the area reseeded under approvals from the USFWS and CDFW. Prior to conducting any manual, mechanical, or chemical Integrated Pest Management (IPM) treatment in serpentine habitats (which may support larval host plants for Bay checkerspot butterfly), surveys would be conducted for dwarf plantain (*Plantago erecta*), purple owl's clover (*Castilleja densiflora*), and exserted paintbrush (*Castilleja exserta*) during the appropriate blooming period, and host plants containing eggs, larva, or pupa of Bay checkerspot butterfly would be avoided.

As described above, monarch butterflies occur primarily as migrating individuals in the Program area. Program activities are not anticipated to have significant impacts on migrating individuals. Purisima Uplands property within Purisima Creek OSP and perhaps Tunitas Creek OSP contain wintering habitat. A 2016 Xerces society report on California monarch overwintering sites did not identify any priority wintering sites within the Program area (Xerces Society 2016). Disturbance of occupied monarch overwintering habitat, such through pruning, tree removal, or activity in close proximity to the overwintering habitat during the overwintering period could result in a significant impact to this species through death of individuals and habitat loss. Removal of milkweeds (*Asclepias* sp.) containing eggs, larva, or pupa of monarch butterflies would be a significant impact. Implementation of Mitigation Measure BIO-1: Avoid Monarch Butterfly Wintering Habitat and Mitigation Measure BIO-2: Avoid Monarch Butterfly Host Plants would reduce these impacts to less than significant.

Mitigation Measure BIO-1: Avoid Monarch Butterfly Wintering Habitat

Prior to any Program activities in tree groves comprised primarily or entirely of pine, cypress, fir, or eucalyptus that are within 2 miles of the Pacific Coast, a qualified biologist or biological monitor working under a qualified biologist will survey the grove for aggregations of monarch butterflies during the overwintering season according to the Xerces Society's Western Monarch Count Protocol (Xerces Society 2019), available at https://www.westernmonarchcount.org:

Two surveys will be conducted during the overwintering season, one during the Western Monarch Thanksgiving Count period (the three-week period centered on the Thanksgiving holiday), and a second during the New Year's Count period (the two-week period beginning the weekend prior to New Year's Day).

- Each survey will be conducted by two surveyors to provide multiple independent estimates of monarch numbers.
- Surveys will be conducted in the morning while temperatures are below 55˚ F (13˚ C) and monarchs are more likely to be clustered.
- Surveys will not be conducted during rain or strong winds due to poor visibility and the chance that individual monarchs shall be scattered on the ground.
- If no monarch overwintering aggregations are observed, Program activities may proceed pursuant as long as they occur prior to November 1. If Program activities are delayed beyond November 1, then the grove will be re-surveyed.
- If a monarch overwintering aggregation of any size is detected, then no Program activities may take place inside the tree canopy within 200 feet of the aggregation, when present. Activities outside of the canopy line but within 200 feet may proceed (i.e., treatment of low-growing vegetation outside of the tree grove) if a qualified biologist or monitor determines that the activity does not pose a threat to the monarch aggregation.
- Once the aggregation disperses (typically by March), treatment of vegetation within 200 feet of tree(s) where monarch aggregations were observed may proceed if, as determined by a qualified biologist or monitor, it will not result in significant alteration to wind and sunlight patterns within the grove.
- If monarch overwintering aggregations are detected in eucalyptus removal areas, then a long-term tree planting strategy is necessary (see Protecting California's Butterfly Groves [Xerces Society 2017]). A long-term tree planting strategy will also be used for those stands which have historically been used as monarch overwintering habitat (https://www.westernmonarchcount.org/find-an-overwintering-site-near-you/).
- Native tree species suitable for monarchs must be planted many years prior to eucalyptus removal with the understanding that they may not reach functional heights to provide wind protection and suitable dappled lighting for 15-30 years. Transplanting saplings from a local source may speed this

process. Planting of eucalyptus will be prohibited. Removal of eucalyptus may proceed once native replacement trees have reached sufficient size to provide wind protection within the grove.

- Standing dead trees generally do not contribute to monarch overwintering habitat (Xerces Society 2017) and may be removed within the grove between April 1 and August 31, outside of the overwintering period, as determined appropriate by a qualified biologist or monitor. Sites where invasive dead trees have been removed may create opportunities for native tree planting within the interior of the grove.
- If a eucalyptus grove where a monarch overwintering aggregation was previously detected is re-surveyed using the Western Monarch Count Protocol (Xerces Society 2019) and found to be unoccupied for 5 consecutive years, then the grove may be removed before native replacement trees have reached full size.

Mitigation Measure BIO-2: Avoid Monarch Butterfly Host Plants

- For all Program activities that only have incidental vegetation removal, Midpen will conduct a pre-construction worker training to identify milkweeds (Asclepias sp.), the host plant for monarch butterflies, and survey for eggs/larvae. Following the training, workers will survey the site for milkweed.
- For Program activities that have more than incidental vegetation removal, a qualified biologist or biological monitor working under a qualified biologist will conduct pre-construction surveys for milkweed.
- Host plants containing eggs, larvae, or pupae of monarch butterflies will be avoided, and will be protected with an appropriately-sized buffer as determined by a qualified biologist, taking into account the characteristics of the plant species and the nature of the proposed treatment.
- Vegetation treatment may proceed if a qualified biologist determines that the host plants (1) are not occupied by monarchs, and (2) may benefit from treatment (such as if the host plants have already set seed and post-treatment conditions will favor them over non-native weed species).

With implementation of BMP BIO-19 and Mitigation Measures BIO-1 and BIO-2, Program related impacts to special-status invertebrate species or their habitat would be **less than significant with mitigation**.

Impacts to Special-status Fish Species

Table 2 in **Appendix D** lists the special-status fish species known to occur in the vicinity of the Program area. Two special-status fish species have the potential to occur in the Program area, steelhead (*Oncorhynchus mykiss*) and Central California Coast Coho salmon (*Oncorhynchus kisutch*).

Central California Coast Coho salmon have recently been recorded spawning in the southwestern portion of the Program area in Pescadero Creek (Peninsula Open Space Trust [POST] 2021), and the species spawns in San Gregorio Creek, Pescadero Creek, and Gazos Creek, although it has not been recorded in Gazos Creek during annual monitoring since 2008 (Smith 2013 as cited in CDFW 2015, Midpen 2017). The species was historically collected from San Mateo Creek (Leidy 2007) and may have been present in the San Francisquito Creek watershed (Leidy et al. 2005). However, it has been extirpated from all San Mateo County streams flowing to the Bay (Leidy 2007). Designated critical habitat occurs in the Program area and includes all accessible reaches of all rivers including estuarine areas and tributaries between Punta Gorda and the San Lorenzo River (inclusive) in California. Designated critical habitat is present in or immediately adjacent to La Honda Creek OSP (NMFS 1999).

In the Program area, steelhead are known to occur in a number of coastal streams, as well as in a few streams entering San Francisco Bay, such as Stevens Creek, Guadalupe River/Creek, and San Francisquito Creek (including Los Trancos Creek) (Spence et al. 2008, Center for Ecosystem Management and Restoration 2008). Designated critical habitat includes all river reaches and estuarine areas accessible to listed steelhead in coastal river basins from the Russian River to Aptos Creek, California (inclusive), and the drainages of San Francisco and San Pablo Bays (NMFS 2005). Designated critical habitat is present in or immediately adjacent to the following Midpen preserves: Tunitas Creek, La Honda Creek, Russian Ridge, Miramontes Ridge, Skyline Ridge, Long Ridge, Purisima Creek Redwoods, Fremont Older, Los Trancos, and Sierra Azul OSPs. Steelhead could therefore use those creek reaches for spawning, rearing, and/or migration.

Program activities including culvert or bridge maintenance, sediment or debris removal, streambank stabilization, and vegetation management have the potential to result in significant impacts to special-status fish species and their habitat.

Midpen would implement the following BMPs, incorporated as part of the Program, to avoid all impacts to special-status fish species to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-5 Hazardous Materials Storage/ Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-7 Waste Management
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-10 Paving and Asphalt Work
- BMP GEN-11 Concrete, Grout and Mortar Application
- BMP GEN-12 Exclude Concrete from Channel

- BMP GEN-13 Concrete Washout Facilities
- BMP GEN-14 Painting and Paint Removal
- BMP GEN-16 Site Stabilization
- BMP GEN-18 Project Completion by End of Work Period
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-20 Aquatic Resource Protection Measures
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-26 Non-native Plant Removal and Herbicide Management
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-32 Bridge and Puncheon Replacement
- BMP GEN-33 Bridge and Puncheon Repair and Maintenance
- BMP GEN-34 Ford and Swale (including Drain Lenses and Causeways) Replacement
- BMP BIO-1 Environmental Awareness Training
- BMP BIO-2 Biological Monitor
- BMP BIO-3 Work Area Designation
- BMP BIO-8 Non-Native Animal Control
- BMP BIO-9 General Wildlife Protection Measures
- BMP BIO-21 Salmonid (Coho and Steelhead) Protection Measures
- BMP BIO-22 Biological Monitoring for Stranded Aquatic Life
- BMP BIO-23 Large Woody Material Management
- BMP BIO-24 Riparian Avoidance
- BMP BIO-25 Riparian Restoration
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-3 Road and Trail Drainage Maintenance
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-2 Turbidity Monitoring
- BMP SWQ-3 Sediment Filtering Measures

- BMP DW-1 Stream/Aquatic Habitat Isolation
- BMP DW-3 Pumps

Standard operating procedures for Program activities include several BMPs that would avoid or minimize impacts by minimizing the footprint of work activities and minimizing impacts from staging and stockpiling of materials, spills or leaks of chemicals, and other adverse effects, including BMPs GEN-1, GEN-2, GEN-5, GEN-6, GEN-8, GEN-9, GEN-14, GEN-22, GEN-23, and GEN-26. BMPs GEN-10, GEN-11, GEN-12, and GEN-13 would minimize the potential for concrete to result in adverse effects on aquatic habitats by limiting exposure of uncured concrete to these habitats. BMPs GEN-18 and GEN-19 would reduce the potential for erosion or sedimentation by restricting work to the dry season and dry periods. Implementation of BMPs GEN-16, EC-1, EC-2, EC-3, EC-4, EC-5, SWQ-1, SWQ-2, and SWQ-3 would further minimize potential for erosion or sedimentation by stabilizing work sites, implementing erosion control measures, and monitoring water quality. Implementation of BMP BIO-1 would minimize impacts through environmental awareness training of maintenance personnel regarding the sensitivity of special-status fish species. BMPs DW-1 and DW-3 would minimize impacts to aquatic habitat and special-status fish by isolating the work area from the flowing stream and screening pumps to prevent impingement, injury, or mortality. Implementation of BMP BIO-21: Salmonid (Coho and Steelhead) Protection Measures would require restriction on dewatering in Coho streams, seasonal work periods within and around critical habitat for steelhead and Coho that avoid sensitive periods, and seasonal work periods for other streams. BMP BIO-22 would minimize the potential for stranding of special-status fish by capturing or relocating and aquatic species stranded during dewatering and BMP BIO-8 would also minimize impacts through biological monitoring. BMPs BIO-23, BIO-24, and BIO-25 would maintain special-status fish habitat by minimizing removal of large woody debris in streams, avoiding impacts to riparian habitat, and restoring any impacted riparian habitat.

By implementing these measures impacts to special-status fish species and their habitat would be avoided or sufficiently minimized such that significant adverse impacts would not occur. Therefore, this impact would be **less than significant.** No mitigation is required.

As part of the Program, Midpen may implement projects that improve fisheries habitat (e.g., culvert replacement with more fish-friendly options, bank repairs, planting of riparian trees). These measures are likely to result in beneficial effects to special-status fish species and their habitat in the long run.

Impacts to Special-status Amphibian and Reptile Species

Table 2 in **Appendix D** lists the special-status amphibian and reptile species known to occur in the vicinity of the Program area. These species include California red-legged frog (CRLF), California tiger salamander (*Ambystoma californiense*), San Francisco garter snake, foothill yellow-legged frog (FYLF) (*Rana boylii*), California giant salamander, Santa Cruz black salamander (*Aneides flavipunctatus niger*), Red-bellied newt (*Taricha rivularis*), western pond turtle (WPT), and Coast horned lizard (*Phrynosoma blainvillii*).

California red-legged frogs are found primarily in or adjacent to creeks and reservoirs west of the mountain ridges in the less urbanized portions of the Program area. The species is known to occur, or potentially occur, at a number of Midpen preserves, including Tunitas Creek OSP, La Honda Creek OSP, La Purisima Creek Redwoods OSP, Rancho San Antonio OSP, Pichetti Ranch OSP, Coal Creek OSP, Russian Ridge OSP, Long Ridge OSP, Monte Bello OSP, Skyline Ridge OSP, Bear Creek Redwoods OSP, and Sierra Azul OSP (**Figure 3.4-5**). California red-legged frog designated critical habitat units SNM-1 (Cahill Ridge) and SNM-2 (Pescadero) are located in the Program area, and El Corte de Madera Creek OSP, La Honda Creek OSP, Long Ridge OSP, Russian Ridge OSP, Miramontes Ridge OSP, and Skyline Ridge OSP, all contain designated critical habitat.

California red-legged frogs are widespread in suitable habitat within the Program area, and occur in a number of Midpen preserves. The CNDDB maps numerous records of California red-legged frogs within the Program area (CDFW 202b) (**Figure 3.4-5**). In addition, Midpen has been monitoring California red-legged frogs and their breeding habitats in its preserves since 2009, and has compiled a database of California red-legged frog records throughout many of its preserves (**Figure 3.4-5**). Monitoring work associated with Midpen's construction activities has also generated data on the occurrence of California red-legged frogs within the Program area.

In their analysis, H.T. Harvey and Associates (H.T. Harvey) used available data from the CNDDB and Midpen to extrapolate the likelihood of California red-legged frog occurrence throughout the Program area (H.T. Harvey 2021). Midpen's monitoring data and observations indicate that California red-legged frogs are unlikely to occur in (a) densely forested, upper-watershed areas where the only waterbodies are ephemeral or intermittent streams or very cool, high-gradient perennial streams, or (b) upland areas away from water sources during the dry season.

Based on California red-legged frog occurrence data from the CNDDB and Midpen, as well as habitat mapping data within Midpen's preserves showing the locations of streams and waterbodies (which provide breeding, foraging, and dispersal habitat for California red-legged frogs) and coniferous and hardwood forests (where Midpen's data indicate that California red-legged frogs are unlikely to occur, especially during the dry season), H.T. Harvey identified the likelihood of occurrence of California red-legged frogs within Midpen's preserves, easements, and management areas as follows (H.T. Harvey 2021):

- **Absent.** California red-legged frogs are not known or expected to occur in the preserve. The preserve is isolated from nearby populations of the species by major roadways and development, and California red-legged frogs are considered extirpated from the area.

- **Lower Density/Lower Frequency of Occurrence.** The preserve is located within the range of the California red-legged frog, but there are no known recent breeding occurrences within or adjacent to the preserve, records of the species are limited to infrequent encounters of nonbreeding individuals (e.g., along roads), red-legged frogs have not been detected during years of monitoring work by Midpen, and/or the preserve is predominantly vegetated by dense coniferous and/or hardwood forest

(within which California red-legged frogs are not expected to occur regularly, especially during the dry season). California red-legged frogs may be present in these preserves in low densities, and are primarily expected to occur during the wet season when individuals are dispersing across the landscape.

- **Higher Density/Higher Frequency of Occurrence.** California red-legged frogs are known to occur in the preserve or in nearby areas, one or more known breeding ponds is present within the preserve or in nearby areas, the preserve supports one or more streams or waterbodies that provide potential breeding habitat, and/or the preserve supports suitable upland habitat in close proximity to breeding areas nearby. California red-legged frogs are expected to be present in these preserves in higher densities, and may be encountered year-round.

The California tiger salamander is not known to occur in any Midpen preserves. If the California tiger salamander occurs on Midpen lands, it is most likely to occur along the northeastern edge of Sierra Azul OSP adjacent to Almaden Quicksilver County Park, where some potentially suitable upland (i.e., nonbreeding) habitat exists. No known ponds that provide suitable breeding habitat for California tiger salamanders are present in northeastern Sierra Azul OSP; thus, only nonbreeding dispersants are expected to occur on Midpen lands. Only Program activities in the northeastern portion of Sierra Azul OSP have any potential to adversely affect this species or its habitat.

West of the crest of the Santa Cruz Mountains within the Program Area, the San Francisco garter snake is found in a few localized areas along the coast. East of the crest, it is found from the City of South San Francisco and the San Francisco airport, south to Crystal Springs Reservoir (Stanford University 2012). San Francisco garter snakes have been historically documented in four Midpen preserves: Tunitas Creek, Russian Ridge, Skyline Ridge, and Long Ridge OSP (USFWS 2016). However, this species currently has a very limited distribution on Midpen lands, and the only Preserve with confirmed presence at this time is Russian Ridge OSP.

Suitable habitat for the foothill yellow-legged frog is present at multiple locations in the Program area, but the species has essentially been extirpated throughout much of San Mateo County, at least east of the crest of the Santa Cruz Mountains, as there are no records from that area since 1960 (CDFW 2020b). Single records west of the crest of the Santa Cruz Mountains within the past 25 years, from Pescadero Creek County Park and Portola Redwoods State Park, suggest the species may persist west of the crest. In Santa Clara County, east of State Route 17, the species is extant in suitable habitat, including in creeks in Sierra Azul OSP – the only Midpen preserve where the species is likely to occur.

Suitable habitat for the California giant salamander is present in the Program area, and the species has been observed at many Midpen preserves, including Tunitas Creek OSP, Skyline Ridge OSP, Sierra Azul OSP, Saratoga Gap OSP, Purisima Creek Redwoods OSP, Monte Bello OSP, Long Ridge OSP, La Honda Creek OSP, El Sereno OSP, El Corte de Madera Creek OSP, and Bear Creek Redwoods OSP (Midpen 2019, CDFW 2020b). It is most likely to occur near streams, but dispersing individuals could occur in nearby upland habitats.

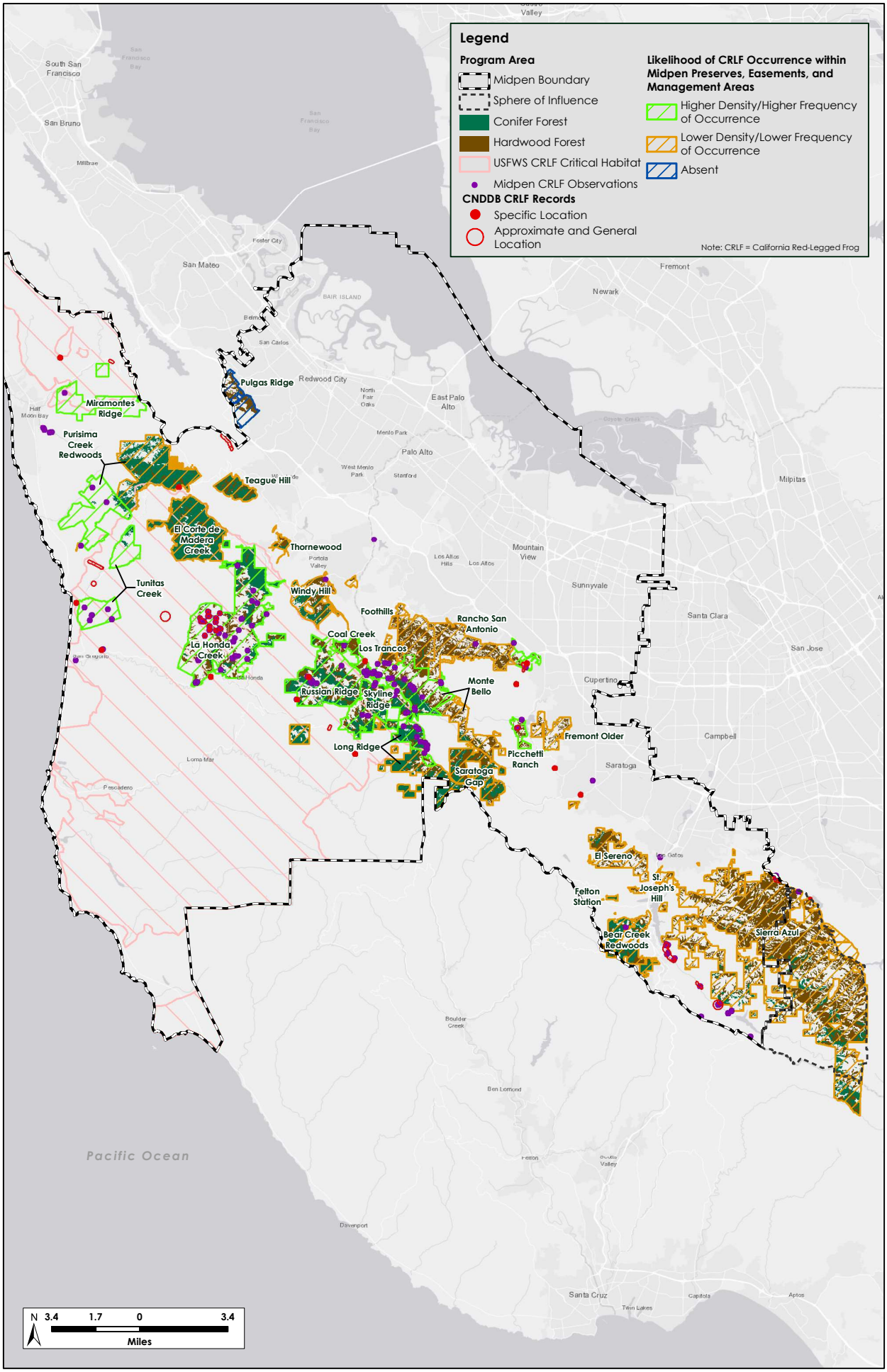

Figure 3.4-5 California Red-Legged Frog Distribution in the Program Area

Midpeninsula Regional Open Space District Routine Maintenance and Facilities Improvements Program
Biological Assessment (3835-04)
February 2021

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The Santa Cruz black salamander is endemic to California and is found in moist streamside habitats in woodlands and forests in the Santa Cruz Mountains in western Santa Clara, northern Santa Cruz, and southernmost San Mateo Counties. This species is found in moist forests and riparian zones in or near streams or seeps. This species has been observed at Sierra Azul OSP, as well as from Bear Creek Redwoods OSP, Long Ridge OSP, Monte Bello OSP, Russian Ridge OSP, and Saratoga Gap OSP (Midpen 2019, CDFW 2020b), and it likely occurs in suitable habitat at other Midpen preserves as well.

Suitable habitat for the red-bellied newt is present in the Program area, and the species is known to occur at Monte Bello OSP. However, because this recently discovered population is disjunct and isolated from the primary population, which is located in Humboldt, Mendocino, Lake, and Sonoma Counties by 80 miles (Reilly et al. 2014), this species is unlikely to occur at any other Midpen preserve.

Creeks, lakes, ponds, and freshwater marshes in the Program area provide suitable habitat for the western pond turtle. This species has been observed at La Honda Creek OSP, Bear Creek Redwoods OSP, Sierra Azul OSP, Russian Ridge OSP, Skyline Ridge OSP, Windy Hill OSP, and Long Ridge OSP (Midpen 2019; CDFW 2020b), and likely occurs in other preserves where suitable habitat is present.

Coast horned lizard was historically known to occur throughout San Mateo County and the Program area. Although there are no recent records from San Mateo County, this species is known to persist in at least three Midpen preserves located in Santa Clara County, with recent records from Bald Mt in the Sierra Azul OSP (2009), Monte Bello OSP (2014), and five records from Rancho San Antonio OSP, including two recent records (2014 and 2018) (Midpen 2019; iNaturalist 2019).

The vast majority of Program activities contribute to the management and enhancement of habitat for special-status amphibians and reptile species either directly (e.g., by constructing wildlife crossings, planting native vegetation, and restoring pond and stream habitats) or indirectly (e.g., by maintaining infrastructure needed to perform management activities), and the Program overall is anticipated to have a substantial net benefit to these species and their habitat.

However, Program activities, including water supply structure and bridge maintenance, vegetation management, road and trail maintenance activities, and new facilities and improvements have the potential to result in significant impacts to special-status amphibian and reptile species, where present, and their habitat. These activities could directly impact individuals or reduce the habitat quality by removing breeding substrate, basking sites, and escape cover in areas where Program activities occur. Injury or mortality of individuals by equipment, vehicle traffic, and worker foot traffic and disturbance of emergent vegetation, boulders, or cobbles that support egg masses could occur; however, Midpen has successfully been operating under a recovery permit issued by USFWS for 10 years and no injury or mortality of CRLF has occurred. Adult special-status amphibians may use existing animal burrows and the undersides of root wads, old boards, and other debris as refugia. Thus, individuals may also be crushed in their burrows by the passage of heavy equipment or trapped and suffocated. In addition, petrochemicals, hydraulic fluids, and solvents that are

spilled or leaked from construction vehicles or equipment may kill individuals at any life stage. Equipment and boots of maintenance personnel could introduce or spread *Batrachochytrium dendrobatidis* (Bd), a pathogen that can result in impairment of health, and even mortality, of amphibians. Facility maintenance activities, including those that require dewatering and those that do not, may temporarily result in increased turbidity within and downstream from the footprint of the activities due to mobilization of fine sediments. Increased turbidity may impair the health of red-legged frog eggs or larvae and make detection of predators and prey more difficult. In addition, seasonal movements (i.e., breeding, aestivation) and/or daily movements may be temporarily affected during Program activities because of dewatering or disturbance of non-instream habitat. Program activities may also result in the temporary loss of habitat value within the specific activity site (e.g., due to physical prevention of red-legged frogs from reaching an area).

Substrate vibrations or seismic sounds may cause individual amphibians to move out of refugia, exposing them to a greater risk of predation or desiccation, and may interfere with predator detection, resulting in a decrease in time spent foraging. Additionally, increases in human concentration and activity near suitable habitat may result in an increase in native and non-native predators that are attracted to trash left in the activity area. For example, raccoons, American crows, and common ravens are attracted to trash and prey opportunistically on amphibians.

The loss of riparian vegetation on stream banks due to water supply structure and bridge maintenance activities may result in indirect effects due to an increase in erosion and sedimentation. Increased turbidity may impair the health of special-status amphibian eggs or larvae and make detection of predators and prey more difficult. Additionally, any replacement of natural banks, or banks that are armored but that provide numerous refugia for red-legged frogs or their prey, with banks that provide no such refugia (e.g., concrete crib walls or sacked concrete) could result in the loss of upland refugia in the form of crevices, cavities, or small mammal burrows. Such effects could also result in the displacement of invertebrates that serve as a food source for special-status amphibians. Replacement of natural banks with would also preclude the re-establishment of riparian vegetation that provides cover and food for red-legged frogs and their prey. Conversely, replacement of "hard" bank substrates with "softer" substrates, which could also potentially occur under the Program, would enhance special-status amphibian habitat by increasing the availability of riparian vegetation and small mammal burrows to special-status amphibians.

Proposed vegetation management activities include the application of herbicides. Adherence to Midpen's IPMP would ensure that herbicide treatments include the most effective and least environmentally harmful options, and require active monitoring and adaptive management to over time. Herbicides are currently used on Midpen lands under the IPMP. The herbicides proposed for use as part of the Program are the same as those already analyzed and covered by the IPMP EIR and Addendum (Midpen 2014; Midpen, 2019). No new herbicides are proposed for use. Further, chemical use across Midpen lands would not increase with implementation of the proposed Program.

Midpen would implement the following BMPs, incorporated as part of the Program, to avoid impacts to special-status amphibians and reptiles to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-4 Salvage/Reuse of Plant and Woody Material
- BMP GEN-5 Hazardous Materials Storage/ Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-7 Waste Management
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-10 Paving and Asphalt Work
- BMP GEN-11 Concrete, Grout and Mortar Application
- BMP GEN-12 Exclude Concrete from Channel
- BMP GEN-13 Concrete Washout Facilities
- BMP GEN-14 Painting and Paint Removal
- BMP GEN-16 Site Stabilization
- BMP GEN-18 Project Completion by End of Work Period
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-20 Aquatic Resource Protection Measures
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-26 Non-native Plant Removal and Herbicide Management
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-32 Bridge and Puncheon Replacement
- BMP GEN-33 Bridge and Puncheon Repair and Maintenance
- BMP GEN-34 Ford and Swale (including Drain Lenses and Causeways) Replacement
- BMP BIO-1 Environmental Awareness Training
- BMP BIO-2 Biological Monitor

- BMP BIO-3 Work Area Designation
- BMP BIO-8 Non-Native Animal Control
- BMP BIO-9 General Wildlife Protection Measures
- BMP BIO-10 Special-status Species Reporting
- BMP BIO-11 San Francisco Garter Snake Protection Measures
- BMP BIO-12 California Red-Legged Frog Protection Measures
- BMP BIO-13 Foothill Yellow-Legged Frog Protection Measures
- BMP BIO-14 Western Pond Turtle Protection Measures
- BMP BIO-15 California Giant Salamander, Santa Cruz Black Salamander Protection Measures
- BMP BIO-22 Biological Monitoring for Stranded Aquatic Life
- BMP BIO-23 Large Woody Material Management
- BMP BIO-24 Riparian Avoidance
- BMP BIO-25 Riparian Restoration
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-3 Road and Trail Drainage Maintenance
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-2 Turbidity Monitoring
- BMP SWQ-3 Sediment Filtering Measures
- BMP DW-1 Stream/Aquatic Habitat Isolation
- BMP DW-2 Pond Dewatering
- BMP DW-3 Pumps

The avoidance and minimization approaches related to California red-legged frog, California tiger salamander, and San Francisco garter snake are outlined below. The use of general BMPs applicable to all special-status amphibian and reptile species follow this discussion.

Avoidance and Minimization Approach for the California Red-Legged Frog

BMPs would be implemented for all activities; however, Midpen would adjust its strategy for implementation of California red-legged frog BMPs based on the impact tier assigned to each activity, as described in detail in BMP BIO-12. Implementation of BMP BIO-12 would require handling by qualified biologists or biological monitors, disinfection of equipment, and limits on the number of California red-legged frog that could be captured at a location per year. For

work at Tier 2A sites, where California red-legged frogs are least likely to occur, a biological training would be conducted, maintenance personnel would watch for California red-legged frogs, and would contact the qualified biologist immediately if one is detected, and further avoidance and minimization measures would be implemented. For Tier 2B sites with greater potential to impact California red-legged frog, additional measures would include focused surveys by a biologist or biological monitor, biological monitoring if appropriate, inspection of parked vehicles before moving, specialized vegetation removal to maximize frog detection and avoidance, allowing California red-legged frog to move out of the project area of their own volition, or relocation by a qualified individual. For Tier 3 sites, additional measures would include presence of a biologist or biomonitor during activities, and specialized surveys, work periods, and procedures for work in ponds.

Avoidance and Minimization Approach for the California Tiger Salamander

The same avoidance and minimization approach described above for the California red-legged frog would be implemented for the California tiger salamander in the much more limited geographic locations and circumstances in which this species could occur in Program activity areas (see above for a description of the potential Program areas where this species may occur). A similar tiering approach would be used for California tiger salamander as that described for California red-legged frog, and the relevant Tier 2A, Tier 2B, or Tier 3 BMPs would be implemented for California tiger salamander per BMP BIO-12. No injury or mortality of individual California tiger salamanders is expected to occur with implementation of BMPs.

Avoidance and Minimization Approach for the San Francisco Garter Snake

A similar tiering approach would be used for San Francisco garter snake as that described for California red-legged frog, and the relevant Tier 2A, Tier 2B, or Tier 3 BMPs would be implemented for San Francisco garter snake per BMP BIO-12. BMP BIO-11 would also be implemented to specifically avoid and minimize impacts on the San Francisco garter snake. Individuals that are found during pre-activity surveys would be avoided; no injury or mortality of individuals is expected to occur with implementation of BMPs, and no relocation of individuals is expected to be necessary for Program activities.

As described above, Midpen would implement BMPs specific to California red-legged frog (BMP BIO-12), and San Francisco garter snake (BMP BIO-11). Other BMPs specific to special-status amphibians and reptiles include those targeted towards avoidance of impacts to foothill yellow legged frog (BMP BIO-13), western pond turtle (BMP BIO-14), and California Giant Salamander and Santa Cruz Black Salamander (BMP BIO-15). Implementation of BMP BIO-13 would require work to stop if an individual is detected in the work area until the animal leaves of its own volition. BMP BIO-14 would require focused pre-construction surveys for western pond turtles, allowing the turtle to leave the work area on its own, or relocating the turtle out of the work area, and avoidance of western pond turtle nests. Implementation of BMP BIO-15 would require pre-construction training, biological monitoring of sensitive habitat, and avoidance or relocation of California giant salamander and Santa Cruz black salamander if present. Implementation of the BMPs described above would avoid and minimize impacts to these species. Several BMPs that would avoid or

minimize impacts by minimizing the footprint of work activities and minimizing impacts from staging and stockpiling of materials, spills or leaks of chemicals, and other adverse effects would include BMPs GEN-1, GEN-2, GEN-5, GEN-6, GEN-8, GEN-9, GEN-14, GEN-22, GEN-23, and GEN-26. BMPs GEN-10, GEN-11, GEN-12, and GEN-13 would minimize the potential for concrete to result in adverse effects on aquatic habitats by limiting exposure of uncured concrete to these habitats. BMPs GEN-18 and GEN-19 would reduce the potential for erosion or sedimentation by restricting work to the dry season and dry periods. Implementation of BMPs GEN-16, EC-1, EC-2, EC-3, EC-4, EC-5, SWQ-1, SWQ-2, and SWQ-3 would further minimize potential for erosion or sedimentation by stabilizing work sites, implementing erosion control measures and monitoring water quality. Implementation of BMP BIO-1 would minimize impacts through environmental awareness training of maintenance personnel regarding the sensitivity of special-status amphibian species and BMP BIO-2 would give the biological monitor stop-work authority to avoid impacts to special-status species. BMPs DW-1, DW-2, and DW-3 would minimize impacts to aquatic habitat by isolating the work area from the flowing stream, conducting dewatering outside of the California red-legged frog breeding season, and screening pumps to prevent impingement, injury, or mortality. Implementation of BMP BIO-8 would improve conditions for special-status amphibian species by controlling nonnative aquatic species and minimizing the attraction of predators into the work area. BMPs BIO-23, BIO-24, and BIO-25 would maintain special-status amphibian species by minimizing removal of large woody debris in streams, avoiding impacts to riparian habitat, and restoring any impacted riparian habitat.

Further, the proposed Program is expected to result in a net benefit to these species and their habitats by planting native vegetation to enhance and restore upland, wetland, and riparian areas; creating new features such as wetlands and off-channel pools to expand aquatic habitats; decommissioning existing infrastructure (e.g., old roads and culverts) to restore habitats; removing nonnative invasive plants; maintaining high-quality grasslands using grazing and fuel management practices; reducing sediment accumulation in ponds and streams and removing debris; and maintaining infrastructure to ensure access for Midpen personnel conducting management activities and avoid detrimental effects of deteriorating structures on habitats. After implementation of BMPs, the Program would not have a significant residual impact on populations of any of these species; rather, the Program and its BMPs are designed to have a beneficial impact on these species and improve the likelihood of the survival and recovery of these species. Therefore, this impact would be **less than significant**. No mitigation is required.

Impacts to Special-status Bird Species

Table 2 in **Appendix D** lists the special-status bird species known to occur in the vicinity of the Program area. These include marbled murrelet, tricolored blackbird, white-tailed kite, bald eagle, golden eagle (*Aquila chrysaetos*), long-eared owl (*Asio otus*), Vaux's swift (*Chaetura vauxi*), black swift (*Cypseloides niger*), olive-sided flycatcher (*Contopus cooperi*), purple martin (*Progne subis*), loggerhead shrike (*Lanius ludovicianus*) yellow warbler, San Francisco common yellowthroat (*Geothlypis trichas sinuosa*), grasshopper sparrow, and Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*). Other bird species that are protected by the MBTA and California Fish and Game Code (§) 3503 and 3503.5 could nest in grasslands, shrubs, trees, and other substrates within the Program area. The marbled

murrelet is described in detail below, while impacts to other special-status birds are described more broadly.

In the Program area, the marbled murrelet is restricted to old-growth redwood forests and isolated patches of late-seral forest, where it breeds, and to coastal waters, where it forages (Sequoia Audubon Society 2001, Cornell Lab of Ornithology 2021). This species is known to occur in Purisima Creek Redwoods OSP and Tunitas Creek OSP (**Figure 3.4-4**), and it may occur in or near other preserves if old-growth redwood forests or late seral forest are present. Records of the species are known along the southern boundary of El Corte de Madera Creek OSP and La Honda Creek OSP, and adjacent to an easement located south of Russian Ridge OSP (**Figure 3.4-4**). However, most known breeding areas are farther downslope from the crest of the Santa Cruz Mountains, and are centered in the area bounded by San Mateo County Memorial Park, Sam McDonald County Park, Pescadero Creek County Park, Portola Redwoods State Park, Butano State Park, and (in adjacent Santa Cruz County) Big Basin State Park (CNDDB 2021). Two marbled murrelet designated critical habitat units are present in the Program area (CA-13 and CA-14a); however, no Midpen preserves or easements include designated critical habitat. Designated critical habitat is located in Huddart County Park, immediately adjacent to Purisima Creek Redwoods OSP and Teague Hill OSP, as well as at Pescadero Creek County Park and Portola Redwoods State Park, immediately adjacent to La Honda Creek OSP, Long Ridge OSP, and Skyline Ridge OSP (**Figure 3.4-2**).

Suitable nesting habitat for the marbled murrelet is present within Purisima Creek Redwood OSP, Tunitas Creek OSP, and an easement located south of Russian Ridge OSP, as well as immediately adjacent to La Honda Creek OSP, Skyline Ridge OSP, and Long Ridge OSP. A number of Program activities, such as maintenance of roads and trails, culverts, and bridges, as well as vegetation management and other activities, are proposed in these areas. Although Program activities are not expected to result in the loss of nesting habitat, it is feasible that such activities could (in the absence of BMPs) occur sufficiently close to active nests to result in disturbance. Adult birds are not expected to be killed or injured, as they could easily fly from the work site prior to such effects occurring; however, Program activities causing a substantial increase in noise, movement of equipment, or human presence near active nests could result in the abandonment of nests, and possibly the loss of eggs or young as a result.

Similarly, Program activities such as maintenance of roads and trails, culverts, and bridges, as well as vegetation management have the potential to disturb other nesting special-status bird species and their habitat. In the absence of BMPs, this could cause nesting failure or reduced fitness, which could result in a significant impact to special-status birds.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce impacts on special-status birds, and their habitats to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-8 Vehicle Maintenance and Parking

- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP BIO-1 Environmental Awareness Training
- BMP BIO-2 Biological Monitor
- BMP BIO-16 Migratory Bird Nest Protection Measures (excludes Marbled Murrelet)
- BMP BIO-17 Marbled Murrelet Nest Protection Measures
- BMP BIO-23 Riparian Avoidance
- BMP BIO-24 Riparian Restoration

Implementation of a number of BMPs that are routine for all Program activities would help to avoid impacts on nesting special-status birds and nesting birds protected by the MBTA and California Fish and Game Code § 3503 and 3503.5. Such general BMPs, which tend to minimize the footprint of work activities and minimize impacts from staging and stockpiling of materials, spills or leaks of chemicals, and other adverse effects, include BMPs GEN 1, 2, 8, 9 and 23. In addition, implementation of BMP BIO-1 would minimize impacts through environmental awareness training of maintenance personnel regarding the sensitivity of special-status bird species. BMP BIO-16 Migratory Bird Nest Protection Measures (excludes Marbled Murrelet) would be implemented to protect nesting birds (including special-status nesting birds). This BMP includes focused surveys for active nests during the nesting season (February 15 - August 30). If active nests are found, a buffer would be established around the nest and maintained until the young have fledged. This BMP also includes monitoring of bird behavior at the nest site to ensure nesting birds are not disturbed by Program activities. BMP BIO-17 would be implemented to specifically avoid and minimize impacts on the marbled murrelet. Program activities within 0.25 mile of suitable nesting habitat for the marbled murrelet, as determined by a qualified biologist, would be confined to the period of September 15 to March 23, outside of the typical nesting season for marbled murrelets (as defined by the Pacific Seabird Group Marbled Murrelet Technical Committee [2003]). BMPs BIO-23 and BIO-24 would also be protective of riparian habitat, where special-status bird species such as yellow warbler and long-eared owl may nest, which would further reduce impacts to these species.

By implementing these measures, impacts to special-status bird species and their habitat would be avoided or sufficiently minimized such that significant adverse impacts would not occur. Therefore, this impact would be **less than significant**. No mitigation is required.

Impacts to Special-status Mammal Species

Table 2 in **Appendix D** lists the special-status mammal species known to occur in the vicinity of the Program area. These include mountain lion, San Francisco dusky-footed woodrat, pallid bat, western red bat, Townsend's big-eared bat, ringtail (*Bassariscus astutus),* and American badger. Several non-special-status but CEQA-relevant bat species (hereafter referred to as "CEQA-relevant bats") have potential to occur in the Program area, including Brazilian free-tailed bats (*Tadarida brasiliensis*), big brown bats (*Eptesicus fuscus*), and myotis bats (*Myotis*

spp.). These CEQA-relevant bat species may be present in trees, bridges, or rock crevices or under exfoliating tree bark in the vicinity of Program activities.

Mountain lions are present in low densities throughout much of the Santa Cruz Mountains. Although they typically tend to avoid areas of high human activity, they occasionally venture into suburban areas. Mountain lions have been recorded in numerous Midpen preserves and could potentially occur in any preserve within the Program area.

The San Francisco dusky-footed woodrat (SFDFW), a California species of special concern, occurs in woodlands and scrub habitats throughout much of the program area, and can be abundant in suitable habitat.

Pallid bat has been recorded in scattered locations in open areas and along roads of the Pacific coastal regions and the Santa Cruz Mountains within the Program area. This species may occur in Midpen preserves with old buildings or large trees (especially oaks) with large cavities. However, pallid bats are expected to occur in low numbers and only in limited areas.

The Townsend's big-eared bat is a scarce resident of the Program area, potentially roosting in old mines, caves, very large cavities in redwood trees, and barns and abandoned buildings in the Santa Cruz Mountains. Townsend's big-eared bats have been detected at several Midpen preserves, including Bear Creek Redwoods OSP, La Honda Creek OSP, Long Ridge OSP, Pichetti Ranch OSP, Russian Ridge OSP, Skyline Ridge OSP, Sierra Azul OSP, and Windy Hill OSP (Midpen data). This species has also been detected at Tunitas Creek Beach, less than 1/2 mile from Midpen's Tunitas Creek OSP. Many of these records are very recent, within the past three years, and in many instances, detections have occurred during the known breeding season for this species, which extends through August. In many cases, Townsend's big-eared bats detected in Midpen preserves have been found in buildings, such as sheds or barns. Therefore, this species may occur in a number of Midpen preserves, albeit in very small numbers.

The western red bat does not breed in the Program area, so no maternity roosts would be affected by proposed Program activities. It does roost solitarily in the foliage of trees during winter or migration.

Suitable habitat for ringtail is present in portions of the Program area that contain dense woodlands and/or rocky outcroppings. It is known to have occurred at Sierra Azul OSP, Saratoga Gap OSP, and Long Ridge OSP (Midpen 2019), and may be present at other Midpen preserves, although it is expected to be rare and local.

Badgers are present in low numbers in open habitats of the Program area, with many recent records from Midpen preserves along the crest of the Santa Cruz Mountains that have open grasslands, including Skyline Ridge OSP, Russian Ridge OSP, Windy Hill OSP, Tunitas Creek OSP, Monte Bello OSP, Coal Creek OSP, and La Honda Creek OSP. Suitable habitat may exist at other preserves. However, populations of this species in the Santa Cruz Mountains are likely low, and this species is expected to occur only in low numbers in any Midpen preserve.

Program activities could result in accidental crushing of SFDFW stick nests, or direct mortality from crushing by mechanical equipment. Implementation of BMP BIO-16, which includes preconstruction surveys and relocation of nests that cannot be avoided, would be implemented to specifically avoid and minimize impacts on SFDFW.

In the absence of BMPs, Program-related disturbance near a maternity roost of pallid or Townsend's big-eared bats could cause females to abandon their young. If trees or structures containing roosting colonies or individual pallid bats or Townsend's big-eared bats were removed or modified, individual bats could be physically injured or killed; could be subjected to physiological stress from being disturbed during torpor; or could face increased predation because of exposure during daylight, a potentially significant impact. Such impacts could be significant because these species' populations are limited locally and regionally and loss of individuals may have a substantial adverse effect on local and regional populations of these species. Implementation of BMP BIO-20, which requires preconstruction surveys for pallid and Townsend's big-eared bats, avoidance of work during the breeding season and winter torpor period if special-status bats are present, providing alternative roost sites, and preparing and implementing exclusion plans, would minimize impacts on special-status bats.

The western red bat does not breed in the Program area but roosts in the foliage of trees during winter or migration. Individuals of this species roost solitarily in foliage, and the number of individuals that could be present on a project site at any given time (and thus the number that could be affected) is likely low. When trees supporting individual bats are removed or modified, individual western red bats could be affected, if present, in the same ways described above for adult pallid and Townsend's big-eared bats.

Program activities could result in similar impacts to CEQA-relevant bat species. Proposed tree removal would have the potential to result in impacts on non-special-status bats. Loss of a small colony (i.e., fewer than 10) of non-special-status bats would not result in a substantial impact on regional populations because of the regional abundance of these species (e.g., in comparison to pallid bat and Townsend's big-eared bat); however, loss of multiple colonies, or of a particularly large colony, of these CEQA-relevant bat species may substantially affect regional populations of any of them. Implementation of BMP BIO-20 would be protective of CEQA-relevant bat species, in addition to special-status bat species. Suitable roost sites for non-special-status bats are expected to be widespread enough that the loss of a roost site resulting from proposed Program activities would not result in a substantial reduction in suitable roosts on a regional scale. Program activities are not expected to result in a substantial reduction in suitable roosts (on a regional scale) for common bat species. Therefore, the loss of roost sites used by common bat species would be a less-than-significant impact.

Program activities may disturb foraging badgers or ringtails or temporarily cause these species to modify their foraging or dispersal areas, but such effects would be temporary. Badger or ringtail dens are not anticipated to be impacted by Program activities.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce impacts on special-status mammals and their habitats to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP BIO-1 Environmental Awareness Training
- BMP BIO-16 San Francisco Dusky-footed Woodrat and Nest Protection Measures
- BMP BIO-20 Bat Colony Protection Measures

Implementation of BMPs GEN-1, GEN-2, and BIO-1 would minimize impacts on all special-status mammal species through minimization of the area of disturbance and environmental awareness training of maintenance personnel regarding the sensitivity of these species. As described above, implementation of BMP BIO-16 includes preconstruction surveys for San Francisco dusky-footed woodrat and relocation of nests that cannot be avoided. Implementation of BMP BIO-20, which requires preconstruction surveys for pallid and Townsend's big-eared bats, avoidance of work during the breeding season and winter torpor period if special-status bats are present, providing alternative roost sites, and preparing and implementing exclusion plans, would minimize impacts on special-status bats. By implementing these measures, impacts to special-status mammal species and their habitat would be avoided or sufficiently minimized such that adverse impacts are not likely to occur. Therefore, this impact would be **less than significant**. No mitigation is required.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Note that impacts to wetlands are addressed separately in (c), below.

As described above in the setting section, riparian communities and other sensitive natural communities are present within the Program area. Riparian communities provide a wide range of biological functions for fish and wildlife species. Program activities largely occur in sensitive natural communities including oak woodland, riparian habitat, freshwater wetlands, and riverine aquatic habitat. Program activities such as culvert and bridge and replacement, road and trail drainage feature maintenance, sediment and debris removal, streambank stabilization, road and trail maintenance, water supply structure maintenance, restoration and enhancement projects and vegetation management may occur within riparian corridors along channel banks. Thus, these activities have the potential to result in the loss and/or disturbance of riparian or other sensitive natural community vegetation through pruning and trimming for access, removal of fallen or hazardous trees, herbicide application, trampling, and other impacts. Program activities could also impact native riparian and other sensitive vegetation through the introduction and spread of pathogens such as Phytophthora.

As described in Chapter 2, vegetation removal in a riparian area would typically be less than 1,200 square feet per site. Current permit conditions provide for a 20% maximum reduction in riparian canopy and to mitigate for any trees removed above 6" dbh within the top of bank. All vegetation removal activities would be conducted in compliance with the IPMP and the

Wildland Fire Resiliency Program. Additionally, the work limits described in Chapter 2 would limit Program impacts on riparian and other sensitive natural communities. Pesticide application in riparian areas would be limited to one to five sites per year and would be conducted in accordance with the IPMP BMPs. Only pesticides and adjuvants labeled for aquatic use would be allowed.

Conservation grazing activities are not anticipated to result in impacts to sensitive natural communities, as these activities would be conducted in accordance with the goals, policies, and implementation measures included in Midpen's Grazing Management Policy (2008). Certified rangeland managers would prepare site-specific grazing management plans that incorporate BMPs for preserves where grazing will be utilized based on the unique features of each site and determine the appropriate class of livestock and stocking rates. Before conservation grazing activities commence, a biologist would evaluate the area to be grazed to identify sensitive resources, including sensitive natural communities.

The effects of sediment and debris removal, culvert and bridge maintenance, road and trail drainage feature maintenance, streambank stabilization, and vegetation management activities on riparian vegetation have been estimated on an annual basis on past Midpen projects (See **Table 2-3** in Chapter 2, *Project Description*). A precise quantification of the Program impact areas is not possible at this time as Program activities will be determined and prioritized on an annual basis by Midpen within each OSP. Riparian vegetation that is removed by Program activities is expected to regrow, except in areas where capacity or other maintenance activities would require the permanent exclusion of vegetation or where repetitive impacts on riparian vegetation in certain areas could prevent regrowth. The Program also includes various enhancement and restoration activities, which are anticipated to result in a beneficial effect to native riparian vegetation.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce impacts on sensitive natural communities to the greatest extent feasible. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-5 Hazardous Materials Storage/ Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-10 Paving and Asphalt Work
- BMP GEN-11 Concrete, Grout and Mortar Application
- BMP GEN-12 Exclude Concrete from Channel
- BMP GEN-13 Concrete Washout Facilities

- BMP GEN-14 Painting and Paint Removal
- BMP GEN-16 Site Stabilization
- BMP GEN-18 Project Completion by End of Work Period
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-20 Aquatic Resource Protection Measures
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-24 Vegetation Management with Prescribed Burns
- BMP GEN-25 Vegetation Management with Livestock
- BMP GEN-26 Non-native Plant Removal and Herbicide Management
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-30 Culvert Removal and/or Replacement with Rolling Dips or Fords
- BMP GEN-31 New Culvert Installation (non-stream crossings)
- BMP GEN-32 Bridge and Puncheon Replacement
- BMP GEN-33 Bridge and Puncheon Repair and Maintenance
- BMP GEN-34 Ford and Swale (including Drain Lenses and Causeways) Replacement
- BMP BIO-1 Environmental Awareness Training
- BMP BIO-2 Biological Monitor
- BMP BIO-3 Work Area Designation
- BMP BIO-5 Sensitive Natural Communities
- BMP BIO-6 Invasive Plant Material Management and Disposal
- BMP BIO-7 Sudden Oak Death and Plant Pathogen Control
- BMP BIO-23 Large Woody Material Management
- BMP BIO-24 Riparian Avoidance
- BMP BIO-25 Riparian Restoration
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-3 Road and Trail Drainage Maintenance
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas

- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-2 Turbidity Monitoring
- BMP SWQ-3 Sediment Filtering Measures
- BMP DW-1 Stream/Aquatic Habitat Isolation

Standard operating procedures for Program activities include implementing BMP BIO-5: Sensitive Natural Communities, BMP BIO-24: Riparian Avoidance and BMP BIO-25: Riparian Restoration. During treatment of vegetation within a sensitive natural community, BMP BIO-5 would require maintenance of the membership rules of the natural community by preferentially retaining characteristic species to maintain the structure and composition of the community. BMP BIO-24 would require protection of riparian trees from damage to the greatest extent possible, and that vegetation management not adversely impact the riparian zone. BMP BIO-25 would require prioritization of riparian restoration in the same preserve and watershed, tree replacement, revegetation, and the use of native species for revegetation (except in cases where non-native trees are culturally significant). For active revegetation, a revegetation plan would be submitted to CDFW with the annual notification, and monitoring and remediation of revegetation areas. I.

BMPs that would avoid or minimize impacts by minimizing the footprint of work activities and minimize impacts from staging and stockpiling of materials, spills or leaks of chemicals, and other adverse effects include BMPs GEN-1, GEN-2, GEN-5, GEN-6, GEN-8, GEN-9, GEN-14, GEN-22, GEN-23, and GEN-26. BMPs GEN-10, GEN-11, GEN-12, and GEN-13 would minimize the potential for concrete to result in adverse effects on sensitive habitats by limiting exposure of uncured concrete to these habitats. BMPs GEN-18 and GEN-19 would reduce the potential for erosion or sedimentation by restricting work to the dry season and dry periods. Implementation of BMPs GEN-16, EC-1, EC-2, EC-3, EC-4, EC-5, SWQ-1, SWQ-2, and SWQ-3 would further minimize potential for erosion or sedimentation by stabilizing work sites, implementing erosion control measures and monitoring water quality. Implementation of BMP BIO-1 would minimize impacts through environmental awareness training of maintenance personnel regarding the sensitivity of riparian and other sensitive natural communities. BMP BIO-2 would give the biological monitor stop-work authority to avoid impacts to sensitive natural communities. BMP BIO-7 would minimize impacts from plant pathogens by sanitizing and not carrying infected materials into other areas. BMP DW-1 would minimize impacts to aquatic habitat by isolating the work area from the flowing stream.

With these BMPs in place, the Program would have a **less than significant** or potentially beneficial impact to sensitive natural communities including riparian habitat. No mitigation is required.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Federally protected wetlands are present within the Program area in many OSPs. Program activities such as culvert and bridge and replacement, road and trail drainage feature

maintenance, sediment and debris removal, streambank stabilization, road and trail maintenance, work in ponds, water supply structure maintenance, restoration and enhancement projects and vegetation management may occur in areas supporting wetlands. Thus, these activities have the potential to result in the loss and/or disturbance of wetlands. Wetland vegetation may be lost as a result of mechanical or physical clearing in the work site (including access areas), removal of sediment containing vegetation, and damage to vegetation may occur as a result of crushing by equipment; trampling by personnel; and compaction of soil, which could result in damage to plant roots. Program activities would require temporary water diversions or dewatering. This activity would result in the temporary loss of aquatic and wetland communities and may result in increased turbidity within and downstream from the footprint of the activities caused by mobilization of fine sediments. In addition, because barren slopes are more susceptible to erosion from incident rainfall, the loss of wetland vegetation and non-instream vegetation along stream banks following bank stabilization activities may result in an increase in erosion and sedimentation. Increased erosion and sedimentation may lead to the filling in of pools and damage to wetland vegetation. Program also may affect downstream areas by altering flow patterns.

These activities could result in the placement of fill, hydrological interruption (e.g., dewatering or diversion), alteration of bed and bank, degradation of water quality (e.g., increased sedimentation and turbidity), and other direct impacts, which would be a potentially significant impact. The activities would primarily result in the short-term loss and disturbance of wetlands and aquatic habitats; however, small permanent losses could occur because of the use of hardscape for bank stabilization activities. As described in Chapter 2, Midpen would continue to prioritize the use of earthen and biotechnical bank stabilization solutions over hardscape solutions.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce impacts on wetlands. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-5 Hazardous Materials Storage/ Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-10 Paving and Asphalt Work
- BMP GEN-11 Concrete, Grout and Mortar Application
- BMP GEN-12 Exclude Concrete from Channel
- BMP GEN-13 Concrete Washout Facilities
- BMP GEN-14 Painting and Paint Removal

- BMP GEN-16 Site Stabilization
- BMP GEN-18 Project Completion by End of Work Period
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-20 Aquatic Resource Protection Measures
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-24 Vegetation Management with Prescribed Burns
- BMP GEN-25 Vegetation Management with Livestock
- BMP GEN-26 Non-native Plant Removal and Herbicide Management
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-30 Culvert Removal and/or Replacement with Rolling Dips or Fords
- BMP GEN-31 New Culvert Installation (non-stream crossings)
- BMP GEN-32 Bridge and Puncheon Replacement
- BMP GEN-33 Bridge and Puncheon Repair and Maintenance
- BMP GEN-34 Ford and Swale (including Drain Lenses and Causeways) Replacement
- BMP BIO-1 Environmental Awareness Training
- BMP BIO-2 Biological Monitor
- BMP BIO-3 Work Area Designation
- BMP BIO-6 Invasive Plant Material Management and Disposal
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-3 Road and Trail Drainage Maintenance
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-2 Turbidity Monitoring
- BMP SWQ-3 Sediment Filtering Measures
- BMP DW-1 Stream/Aquatic Habitat Isolation

Midpen would implement a number of BMPs to address the impacts of Program activities on wetlands and other waters. General BMPs tend to minimize the footprint of work activities and minimize impacts from staging, stockpiling of materials, spills or leaks of chemicals, and other adverse effects. Relevant general BMPs include BMPs GEN-1, GEN-2, GEN-5, GEN-22, GEN-23, and GEN-26. BMPs GEN 16, GEN-21, EC-1 through EC-5, and SWQ-1 through SWQ-3 are specifically designed to reduce adverse effects on water quality, such as increased turbidity. Petrochemicals, hydraulic fluids, and solvents that are spilled or leaked from maintenance vehicles or equipment may also adversely affect water quality within or downstream from the activity area, and fresh concrete may release harmful chemicals into the water if rewatering occurs before the concrete has cured. These impacts would be minimized by implementation of BMPs GEN-5 through GEN-16. BMPs GEN-18 and GEN-19 would reduce the potential for erosion or sedimentation by restricting work to the dry season and dry periods. Implementation of BMP BIO-1 would minimize impacts through environmental awareness training of maintenance personnel regarding the sensitivity of wetlands and waters. BMP BIO-2 would give the biological monitor stop-work authority to avoid impacts to sensitive habitats. BMP DW-1 would minimize impacts to aquatic habitat by isolating the work area from the flowing stream. Implementation of BMP BIO-6 would reduce impacts from invasive plants by requiring equipment to arrive clean on the work site and properly disposing of invasive plants.

Implementation of the above BMPs would reduce and minimize impacts to state and federal wetlands. Midpen acquires dozens of acres of wetland habitats each year through its preservation efforts. As part of the proposed Program Midpen would offset all permanent removal of vegetation from jurisdictional areas through continued land acquisitions and permanent protection of riparian habitats. Additionally, implementation of the restoration and enhancement projects conducted by Midpen would be beneficial to wetlands and other waters associated with Program activities. Therefore, Program activities are not likely to result in the permanent reduction of wetland area, substantial conversion of wetland type, or a significant permanent decline in wetland functions and values. Therefore, this impact would be **less than significant**. No mitigation is required.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

Impacts to nesting non-special-status birds and roosting CEQA-relevant bats are discussed in the responses to question (a), above.

Aquatic features in the Program area, including streams, ponds, and lakes, provide habitat for both native and non-native fish. Program activities including sediment and large woody debris removal may affect the movement of fish species by altering flow paths or the distribution of stream substrate. Dewatering activities would result in short-term losses of available habitat for fish species, but would not result in permanent barriers. Culverts in fish-bearing streams would be designed to provide sufficient depth and velocity of water for passage of native fish and other native aquatic species during high and low flow conditions, which is anticipated to improve habitat conditions for native species.

Implementation of Program activities may cause wildlife to avoid implementation areas during active work due to noise or increased human presence. However, Program activities would be relatively short in duration and would not result in permanent access restrictions or barriers to movement for wildlife. Following the completion of Program activities in an area, wildlife dispersal through the affected area is expected to return to existing conditions.

Midpen would implement the following BMPs, incorporated as part of the Program, to reduce impacts on the movement of native fish and wildlife. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP DW-1 Stream/Aquatic Habitat Isolation
- BMP DW-2 Pond Dewatering
- BMP DW-3 Pumps

Implementation of BMPS GEN-1 and GEN-2 would avoid or minimize impacts by minimizing the footprint of work activities and minimize impacts from staging and stockpiling of materials. BMPs DW-1, DW-2, and DW-3 would minimize impacts to aquatic habitat by isolating the work area from the flowing stream, conducting dewatering outside of the California red-legged frog breeding season, and screening pumps to prevent impingement, injury, or mortality of aquatic species. After implementation of BMPs, the Program would not have a significant residual impact on native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Therefore, this impact would be **less than significant**. No mitigation is required.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Conflict with Local Policies

The Program would comply with local policies protecting biological resources, including Midpen's Resource Management Policies and Vision Plan, and the General Plans of San Mateo, Santa Cruz, and Santa Clara Counties. Therefore, impacts related to conflict with local policies would be **less than significant**. No mitigation is required.

Conflict with the Local Tree Ordinance

The majority of proposed Program activities would occur in unincorporated San Mateo and Santa Clara Counties, while some work would occur in various cities and towns. As described in Section 3.4.2, both San Mateo and Santa Clara Counties have ordinances protecting trees. Midpen would comply with all such ordinances where applicable, including obtaining a permit from the necessary jurisdictions to remove protected trees and complying with the conditions of such permits (including paying any applicable fees). Therefore, impacts related

to conflict with local policies or ordinances protecting trees would be **less than significant**. No mitigation is required.

Conflict with Local Coastal Program

As described in Section 3.4.2, all development planned in the Coastal Zone requires either issuance of a Coastal Development Permit or a Coastal Development Permit Exemption. Midpen would comply with the LCP by obtaining a permit or exemption for all Program activities that are planned within the Coastal Zone and complying with all applicable permit conditions. Therefore, impacts related to conflict with the LCP would be **less than significant**. No mitigation is required.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

A very small portion of Midpen lands along the eastern boundary of Sierra Azul OSP (approximately 200 acres) are within the mapped Habitat Plan area (ICF International 2012). The Habitat Plan covers nine wildlife and nine plant species, listed in **Table 3.4-2**. Midpen is not a signatory of the Habitat Plan, but coordinates with the signatory parties to the plan regarding any biological issues should they arise. Program activities that occur within the Habitat Plan area would not be covered by the Habitat Plan. Further, the Program includes BMPs to avoid and minimize impacts from Program activities on the species covered by the Habitat Plan, as described above under Impact Criterion a. Therefore, the Program would not conflict with the Habitat Plan. This impact would be **less than significant**. No mitigation is required.

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3.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5?	☐	☐	☒	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

3.5.1 Environmental Setting

Cultural resources include prehistoric Native American archaeological sites; historic-era archaeological sites; tribal cultural resources (TCRs); traditional cultural properties; and historic era buildings, structures, landscapes, districts, and linear features. Cultural resources are protected by the National Historic Preservation Act (NHPA), CEQA, and the California Public Resources Code. These resources are the result of thousands of years of human presence on the landscape. It is widely believed that the San Francisco Bay region was likely inhabited by at least 10,000 B.C. (Milliken et al. 2010) by mobile groups of big game hunters. Over the centuries, indigenous populations became increasingly more sedentary and practiced a foraging subsistence pattern, incorporating the use of seeds and acorns into their diet to supplement animal sources. By the time of the earliest colonists, the Ohlone people were well established in the region.

The first European explorers in the San Francisco Bay area were the Spanish, who arrived in the late 1760s and the 1770s to establish missions; first in San Francisco and then Santa Clara and San Jose. When Mexico became independent from Spain in 1821, the secular government began issuing grants of land to favored citizens. First granted only to Mexican nationals, these tracts of land were soon bestowed upon those outsiders (largely Americans) who agreed to become citizens (Kyle et al. 2002:xiii-xiv). During Mexican rule, 22 tracts of land, or Ranchos, were granted within the Program area, in what was to become San Mateo and Santa Clara counties (Ballard et al. 2013:38-39; California State Lands Commission 1982).

American explorers, traders, and settlers began filtering into California in the early 1800s, , but it was not until after the end of the Mexican War and the signing of the Treaty of Guadalupe Hidalgo in 1848, that non-Hispanic Anglos began migrating in masses. This surge

in migration was bolstered by the discovery of gold in the Sierra Nevada foothills and the advent of the Gold Rush in 1849. During this era, the Program area was largely agricultural, though lumber was also a valued commodity. The entire region began to become more urban after World War II, and more so after the Korean War. By the middle of the 20th century, the wartime industry provided jobs and a fledgling local economy. By the middle of the 20th century, the wartime industry provided jobs and a fledgling local economy. At this time, San Mateo and Santa Clara counties became a focal point of the electronics industry, and over the next decades the region fully transformation into the "Silicon Valley" as it is known today.

Midpeninsula Regional Open Space District

Midpen was established nearly 50 years ago upon passage of voter initiative, Measure R, in 1972. The Midpeninsula Regional Park District (as it was originally named) was formed in response to rapid suburban and commercial development in the 1960s by conservationists who were concerned about the encroachment of construction in the hills, open spaces, and bay lands that made living in the Bay Area so desirable (Midpen 2021a).

In its infancy, Midpen was focused in northwestern Santa Clara County and, in 1974, 90 acres of the Foothills OSP (now expanded to 212 acres) was the first purchase made by the agency. The following year, voters approved adding southern San Mateo County to Midpen. Within a year, the first open space preserve in San Mateo County was secured: 274 acres of the Los Trancos OSP. Midpen had grown to include 19 preserves encompassing over 13,000 acres within the first decade of its existence.

Midpen has continued to expand its land base throughout the following decades, including acquisition of land in Santa Cruz County in 1992. Significantly, in 2004, Midpen's boundaries were expanded to include more than 140,000 acres of the San Mateo County coast, from the Pacific Ocean to the Santa Cruz Mountain ridgeline, between Montara and the San Mateo and Santa Cruz County line. Today Midpen lands cover 227,900 acres in San Mateo, Santa Clara, and Santa Cruz counties. Midpen actively protects over 64,000 acres within 26 preserves, as listed in **Table 2-1**.

Midpen manages land primarily to preserve a regional greenbelt of open space land; however, Midpen is also committed to protect the natural habitats found within the OSPs, and to restore, restore, enhance, and monitor native vegetation and wildlife, as well as protect the many watersheds within Midpen boundaries. As demonstrated by the policies defined by Midpen's Resource Management Policies (Midpen 2021) and the BMPs associated with the Program, Midpen understands the unique status of cultural resources as non-renewable resources that require protection equal to that of the natural environment.

3.5.2 Existing Conditions

Cultural Resources

Ballard et al. (2013) gathered data to establish baseline information on known cultural resources within the OSPs in support of Midpen's *2014 Vision Plan* (Midpen 2014). The sources for these data included the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS); files at Midpen's Administrative Offices;

and site records and base maps on file with Mark Hylkema, archaeologist with California State Parks who has worked extensively with Midpen. Altogether, Ballard et al (2013) identified 30 Native American prehistoric sites, 28 historic period resources, and five multicomponent (both Native American prehistoric and historic period) sites within the OSPs. The study found that, although no archaeological sites had previously been evaluated for National Register of Historic Places (NRHP)/California Register of Historical Resources (CRHR) eligibility, 12 built environment resources had been evaluated. Of these, two are listed on the NRHP/CRHR, one has been determined eligible, three have been recommended eligible, three have been determined not eligible, and two have been recommended not eligible.

Midpen (Panorama 2021) recently provided an updated summary of resources, noting that 106 cultural resources have been recorded in or immediately adjacent to the OSPs. These include 35 Native American prehistoric resources, 65 historic period resources, and six multicomponent sites.

Native American sites largely consist of bedrock milling sites, but habitation and resource procurement sites are also present. Historic era resources include both archaeological sites and built environment resources and reflect a broad spectrum of activities, most of which are representative of the American period. Historic period archaeological sites include, but are not limited to, trash deposits, building foundations and remnants, and industrial remains. Extant buildings and structures include barns, residences, cabins, bridges, water impoundment and conveyance features, and roads, among other built environment resources. The historic period resources represent ranching, lumbering, mining, recreation, water management, and military operations over nearly the last two centuries, some of which are identified as historic districts.

Existing data indicate that some of the OSPs contain many more cultural resources than others within Midpen's holdings, and some do not contain any. However, it is important to note that systematic cultural surveys have not been completed for any of the OSPs, therefore many more resources are likely present.

Only a small percentage of the recorded resources have been evaluated for the NRHP/CRHR. Data cited in Ballard et al. (2013:53-60) indicate that few resources have been evaluated at all (n=12), and those that have been evaluated, with one exception, have all been built environment resources. Therefore, there is a high probability that potentially eligible prehistoric and historic-era archaeological sites exist within the OSPs. It is also possible that unevaluated built environment resources within the OSPs would be determined NRHP/CRHR-eligible.

Because all of the OSPs have not been inventoried for cultural resources, it is useful to have a sense of the potential for the presence of resources throughout the OSPs. Identification of built environment resources is, obviously, easier to ascertain than archaeological resources because they are visible above the ground. Therefore, it is particularly beneficial for the Program to have a way to determine the sensitivity of an area for surface or subsurface archaeological deposits in order to avoid disturbance of the resources during implementation of Program activities.

To help determine the potential for buried archaeological resources within the OSPs, a predictive model was developed using a geographic information system. The fundamental concept surrounding predictive models is to project known patterns or relationships into unknown areas. In the case of archaeological predictive modeling, the primary assumption is that archaeological sites tend to recur in areas favorable to human settlement. The model utilized those environmental characteristics of places where sites do or do not occur, and allowed for the extrapolation from small areas to broader geographic areas. Previous research by Meyer (2013) has indicated that among the multiple environmental conditions that may predict prehistoric human settlement or activity in central and northern California, three environmental factors—distance to water, slope, and distance to where a stream met the historical shoreline (or confluence) —are useful for predicting the majority of site locations (see **Table 3.5-1**).

Table 3.5-1. Surface Model Weights by Environmental Condition

Environmental Condition	Scores				
Slope (%) (20% Weight)	>20	15 to 20	10 to 15	10 to 5	0 to 5
Distance to Streams (Feet) (60% Weight)	>1,200	600 to 1,200	300 to 600	150 to 300	0 to 150
Distance to Confluence at shoreline zone (Feet) (20% Weight)	>1,200	600 to 1,200	300 to 600	150 to 300	0 to 150
Scale Value	1	2	3	4	5
Sensitivity Rating	Lowest	Low	Moderate	High	Highest

Surface site potential within the Program area is depicted in **Figure 3.5-1**. A review of the figure indicates that, largely due to the roughness of the terrain, most of the land within the OSPs falls within the low and lowest categories for surface site sensitivity, and that the potential for archaeological sites lies primarily along the many creeks and streams within the region. Still, only a small percentage of Midpen lands have a rating of high or highest for site sensitivity, and these areas are clustered around stream confluences or in small valleys within the watersheds.

As noted previously, the model is a good indicator for identifying areas most likely to contain archaeological sites, but some caution must be used as not all site types would conform to the model. For example, some seasonal prehistoric sites might be resource-driven, and may in proximity to valuable resources even though the terrain might be steep, or water may not be nearby. Similarly, refuge sites (locations where Native Americans lived to hide from Spanish, Mexican, or American colonizers) might be located in generally less desirable places that would not be captured by the model. Spiritual or ceremonial sites would also be expected to include locations with unique characteristics that would not comport with the model. Locations for some historic period sites related to logging or mining might also not be easily identified through use of the model, as they would be focused on resource availability.

Basebap Sources: Sources: Esri, GEBCO, NOAA, National Geographic, Garmin, HERE,

N

0 5

Miles

MROSD Boundary
Preserve
Historical Baylands Extent
Streams

Archaeological Sensitivity (surface)

Highest
High
Moderate
Low
Lowest

Source: SFEI 2009; Mid Peninsula Open Space District

3.5-1

Surface Archaeological Sensitivity

Midpeninsula Regional Open Space District
Open Space Maintenance and Restoration Program *Initial Study/ Mitigated Negative Declaration*

Horizon WATER and ENVIRONMENT

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In addition to favorable environmental conditions, buried site potential is predicated on two assumptions: (1) archaeological deposits cannot be buried within landforms that developed prior to human colonization of North America; and (2) older surface landforms are less likely to contain buried deposits because human occupation on these landforms was shorter, and the populations were smaller and less dense during periods of greater antiquity. **Figure 3.5-1** depicts the age of landforms within the region, which are also listed in **Table 3.5-2**. The underlying landforms within the existing OSPs are overwhelmingly related to the pre-Pleistocene (>2.5 million years before present (BP)) and have no potential for containing buried cultural remains. Future OSPs, however, may be acquired in areas where the landforms are more likely to contain buried archaeological sites (i.e., Holocene deposits).

Table 3.5-2. Buried Site Sensitivity Rankings

Geological Period	Age (Years BP)	Ranking
Modern	<150	Low
Latest Holocene	1,000-150	High
Mid to Late Holocene	1,000-11,800	High
Latest Pleistocene to Holocene	11,800-30,000	Moderate to Low
Late Pleistocene	30,000-129,000	Low
Early to Late Pleistocene	30,000-1.8 Million	Lowest
Pre-Pleistocene	>1.8 Million	None

3.5.3 Discussion

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?

Several built environment resources that are considered historical resources are known to exist within Midpen OSPs. However, not all built environment resources on Midpen lands have been evaluated for listing in the NRHP/CRHR; thus, it is possible that built environment resources would also meet the NRHP/CRHR eligibility criteria.

Application of most of the routine maintenance activities outlined in **Table 2-2** would not adversely affect built environment resources because these activities involve minor repairs to existing facilities (e.g., clearing of drainage features, regrading trail surface, etc.); however, some of the Program activities that include replacement or realignment of Midpen facilities could have a deleterious impact to historical resources. For example, although no bridges within the OSPs have been determined NRHP/CRHR-eligible to date, replacement of bridge decking and handrails would be an adverse effect if these elements are contributing elements to the historic structure and are not replaced in kind. Similarly, removal of a bridge that is determined to be a historical resource would be a significant effect. However, in this latter case, the project would be re-examined and it is likely that it would be conducted separately

from the Program. New small-scale facility improvement projects could adversely affect historical resources of the built environment if the modifications and improvements are not done in a manner that is compatible with the characteristics that contribute to the eligibility of the resource. Such activities include relocating bridges, improving existing ranching infrastructure, and repairing existing buildings. An adverse effect to NRHP/CRHR-eligible facilities would require reconsideration of the project and the potential need to address the project individually under CEQA, separately from the Program. It is not anticipated that any restoration and enhancement activities would cause a substantial adverse change to historical resources.

To minimize potential impacts to historic resources, Midpen would implement BMP CUL-1: Review Internal Midpen Cultural Resources Archives (described in Chapter 2, *Project Description)*, which would require Midpen to assess the cultural sensitivity of a site prior to conducting work. Assessing the cultural sensitivity of a site for historical resources would reduce potential impacts to built environment resources considered eligible for listing in the NRHP/CRHR by removing projects that could adversely affect historical resources from the Program and evaluating those projects on an individual basis. Thus, with implementation of BMP CUL-1, impacts of the proposed Program on historical resources would be **less than significant.** No mitigation is required.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5?

Most of the known cultural resources within the OSPs are archaeological sites and, because the OSPs have not been systematically studied by pedestrian survey, it is highly probable that many unrecorded prehistoric and historic period sites are located on Midpen lands. It is also likely that some of the archaeological resources within the OSPs are eligible for listing in the NRHP/CRHR, or are eligible as unique archaeological resources under Public Resources Code Section 21083.2.

Many Program activities involve some level of ground disturbance and, therefore, have the potential to impact archaeological deposits which may be visible on the ground surface or buried with no surface manifestation. **Table 3.5-3** lists routine maintenance activities and new small-scale facilities improvement projects that have the greatest potential for affecting archaeological resources (although any ground disturbance by these activities may have an impact).

Table 3.5-3. Program Activities with the Greatest Potential to Impact Archaeological Resources

Facility or Feature	Activity Type
Routine Maintenance Activities	
Ponds/lakes	Sediment removal that requires excavation outside or deeper than the original engineered extent or depth Livestock exclusion fencing
Water supply structures	Spring box and/or water tank replacement Water line replacement, extensions, or realignments
Roads	Culvert repair and replacement Fords and swales repair and replacement (including new culverts in place of fords) Minor relocation of road segments (unpaved) to correct resource concerns (e.g., erosion, rutting) Installation of new roadside and trailside ditch relief culverts at non-stream crossings Replacement of driveways
Bridges	Repair and fortify bridge abutments Bridge removal or replacement
Roadside/trailside ditches	Replace culverts and ditches Replace and repair fords Sediment and debris removal that requires excavation outside or deeper than the original engineered extent or depth Cleaning ditches that requires excavation outside or deeper than the original engineered extent or depth
Trails	Grading and shaping Culvert repair and replacement Repair and replace fords and swales (including with new culverts) Bank stabilization Minor relocation
Creeks	Bank stabilization
Other Midpen Parks and Open Space features (picnic or rest areas, natural areas, rangeland, staging areas, parking lots, tenant structures, field offices, etc.)	Mechanical removal that involves removal of large woody plant roots of invasive species or for fire fuel management

Facility or Feature	Activity Type
New Facilities and Improvements	
Bridges	Bridge relocation or new installation
Interpretive facilities and signage	Installation of new low-intensity, small-footprint interpretative facilities and signage at existing preserves
Ranching infrastructure	Improve existing ranching infrastructure, including fences, corrals, stock water
Trails	Reroute existing unpaved trails and provide new trail connections and public access
Wildlife crossings	Construct wildlife crossings some of which may also provide public access
Water infrastructure	Install or replace or remove degraded water infrastructure facilities

Restoration and enhancement activities generally have a low potential for impacting archaeological sites; however, any ground disturbance could affect archaeological deposits. Examples of restoration and enhancement activities that may involve ground disturbance include exclusion fencing installation; removal of in-stream infrastructure (i.e., impoundments) and collapsed structures (i.e., bridges or culverts) and road decommissioning.

Program activities listed in **Table 3.5-3** have an enhanced potential for disturbing resources in areas identified with a high or moderate potential for either surface or buried archaeological sites. These sensitive areas are located primarily in the vicinity of watercourses, where many Program activities would occur. Thus, ground-disturbing activity in native soils or replacement or alteration of existing infrastructure could impact archaeological resources. Midpen would implement the following BMPs, incorporated as part of the Program, to avoid or reduce potential impacts to surface and subsurface archaeological resources. Descriptions of each BMP are provided in Chapter2, *Project Description.*

- BMP CUL-1 Review Sensitivity Maps
- BMP CUL-2 Record Search and Field Inventory for Highly or Moderately Sensitive Areas, and Areas of Unknown Sensitivity
- BMP CUL-3 Consult with Native American Tribes
- BMP CUL-4 Construction Monitoring
- BMP CUL-5 Conduct Pre-Maintenance Educational Training
- BMP CUL-6 Address Discovery of Cultural Remains

For Program activities that involve excavation or repair in previously undisturbed native soils beyond existing engineered extent or depths (e.g., some culvert replacement projects), a desktop investigation to determine the presence of known resources and sensitivity of the project site would be conducted (BMP CUL-1). For areas with known sites, or high/moderate

or unknown sensitivity, a cultural resources investigation would be conducted by a qualified professional archaeologist prior to performing the Program activity (BMP CUL-2) and appropriate Native American tribes would be consulted (BMP CUL-3). Construction monitoring (BMP CUL-4) may also be required during ground-disturbing activities within 50 feet of recorded archaeological resources and in areas identified as highly sensitive for cultural areas. All personnel would also receive an educational training by a qualified cultural resources specialist prior to the beginning of each maintenance season (BMP CUL-7) to learn how to identify cultural resources. For all Program activities, if unknown resources are discovered during work, all work would stop and appropriate treatments would be adhered to (BMP CUL-8). Overall, with implementation of the BMPs mentioned above, impacts on archaeological resources would be **less than significant**. No mitigation is required.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

CEQA Guidelines Section 15064.5 prescribes the processes and procedures found under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the Program area.

Program activities that require excavation in native soils, including clearing ditches beyond existing engineered depths or extent, have the potential to unearth unknown human remains. Midpen would implement the following BMPs, incorporated as part of the Program, to avoid or reduce potential impacts to human remains. Descriptions of each BMP are provided in Chapter2, *Project Description.*

- BMP CUL-2 Record Search and Field Inventory for Highly or Moderately Sensitive Areas, and Areas of Unknown Sensitivity
- BMP CUL-3 Consult with Native American Tribes
- BMP CUL-6 Address Discovery of Cultural Remains Appropriately

If human remains were discovered during a field inventory (BMP CUL-2), the Native American Heritage Commission (NAHC) and affiliated tribal members would be contacted (BMP CUL-3) to develop measures to avoid impacts to the remains. If human remains are unearthed during construction, the appropriate County would comply with Health Safety Code Section 7050.5 and adhere to the measures included in BMP CUL-6.

With the implementation of the above-referenced BMPs, impacts resulting from the discovery of human remains would be **less than significant**. No mitigation is required.

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3.6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

3.6.1 Regulatory Setting

This section describes the federal, state, and local regulations related to energy resources. Section 3.8, "Greenhouse Gas Emissions," contains additional discussions of greenhouse gas (GHG)-related regulations that may also be relevant to energy resources.

At the federal level, the USEPA and the National Highway Traffic Safety Administration (NHTSA) have developed regulations to improve the efficiency of cars, and light-, medium-, and heavy-duty vehicles. These regulations are discussed in greater detail in Section 3.8.

Energy resource-related regulations, policies, and plans at the state level, require the regular analysis of energy data and developing recommendations to reduce statewide energy use, and setting requirements on the use of renewable energy sources. Senate Bill (SB) 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years (CEC 2020a). The report contains an integrated assessment of major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors. The report provides policy recommendations to conserve resources, protect the environment, ensure reliable, secure, and diverse energy supplies, enhance the state's economy, and protect public health and safety (CEC 2020a). The 2019 Integrated Energy Policy Report includes policy recommendations such as addressing the vulnerability of California's energy infrastructure to extreme events related to climate change, including sea-level rise and coastal flooding (CEC 2020b).

In addition, since 2002, California has established a Renewables Portfolio Standard (RPS) program, through multiple senate bills (SB 1078, SB 107, SB X1-2, SB 350, SB 100) and executive orders (S-14-08, B-55-18), that requires increasingly higher targets of electricity retail sales be served by eligible renewable resources. The established eligible renewable source targets include 20 percent of electricity retail sales by 2010, 33 percent of electricity retail sales by 2020, 50 percent by 2030, and 100 percent zero-carbon electricity for the state and statewide carbon neutrality by 2045 (CEC 2020b, CEC 2017).

Section 3.8, "Greenhouse Gas Emissions," provides additional details on California's 2017 Climate Change Scoping Plan, which details the state's strategy for achieving the state's GHG targets, including energy-related goals and policies. It contains measures and actions that may pertain to the proposed Program relating to vehicle efficiency and transitioning to alternatively powered vehicles (CARB 2017).

The General Plans for the Counties of San Mateo, Santa Clara, and Santa Cruz include policies aimed at reducing local contributions to global climate change. These policies include supporting efforts to reduce GHG emissions, promoting sustainable practices and green technology in development, and promoting the use of low-emission vehicles and equipment, among others. San Mateo County has a Government Operations Climate Action Plan and a Community Climate Action Plan (San Mateo County 2020) that contain GHG and energy-related strategies and measures. Santa Clara County's Climate Action Plan focuses on County Operations and Facilities and is not directly applicable to the proposed Program. Santa Cruz County has a Climate Action Strategy that contains GHG and energy-related goals, policies, and strategies (Santa Cruz County 2020).

Midpen has adopted a Climate Action Plan to identify goals and strategies to reduce GHG emissions generated by Midpen activities. The Climate Action Plan calls for a 20 percent reduction from the 2016 baseline in 2022 and ultimately an 80 percent reduction by 2050. Strategies are identified to reduce GHG emissions associated with four different sectors, one of which is "vehicle fleet, equipment, and business travel," which would apply to the vehicles and equipment used during implementation of the Program. Some of the strategies correlate to reducing energy use, primarily non-renewable fuels. Applicable strategies include switching tanks and fueling stations to renewable diesel (V1, which was completed in September 2018), acquisition and testing of new electric equipment (V4), purchasing a hybrid or electric vehicle for field offices (V6), and assessing feasibility of alternative fire response models with lower emissions (V7) (Midpen 2018).

3.6.2 Environmental Setting

Energy Resources and Consumption

California has extensive energy resources, including an abundant supply of crude oil, high production of conventional hydroelectric power, and leads the nation in electricity generation from renewable resources (solar, geothermal, and biomass resources) (U.S. Energy Information Administration (EIA) 2020). California has the second highest total energy consumption in the United States but one of the lowest energy consumption rates per capita (48th in 2018) due to its mild climate and energy efficiency programs (EIA 2020). A comparison of California's energy consuming end-use sectors indicates that the transportation sector is the greatest energy consumer, by approximately two to three times compared to the other end-use sectors (Industrial, Commercial, and Residential, which are listed in order of greatest to least consumption) (EIA 2020). California is the largest consumer of motor gasoline and jet fuel in the United States (EIA 2020).

In the San Francisco Bay Area, data collected for the Clean Air Plan indicates that the largest sources of GHG emissions (and presumably energy use) were from transportation (41

percent), followed by stationary sources such as refineries (26 percent), energy production (14 percent), and buildings (10 percent) (BAAQMD 2017).

Midpen's largest sources of energy use are vehicles, equipment, employee commutes, facilities, and residences (Midpen 2019). Most Midpen vehicles and equipment use gasoline, diesel, or renewable diesel; while facilities use electricity, natural gas, and propane. In 2019, Midpen signed up for most facilities to receive 100% renewable electricity through Peninsula Clean Energy and Silicon Valley Clean Energy (Midpen 2019).

3.6.3 Discussion

a, b. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation or Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The proposed Program's maintenance activities would require the consumption of energy (fossil fuels) for construction equipment, worker vehicles, and truck trips. The proposed Program would not involve any activities that require electricity-based energy use. The consumption of energy for equipment and vehicles would be minimized by spreading removed sediment and debris onsite rather than hauling it away and by minimizing vehicle idling (BMP GEN-15). **Table 3.6-1** shows the estimated annual fuel use from construction equipment, worker vehicles, and truck trips. The calculations used to develop these estimates are presented in **Appendix C**.

Table 3.6-1. Project Fossil Fuel Use

Source Type	Diesel Fuel Use (gallons)	Gasoline Fuel Use (gallons)
Off-road Construction Equipment[1]	118,892	
Worker Vehicles[2]		6,308
Hauling Vehicles[3]	751	

1. Fuel use for off-road construction equipment was estimated using a fuel use factor from CARB's off-road in-use engine emissions model of 0.347 pound of diesel per horsepower-hour and diesel fuel density of 7.37 pounds per gallon.
2. Fuel use for construction worker vehicles was estimated using fuel use estimates from EMission FACtor model (EMFAC) with an estimated rate of 21.7 gallons per mile.
3. Fuel use for hauling vehicles was estimated using fuel use estimates from EMFAC with an estimated rate of 5.5 gallons per mile.

The energy consumption during maintenance and facilities upkeep work is necessary for resource protection and restoration. These activities would not cause wasteful, inefficient, and unnecessary consumption of energy or cause a substantial increase in energy demand and the need for additional energy resources. Implementation of BMP GEN-15 would further reduce the proposed Program's effect by requiring minimization of idling times and requiring

that all equipment be properly maintained. As a result, the proposed Program would not result in wasteful, inefficient, or unnecessary consumption of energy.

In addition, Program activities would not conflict with any of the goals, policies, or implementation actions identified in the applicable energy plans, such as the 2019 *Integrated Energy Policy Report* or the general plans for the Counties of San Mateo, Santa Clara, and Santa Cruz, because the proposed Program would not create any future energy demands and would be completed as efficiently as possible. Further, Midpen would adhere to the goals and policies in its own Climate Action Plan. Thus, the proposed Program would not conflict with any plans relating to renewable energy or energy efficiency. Therefore, this impact is considered **less than significant**. No mitigation is required.

3.7 Geology, Soils, and Seismicity

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☒	☐	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐
d. Be located on expansive soil creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

3.7.2 Environmental Setting

Midpen lands are located in the central portion the Coast Ranges geomorphic province, which is characterized by northwest-trending mountain ranges and valleys that parallel the San Andreas Fault. The Coast ranges geomorphic province is bounded by the Pacific Ocean to the west and the Great Valley to the east. The topography of Midpen lands includes a variety of terrain, including steep slopes and canyons along the Santa Cruz Mountains, rolling hills and terraces downslope in the western foothills of the Santa Cruz Mountains that drain into the Pacific Ocean, and rolling hills and valleys in the eastern foothills of the Santa Cruz Mountains that drain into the Santa Clara Valley and the San Francisco Bay (Panorama 2021). Elevations in Midpen lands ranges from 3,400 feet above sea level to approximately sea level. Over 100 soil types underlie Midpen lands. Soils in the Santa Cruz Mountains and foothills, consist of sandy to gravelly loams with intermixed silt and clay. In the foothills of the Santa Cruz Mountains and in the valleys, soils tend to be finer grained and consist of silty loams and clayey loams. These soils transition into fine-grained clayey silty soils or bay mud along the Bay margin (Panorama 2021).

The San Francisco Bay Area is considered a highly seismically active region due to a network of active[3] and potentially active faults associated with the San Andreas Fault. The San Andreas, Hayward, Monte Vista, Rodgers Creek, Calaveras, Sargent, Green Valley, and San Gregorio faults are all active faults that form part of the San Andreas Fault system. Portions of Midpen OSPs, including Sierra Azul, Bear Creek Redwoods, Saratoga Gap, Monte Bello, and Los Trancos are crossed by these active faults (Panorama 2021). Risk of fault rupture on California's mapped faults has been assessed by the California Department of Conservation under the Alquist-Priolo Earthquake Fault Zoning Act. An Alquist-Priolo fault zone is a regulatory zone surrounding active faults (CDOC 2019). Some Midpen lands are located within Alquist-Priolo earthquake fault zones according to the Alquist-Priolo Earthquake Fault Zoning Maps (California Geological Survey [CGS] 2002; CGS 2005; CGS 2019).

A landslide is the downslope movement of materials such as rock, soil, or fill from a slope. Landslides may occur due to several factors related to slope stability, including slope, weathering, climate, saturation, vegetation, erosion, earthquakes, and human-induced factors. In general, the relative likelihood of landsliding to occur is based on rock strength and steepness of slopes. **Figure 3.7-1** shows landslide susceptibility for deep landslides to occur in the Program area. Generally, landslide susceptibility is lower in areas with low slopes and strong materials (shown as classes III, V, VI, VII on **Figure 3.7-1**). Landslide susceptibility increases with steeper slopes and weaker rocks. Very high landslide susceptibility classes including VIII, IX, and X, have very steep slopes and weak rocks. Note that **Figure 3.7-1** does not show the potential for landslide triggering events (i.e., intense rainfall or earthquakes) or show the susceptibility of shallow landslides to occur (i.e., debris flows) (CGS 2011). As shown on **Figure 3.7-1**, some areas of the Program area in the Santa Cruz Mountains are moderately and highly susceptible to landslides based on steep slopes and weak underlying

[3] Active faults are faults that have ruptured in the last 11,000 years.

rock material. The Santa Cruz Mountains also experience intense rainfall events and are within a highly seismically active region, increasing the potential for landsliding to occur.

Another form of landslides common on Midpen lands are debris flows. Debris flows are fast-moving flows of mud consisting of rocks, vegetation, and other debris that are typically triggered by intense rainfall events. Generally, areas with steep slopes that are denude of vegetation and experience intense storm events are more susceptible to debris flows. Areas recently burned by forest fires are especially susceptible to debris flows.

Liquefaction occurs when unconsolidated, saturated sediments at or near the ground surface lose their strength, typically during a ground shaking event, and are converted to a fluid-like state. Poorly consolidated and saturated soils and fill materials are the most susceptible to liquefaction. Portions of the Program area that are susceptible to liquefaction from ground shaking are primarily along the Bay margin (CGS 2005; CGS 2002; CGS 2019). Another potential effect of seismically induced liquefaction is lateral spreading and bank failure along creek channels. Lateral spreading is the horizontal movement of relatively flat-lying saturated sediments.

Due to the San Andreas Fault and other faults, the bedrock of Midpen lands is broken up into different blocks from different periods and epochs. Volcanic rocks, sedimentary rocks, and alluvium are the major overlying rocks within Midpen lands. Volcanic rocks are primarily from the Miocene or Oligocene Epoch; sedimentary rocks are from the Pliocene, Miocene, Oligocene or Eocene Epoch; and sediments are from the Holocene or Pleistocene Epoch. The Franciscan Complex consisting of mélange, sedimentary, and volcanic rocks and the Great Valley complex consisting of sedimentary and volcanic rocks are the basement rocks that underlie Midpen lands. Surficial sediments from the Holocene and Pleistocene Epochs overlie the basement rocks (Panorama 2021). The most prevalent geologic units include sedimentary rocks, which are located throughout Midpen lands, and Franciscan Complex which composes much of the Santa Cruz Mountains. Some geologic units have a higher potential to be composed of paleontological resources (i.e., fossils). This "sensitivity" is determined by rock type, age and method of formation, and fossil localities that are recorded in that unit. The vast majority of Midpen lands have low sensitivity for paleontological resources, except for portions of Sierra Azul and Rancho San Antonio OSPs, which contain large amounts of Pleistocene alluvium deposits that have a moderate paleontological sensitivity (Panorama 2021).

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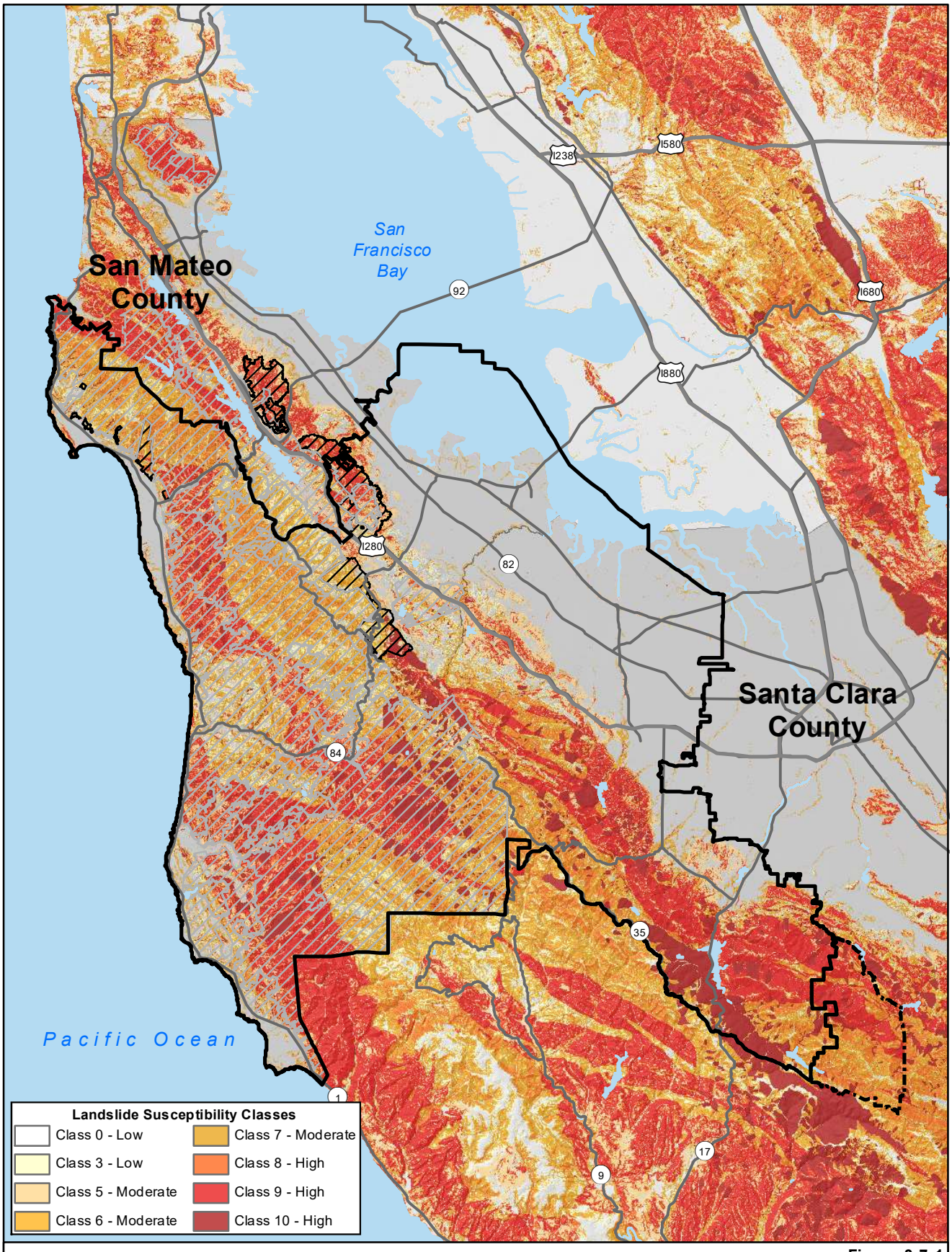

Figure 3.7-1
Landslide Susceptibility within the Program Area

Midpeninsula Regional Open Space District Routine Maintenance and Facilities Improvement Program
Initial Study/Mitigated Negative Declaration

Source: ESRI 2018; MROSD 2020; DOC-CGS 2011

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3.7.3 Discussion

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction?

Several active faults that are susceptible to rupture and have historically created strong seismic ground shaking cross through the Program area. However, an impact is only considered significant if the project would exacerbate existing seismic hazards by increasing the severity or likelihood of such hazards affecting people above the existing condition.

The number of workers on Midpen lands at any one time and throughout the term of the Program would increase as more routine maintenance, small facility improvement, and restoration projects would be conducted. Workers may be at risk of injury or death from various Program activities if activities are conducted in an area where fault rupture or seismic-related ground failure could occur. However, seismic ground shaking events are unpredictable and the potential for such events to coincide with Program activities is low. Earthquake safety training pursuant to Occupational Safety and Health Administration (OSHA) regulations would minimize potential impacts to workers. Further, all construction and design associated with the Program would comply with applicable California Building Code (CBC) standards (California Code of Regulations, Title 24), which includes standards for various aspects of construction, including but not limited to, excavation, grading, and earthwork; fill placement and embankment construction; foundation investigations; resistance to ground shaking in various zones of the state; and liquefaction potential and soil strength loss. Furthermore, the Program does not include any new structures or operational activities that could create or exacerbate a ground-shaking risk or involve construction of habitable structures that could expose people to adverse effects from earthquakes or strong seismic ground shaking. Implementation of Program activities would not cause an increased risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction. This impact would be **less than significant. N**o mitigation is required.

ii. Landslides?

As shown on **Figure 3.7-1** and described above, areas within the Program area in the Santa Cruz Mountains are susceptible to landslides. During intense rainfall events or earthquakes, there may be an increased potential for landslides to occur. Although most Program activities would be conducted to improve or prevent unstable situations (e.g., bank/berm stabilization), there is a potential for new trails or road/trail re-routes to potentially cause landsliding by disturbing large areas and quantities of soil in unstable,

steep, and landslide prone areas. An increase in landslide risks would be considered a significant impact if it would cause substantial adverse effects. **Mitigation Measure GEO-1** requires implementation of erosion and slope stabilization measures in areas susceptible to erosion and instability. With implementation of Mitigation Measure GEO-1, impacts associated with the Program increasing the severity or likelihood of landslides affecting people over the existing condition would be reduced to **less than significant with mitigation**.

Mitigation Measure GEO-1: Erosion Control and Slope Stability Measures

This mitigation measure applies to any Program activity areas determined to be at risk for erosion and slope instability, including if the activity exposes soils and leaves groundcover or native mulch/organic matter to be less than 70 percent following work; if work is proposed to occur on steep slopes (defined as over 35 percent slope); if evidence of unconsolidated soils or landslides is found on site; or if the scale of the proposed activity would disturb a large area.

Prior to conducting work that could result in erosion or slope instability, qualified personnel will conduct a review of site conditions which may include, but is not limited to, a desktop review of slope, LiDAR, historic evidence of landslides (e.g., Wentworth et al. 1997), local hazard mapping and safety plans, proximity of the site to infrastructure, and modeling of landslide susceptibility GIS data (e.g., Wills et al. 2011). Qualified personnel are personnel who have knowledge and experience in the application of erosion and slope stabilization control measures through training or field experience with control measure installation. The qualified personnel may also conduct a site visit to look for existing signs of erosion or slope instability (e.g., rills or slumped soil). Depending on the slope and the downslope resources (e.g., roads that could be impacted if a slope failed or waterbodies or habitat that could be impacted from erosion.), erosion and slope stabilization measures (listed below) will be implemented**.** These measures will depend on the site's specific characteristics and the type and extent of work to be performed and will be determined by qualified personnel. The qualified personnel will memorialize in writing their field observations and corresponding recommendations regarding installation of control measures. Control measures may be adjusted as needed depending on the site's specific characteristics.

For activities that involve substantial grading on active slide areas, unstable areas, or unstable soils (as defined in the California Forest Practice Rules), a licensed geologist or Registered Professional Forester (RPF) will conduct the site inspection. This includes activities occurring in previously undisturbed soils (e.g., would not apply for grading within an existing, engineered road or trail); or activities occurring above (within 0.5 mile) or below (within 0.25 mile) infrastructure, including residences or other potentially occupied structures. Activities involving substantial vegetation removal will be conducted consistent with the IPM and Wildland Fire Resiliency Program measures.

A licensed geologist or RPF will also conduct site inspections where any road is proposed to be extended or re-routed by 600 feet or more, regardless of the proximity to active slide areas, unstable areas, or unstable soils. The licensed geologist or RPF will identify specific control measures to be implemented, which may include, but are not limited to, the control measures identified below.

If the desktop review and/or site visit determine that a public safety hazard could occur from Program activities being conducted in unstable areas adjacent to existing infrastructure, sensitive habitat, or habitable structures, a licensed geologist/ engineer will perform a site assessment. Recommendations provided in the site assessment will be implemented as needed to ensure that slope instability and public safety hazards do not occur. Recommendations could include measures such as stabilizing slopes with mats or natural materials after tree removal and replanting denude areas to stabilize soils.

In areas that were previously analyzed by an RPF or licensed geologist, Midpen will review the prior recommendations for consistency with the proposed activity and determine if a new review is warranted.

General Control Measures

In addition to Program BMPs GEN-2 and GEN-19, the following general control measure will be implemented during work as determined appropriate by the qualified personnel:

- Shut down use of heavy equipment, skidding, and truck traffic when soils become saturated and unable to support the machines.

Reduced Groundcover Control Measures

In addition to Program BMPs EC-1 through EC-5, the following reduced groundcover control measures will be implemented during work as determined appropriate by the qualified personnel if the activity would leave less than 70 percent of groundcover or native mulch/organic material on site:

- Sow native grasses and other herbs on denuded areas where natural colonization or other replanting will not occur rapidly; use slash or chips to prevent erosion on such areas.
- Use surface mounds, depressions, logs, rocks, trees and stumps, slash and brush, the litter layer, and native herbaceous vegetation downslope of denuded areas to reduce sedimentation and erosion as necessary to prevent erosion or slope destabilization.
- Install approved, biodegradable erosion-control measures and non-filament-based geotextiles (e.g., coir, jute) when:
- Conducting substantial ground-disturbing work (e.g., use of heavy equipment, pulling large vegetation, etc.) within 100 feet and upslope of currently flowing or wet wetlands, streams, lakes, and riparian areas;

- Causing soil disturbance on moderate to steep (i.e., 10 percent slope and greater) slopes; and
- Following the removal of invasive plants from stream banks to prevent sediment movement into watercourses and to protect bank stability.
- Install certified weed-free sediment control devices as appropriate. Sediment control devices will be inspected daily during active construction by workers to ensure that the devices are in good working condition to prevent sediment transport into the waterbodies and will be repaired as needed.

Steep Slopes Control Measures

The following measures will be implemented during work conducted on steep slopes (i.e., greater than 35 percent) as determined appropriate by qualified personnel:

- Avoid use of heavy equipment on slopes greater than 35 percent unless specialized equipment is used that does not impact slope stability as determined by the qualified personnel.
- Prescribed burns and pile burns will be performed outside of perennial and intermittent streams and of riparian forest/ woodland. A 50-foot buffer around perennial and intermittent streams will be maintained when the burn is proposed upslope of the stream on slopes greater than 35 percent.
- Avoid installation of cleared areas, including spur roads or staging areas, on steep slopes, particularly over 50 percent slope, where feasible. Where not feasible, a licensed geologist/engineer or RPF will be consulted, as required above. The licensed geologist/engineer or RPF will identify and require implementation of appropriate design and control measures, including but not limited to, those identified in Low-Volume Roads Engineering (Keller & Sherar, 2003); Handbook for Forest, Ranch, and Rural Roads (Weaver, 2015); or the latest California Forest Practice Rules. Other suitable engineering guidance includes:
- Locating roads on well-drained soils and slopes where drainage moves away from the road;
- Providing adequate surface drainage;
- Avoiding wet and unstable areas (seeps, springs, etc.);
- Using the natural topography to control or dictate the ideal location of road or cleared area (e.g., staging area); use saddles, follow ridges, use bench areas, etc.

Once work is completed, areas will be inspected as needed (but at least once annually) depending on the size, nature of the work, and the site conditions until groundcover exceeds 70 percent and it is clear that significant erosion and slope instability are not occurring (e.g., no evidence of soil rills, slumped soils, landslides, etc.). Once work is

complete, erosion control and slope stability devices will be removed at the discretion of Midpen staff.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Erosion is a natural process in which rocks, soils, or natural materials are worn away over time by physical forces, including rainfall, water, or wind. The rate of erosion is dependent upon several factors such as material, soil type, slope, vegetation, etc. Erosion potential generally is higher in areas with steep and denuded slopes. Potential sources of erosion include channel incision below culvert crossings, washouts associated with drainage crossings along roads and trails, runoff from unpaved parking areas, overgrazing, and undersized or clogged culvert crossings.

Program activities such as bank/berm repair, culvert clearing, road and trail drainage maintenance, vegetation removal, revegetation, bridge relocation, sediment and debris removal, and removal of in-stream structures would reduce erosion and sedimentation. The stabilization and treatment of streambanks and pond berms that are actively eroding or slumping would reduce long-term erosion and sedimentation of actively destabilized banks/berms. Maintaining and/or updating poorly constructed or non-functioning road and trail crossings and clearing clogged culverts and bridge crossings would prevent erosion and sediment delivery to aquatic resources and reduce the potential for erosive flows to be redirected towards banks, roads, or other facilities. Pruning and selective removal of trees on banks and removal of in-stream structures and debris that has the potential to capture debris or redirect erosive flows toward the banks would reduce erosion/sedimentation processes along banks. Revegetating banks with native species would further stabilize banks, reducing the potential for erosion.

The Program would involve ground-disturbing activities including berm/bank repair, pond restoration, bridge relocation, road grading, culvert repair and replacement, vegetation removal, among others. Access and staging near streams may result in erosion from the streambanks or sediment loading into the channel. Sediment loads to the channel could also result if stockpiled soils or sediment-laden water at work sites enters the channel or if new areas are disturbed for staging activities. Erosion or sediment loading into the channel could also occur if the activities do not revegetate exposed soils or restore low-flow channels as closely as possible to their original location and form. Overgrazing can also enable erosion by compacting soil and removing vegetation. BMPs included below would reduce the potential for erosion and sedimentation during construction. Removal of vegetation could also result in soil erosion and loss of topsoil through the exposure of bare soils and removing root structures and the loss of evapotranspiration; however, potential erosion effects related to vegetation management activities are analyzed in the Wildland Fire Resiliency Program EIR (Panorama 2021).

Constructing new trails and re-routing existing roads and trails may also increase the potential for erosion. However, trail and road re-routes would only occur if the previous route were sited improperly, such as located on a steep slope or on instable soils. Poorly designed and located roads and trails can lead to erosion and sediment delivery. Thus, re-routing existing, poorly situated routes would reduce the potential for erosion. Former routes would

be regraded to minimize erosion and would be replanted with appropriate native plants. Construction of new trails and trail and trail re-routes would comply with the *Handbook for Forest, Ranch & Rural Roads* (Weaver, Weppner, and Hagans, 2015) and *California Forest Practice Rules* (California Department of Forestry and Fire Protection [CAL FIRE] 2020) guidelines for planning, designing, constructing, reconstructing, upgrading, maintaining, and closing roads. Further, the Program involves decommissioning old roads that are no longer necessary for access, which further reduces chronic sediment delivery and restores natural watershed hydrology within Midpen lands.

Midpen would implement the following BMPs to minimize the potential for erosion and sedimentation to occur due to conducting Program activities. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize the Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-16 Site Stabilization
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-25 Vegetation Management with Livestock
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-31 New Culvert Installation (non-stream crossings)
- BMP BIO-24 Riparian Restoration
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-3 Road and Trail Drainage Maintenance
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-3 Sediment Filtering Measures
- BMP DW-1 Stream/Aquatic Habitat Isolation

Implementation of the BMPs listed above would minimize the potential for erosion and sedimentation by minimizing ground disturbance and the amount of earthwork, using previously disturbed areas for staging and access, stabilizing the active work site, restoring disturbed and riparian areas following Program activities, avoiding rainy weather, ensuring

proper storage of materials, equipment, and spoils, and preventing overgrazing. Due to the temporary nature of the Program activities and with the implementation of the above listed BMPs, this impact would be **less than significant.** No mitigation is required.

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Some of Midpen lands are subject to instability. As described above in 3.6(a), there is a potential for liquefaction and lateral spreading to occur on Midpen lands due to nearby active faults and ground shaking; however, Program activities would not exacerbate these conditions. Soil collapse may occur when high shrink-swell soils shrink during the dry season or when saturated soils are loaded or compressed. However, Program activities would not involve the construction of large, heavy structures that would cause soil collapse.

Some Midpen lands in the Santa Cruz Mountains are susceptible to landslides due to topography and underlying geology and soils. Landslides or debris flows can damage infrastructure (e.g., roads, trails, or other facilities) and trees and habitat. Program activities that may alter the land and increase the potential for landslides to occur include vegetation removal and construction of new trails and road/trail re-routes. Potential landslide impacts associated with vegetation removal and fuel management activities are analyzed in the Wildland Fire Resiliency Program EIR (Panorama 2021). Although trail and road re-routes are typically conducted to relocate a route from an unstable area, these activities may disturb large previously undisturbed areas within unstable or landslide prone areas, which could result in a significant impact. New trails and road/trail re-routes would comply with the *Handbook for Forest, Ranch & Rural Roads* (Weaver, Weppner, and Hagans, 2015) and *California Forest Practice Rules* (CAL Fire 2020) guidelines for planning, designing, constructing, reconstructing, upgrading, maintaining, and closing roads to prevent impacts associated with unstable soils. Implementation of **Mitigation Measure GEO-1** would further reduce impacts by requiring the implementation of erosion and slope stabilization measures in areas prone to erosion and slope instability.

Other Program activities including bank/berm stabilization, native vegetation plantings/seeding, and road decommissioning would reduce the potential for landslides/debris flow to occur by stabilizing bank/berm slopes, revegetating denuded areas with native species, and removing roads to restore the natural hydrology and watershed processes.

Overall, with the implementation of **Mitigation Measure GEO-1** impacts associated with unstable areas would be **less than significant with mitigation**.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Expansive soils or "shrink–swell" soils are soils that expand and contract due to changes in moisture content and are typically comprised of fine-grained clay sediments. Expansive soils may be present within Midpen OSPs along the Bay margin; however, this Program does not

involve conducting activities within OSPs along the bay margin. Expansive soils are not present in other OSPs and the Program does not involve constructing new structures that would create a risk to life or property. Thus, implementation of the Program would not result in an increased risk to life or property associated with expansive soils. **No impact** would occur associated with the Program.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The Program would not result in the generation of wastewater, nor involve the construction or modification of any septic tanks or alternative wastewater disposal systems. Thus, the Program would have **no impact** associated with placement of such systems on unsuitable soils in the Program area.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Most geologic units that underlie the Program area have low potential to yield unique paleontological resources. Pleistocene alluvium, which has a moderate potential to yield paleontological resources, is found in large quantities in Sierra Azul and Rancho San Antonio OSPs and in small quantities in several other OSPs. The Program would involve varying degrees of ground-disturbing activities including berm/bank repair, trail reroutes, pond restoration, bridge relocation, road grading, culvert replacement, etc. that could encounter paleontological resources in these OSPs. However, such disturbances would occur in previously disturbed soils and would not extend to great depths below ground; thus, the potential for ground-disturbing activities to uncover or destroy a unique paleontological resource is unlikely.

Midpen would implement the following BMPs to minimize potential impacts to paleontological resources. Descriptions of each BMP are provided in Chapter 2, *Project Description*.

- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-16 Site Stabilization
- BMP EC-2 Slope or Bank Stabilization
- BMP GEO-1 Address Discovery of Paleontological Resources

Implementation of the above listed BMPs would minimize potential impacts on paleontological resources by minimizing the area of disturbance, stabilizing active work sites and banks, ensuring that Midpen staff are trained in the recognition of paleontological resources, and stopping work and implementing treatment measures in the event of such a discovery. With implementation of the above-listed BMPs, potential impacts to paleontological resources would be **less than significant**. No mitigation is required.

3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.8.1 Regulatory Setting

This section describes the federal, state, and local regulations related to GHG emissions and climate change. At the federal level, the USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. On April 1, 2010, USEPA and the NHTSA established a program to reduce GHG emissions and improve fuel economy standards for new model year 2012-2016 cars and light trucks. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses. In August 2016, USEPA and the NHTSA jointly finalized Phase 2 Heavy-Duty National Program standards to reduce GHG emissions and improve fuel efficiency of medium- and heavy-duty vehicles for model year 2018 and beyond (USEPA 2020). However, some of these standards have been stayed by a court order and USEPA has proposed repealing certain Phase 2 emissions standards (Center for Climate and Energy Solutions 2020).

In recent years, California has enacted a number of policies and plans to address GHG emissions and climate change. In 2006, the California State Legislature enacted Assembly Bill (AB) 32, the Global Warming Solutions Act, which set the overall goals for reducing California's GHG emissions to 1990 levels by 2020. SB 32 codified an overall goal for reducing California's GHG emissions to 40 percent below 1990 levels by 2030. Executive Orders (EOs) S-3-05 and B-16-2012 further extend this goal to 80 percent below 1990 levels by 2050. The CARB has completed rulemaking to implement several GHG emission reduction regulations and continues to investigate the feasibility of implementing additional GHG emission reduction regulations. These include the low carbon fuel standard, which reduces GHG emissions associated with fuel usage, and the RPS, which requires electricity suppliers to increase the amount of electricity generated from renewable sources to certain thresholds by various deadlines. In 2018, SB 100 updated the RPS to require 50 percent renewable resources by the end 2026, 60 percent by the end of 2030, and 100 percent renewable energy and zero carbon resources by 2045. EO B-55–18 signed by Governor Jerry Brown set a goal of statewide carbon neutrality by 2045 and net negative emissions thereafter.

CARB approved the First Update to the AB 32 Scoping Plan on May 22, 2014 (CARB 2014). This update defines climate change priorities for the next 5 years and also sets the groundwork to reach long-term goals set forth in EOs S-3-05 and B-16-2012. The update also highlights California's progress toward meeting the near-term 2020 GHG emission reduction goals and evaluates how to align the State's longer term GHG reduction strategies with other state policy priorities for water, waste, natural resources, clean energy, transportation, and land use. CARB is updating the Scoping Plan to reflect progress since 2005, additional reduction measures, and plans for reductions beyond 2020. CARB released and adopted a 2017 Scoping Plan Update (CARB 2017) to reflect the 2030 target set by EO B-30-15 and codified by SB 32 (CARB 2017, CARB 2021).

California has adopted several vehicle emission reduction and fuel efficiency regulations that are similar and consistent with the federal USEPA and NHTSA regulations. These California vehicle regulations were granted under a waiver request by the USEPA and would not necessarily be affected by changes in the federal policies.

The General Plans for the Counties of San Mateo, Santa Clara, and Santa Cruz include policies aimed at reducing local contributions to global climate change. These policies include supporting efforts to reduce GHG emissions, promoting sustainable practices and green technology in development, and promoting the use of low-emission vehicles and equipment, among others. San Mateo County has a Government Operations Climate Action Plan and a Community Climate Action Plan (San Mateo County 2020) that contain GHG and energy-related strategies and measures. Santa Clara County's Climate Action Plan focuses on County Operations and Facilities and is not directly applicable to the Program. Santa Cruz County has a Climate Action Strategy that contains GHG and energy-related goals, policies, and strategies (Santa Cruz County 2020).

Midpen has adopted a Climate Action Plan to identify goals and strategies to reduce GHG emissions generated by Midpen activities. The Climate Action Plan calls for a 20 percent reduction from the 2016 baseline in 2022 and ultimately an 80 percent reduction by 2050. Strategies are identified to reduce GHG emissions associated with four different sectors, one of which is "vehicle fleet, equipment, and business travel," which would apply to the vehicles and equipment used during implementation of the Program. Some of the strategies correlate to reducing energy use, primarily non-renewable fuels. Applicable strategies include switching tanks and fueling stations to renewable diesel (V1, which was completed in September 2018), acquisition and testing of new electric equipment (V4), purchasing a hybrid or electric vehicle for field offices (V6), and assessing feasibility of alternative fire response models with lower emissions (V7) (Midpen 2018).

The BAAQMD has an operational GHG threshold of 1,100 metric tons of carbon dioxide equivalents (MTCO2e)/yr for non-stationary source projects (BAAQMD 2017a). For the purposes of this analysis, emissions below the 1,100 MTCO2e/year level were considered to not have a significant cumulative impact on climate change from GHG emissions. **Table 3.8-1** provides the BAAQMD's recommended significance criteria for analysis of GHG impacts, including cumulative impacts. A small portion of the program area falls within MBARD jurisdiction; however, MBARD's GHG thresholds apply to stationary sources.

Table 3.8-1. Applicable BAAQMD CEQA Thresholds of Significance for GHGs

Pollutant	Operational Significance Thresholds
GHGs—projects other than stationary sources	a) Compliance with qualified GHG reduction strategy **OR** b) 1,100 metric tons (MT) of carbon dioxide equivalent (CO_2e) per year **OR** c) 4.6 $MTCO_2e$/service population (residents and employees) per year

Source: BAAQMD 2017a

3.8.2 Environmental Setting

Anthropogenic emissions of GHGs are widely accepted in the scientific community as contributing to global climate change. Temperature rises associated with climate change are expected to negatively impact plant and animal species, cause ocean acidification and sea level rise, affect water supplies, impact agriculture, and harm public health. California has contributed to GHG emissions and was estimated in 2018 by the California Energy Commission to be responsible for approximately 1 percent of the world's total GHG emissions (CEC 2018). California's total GHG emissions were estimated as 429 million metric tons of CO_2 equivalents in 2016 by CARB in its Greenhouse Gas Inventory Data (CARB 2018b).

In the San Francisco Bay Area, data collected for the Clean Air Plan indicates that the largest sources of GHG emissions (and presumably energy use) were from transportation (41 percent), followed by stationary sources such as refineries (26 percent), energy production (14 percent), and buildings (10 percent) (BAAQMD 2017b).

In 2018, Midpen's administrative GHG emissions were 1,307 $MTCO_2e$, a decrease of 14% from 2016 (Midpen 2019). Midpen's largest sources of emissions are vehicles, equipment, and employee commutes.

3.8.3 Discussion

a, b. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, OR conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Use of vehicles and off-road equipment, such as woodchippers, chainsaws, excavators, tractors, and rollers, for proposed Program activities would generate emissions of GHGs.

The maximum extent of Program activities would generate emissions of 544 $MTCO_2e$ per year, which is substantially below annual BAAQMD significance thresholds for GHGs. Maximum emissions estimates present a conservative scenario, as daily and annual emissions would often be less. Over the duration of the Program, GHG emissions from vehicles and equipment is expected to decrease due to increasing vehicle fleet efficiency, transition to electric vehicles, and California Air Resources Board's Low Carbon Fuel

Standard. For additional information on how emissions were estimated refer to **Appendix C** of this IS/MND.

Midpen's Climate Action Plan includes a goal to reduce administrative GHG emissions 20% below the 2016 baseline by 2022, 40% by 2030, and 80% by 2050 (Midpen 2018). The Climate Action Plan includes multiple strategies for achieving these goals, including increasing electric and alternative fuel vehicles and equipment, increasing vehicle fuel economy, increasing use of electric transportation options, and reducing miles driven. Midpen has already implemented multiple Climate Action Plan items that help decrease overall GHG emissions, which would also be consistent with the goals of other state and local climate action plans in the region (Midpen 2019).

Therefore, the proposed Program would not generate GHG emissions with the potential to significantly affect the environment or conflict with any plans to reduce GHGs, and Program-related impacts would be **less than significant**. No mitigation is required.

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

3.9.1 Environmental Setting

Hazardous materials are chemical and non-chemical substances that can pose a threat to the environment or the public if misused or released. Under the Resource Conservation and Recovery Act (RCRA) in 40 Code of Federal Regulations part 261, explosives, flammable and combustible substances, poisons, radioactive materials, pesticides, petroleum products, and other materials are considered hazardous materials. These substances can be released during motor vehicle or equipment accidents. Hazardous substances also have the potential to contaminate soils, surface waters, and groundwater if they are not properly contained (Panorama 2021).

Contamination in and near the Program area was identified using the SWRCB GeoTracker database and the Department of Toxic Substances Control's (DTSC's) EnviroStor database. No superfund sites, solid waste landfill sites, or radioactive materials were found to occur within the Program area. Known hazardous materials sites within the Program area are listed in **Table 3.9-1**. A majority of these sites are closed leaking underground storage tank (LUST) sites. Three known hazardous materials sites within the Program area are open and include the former Almaden Air Force Station (AFS), Madonna Creek Ranch, and Cooley Landing.

Former Almaden AFS was a previous radar station and is located in the southern portion of Sierra Azul OSP. The former facilities on site include fuel-storage tanks and buildings with asbestos containing materials which led to soil and groundwater contamination. Although some of the contaminated areas have been cleaned up to meet agency remediation standards, contamination still remains on the site (Panorama 2021).

Madonna Creek Ranch site was previously used for agriculture and is in the northwestern portion of Miramontes OSP. A historical, unpermitted dump site was uncovered associated with the past agriculture use. Samples conducted in 2019 detected lead, nickel, diesel, and dieldrin (pesticide) in the soil. Midpen has remediated this site to address the contamination (Panorama 2021).

Cooley Landing is a former waste dump where construction debris was dumped and burned contaminating the soil and groundwater. This site is located within the Ravenswood OSP along the Bay margin. Soil and groundwater were remediated to meet standards and were covered with clean soil to allow for use as a public park; however, additional soil cleanup was approved to occur in 2015 (Panorama 2021).

Soil contamination generally occurs in areas that are or have been previously developed, especially with industrial uses. Soil contamination can also occur in areas where pesticides have been historically applied or mining historically occurred or in areas with underground storage tanks (USTs). Contamination is also sometimes associated with leaking utilities (e.g., leaking petroleum or gas pipelines or leaking transformers on utility poles) or accidental spills. Sites that are currently under Midpen management, or may become under Midpen management, are on undeveloped lands. Remnant contamination from previous industrial uses, particularly in bayside areas, may be present within or near Midpen lands. Some active or abandoned agricultural sites may have residual contamination in soils or have hazardous materials present in containers or tanks (Panorama 2021).

Several other open and closed hazardous materials sites are located directly adjacent to Midpen lands, such as the National Aeronautics and Space Administration's Ames Research Center site adjacent to the Stevens Creek Nature Study Area, a closed voluntary cleanup site due to past presence of petroleum hydrocarbons, methylene chloride, and herbicides (Panorama 2021).

Midpen is aware of several locations of contamination not listed on government databases and actively conducts cleanup of these sites. Abandoned oil facilities and aboveground storage tanks remain on the Purisima Creek OSP from former oil production. Soil contaminated with oil and diesel was found in and around these facilities, but were determined to not pose a significant threat to the health of users or the environment. An historic dump site and former village, with possible aboveground or underground storage tanks, is located at Bear Creek Redwoods OSP. Concentrations of lead, zinc, and copper were found in excess of hazardous waste toxicity criteria but due to the use of the site as open space, removal is not recommended (Panorama 2021).

Table 3.9-1. Hazardous Materials Sites Within Midpen Lands on Government Database

Open Space Preserve (OSP)	Hazardous Materials Site Name	Type of Hazardous Site and Status	Type of Contamination
Sierra Azul	Almaden Air Force Station- Formerly Used Defense Site	Military Evaluation	Soil: polychlorinated biphenyls (PCBs), asbestos, Freon, polyglycol
		Military UST site Open Remediation	Groundwater: petroleum hydrocarbons, benzene, toluene, xylene
El Corte de Madera Creek	Western States Tanker Spill	LUST cleanup site Completed – case closed	Soil: gasoline
La Honda Creek	Driscoll Ranch	Cleanup program site Completed – case closed	Soil: petroleum hydrocarbons, pesticides, fumigants, herbicides
Pearson- Arastradero	Arastra Hostel	LUST cleanup site Completed – case closed	Soil: heating oil, fuel oil
Rancho San Antonio	Private Residence	LUST cleanup site Completed – case closed	Soil: gasoline
Saratoga Gap	Santa Clara Co. Trans.	LUST cleanup site Completed – case closed	Groundwater: diesel

Open Space Preserve (OSP)	Hazardous Materials Site Name	Type of Hazardous Site and Status	Type of Contamination
Bear Creek Redwoods	Presentation Center and Alma College	LUST cleanup site Completed – case closed	Soil: heating oil, fuel oil, diesel Soil: surface water: gasoline
Pulgas Ridge	Pulgas Ridge Open Space Preserve	Cleanup program site Completed – case closed	Groundwater: diesel
Miramontes	Madonna Creek Ranch	Cleanup program site Open – assessment and interim remedial actions	Soil: lead, nickel, diesel, dieldrin
Ravenswood	Cooley Landing, Ravenswood Industrial Area	Cleanup program site Open – inactive	Soil: arsenic, polychlorinated biphenyls, polynuclear aromatic hydrocarbons, petroleum hydrocarbons

Note: LUST – leaking underground storage tank; UST – underground storage tank

Source: Panorama, 2021.

Existing herbicide use in Midpen preserves is discussed detail in the Wildland Fire Resiliency Program EIR and IPMP EIR as Addended. In general, herbicides are applied to green leaves with a backpack applicator or spray bottle, wick (wiped on), or wand (sprayed on) or applied as pellets to the ground surface. Herbicides are also applied to trees around the circumference of the trunk on the intact bark (basal bark), to cuts in the trunk or stem (a.k.a. "frill and spray"), to cut stems and stumps (cut stump), or are injected into the inner bark with a hypo-hatchet. Most sites use an integrated treatment approach, in which initial treatment can consist of increased chemical or mechanical methods and then a shift towards low-intensity manual methods as the infestation becomes under control and the seedbank is eliminated. (Panorama 2021)

Fire hazards present a considerable risk to vegetation and wildlife habitats throughout the Program area. Additionally, the potential for significant damage to life and property exists in wildland-urban interface areas, where development is adjacent to densely vegetated areas. The Program area lies within a combination of State and local responsibility areas generally identified by CAL FIRE as Very High and High fire hazard severity zones (FHSZs) (CAL FIRE 2007). The OSPs in the northern portion of the Program area within central and southern San Mateo County, as well as western Santa Clara County, fall within a combination of High and Very High FHSZs, with some areas designated as Moderate FHSZ and/or not rated. Midpen OSPs in the southern portion of the Program area within southwestern Santa Clara County fall within a combination of High and Very High FHSZs.

3.9.2 Discussion

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed Program would involve the routine transport, use, and disposal of hazardous materials, such as pesticides, herbicides, fuel, oil, solvents, and related materials. For vegetation management activities involving herbicide use to minimize invasive species and fuel loads, Midpen would need to transport herbicides to those project sites, use herbicides to control nuisance vegetation, and then dispose of herbicide containers or applicator equipment after completing the job. The transport of fuels would also be required for activities such as prescribed burning and potentially prescribed herbivory (e.g., fuel for generators for electric fences). The Program also includes removing hazardous materials such as asbestos and lead based paint from culverts, bridges, and other structures. For other types of projects (e.g., road and bridge repair, road decommissioning, culvert repair and replacement, sediment and debris removal, bank stabilization, aquatic restoration, small-scale facility improvements, etc.), Midpen would use heavy construction equipment that would also require fuel, oil, lubricants, and other potentially hazardous materials. It is also possible that proposed Program activities could encounter contaminated soil or water, which would require transport and disposal.

Such routine transport, use, and disposal of hazardous materials could potentially create a hazard to the public or the environment (e.g., if workers did not wear appropriate personal protective equipment (PPE) when applying herbicides, or if hazardous materials were not disposed of in proper locations or at approved facilities). However, regulations under the OSHA require that Midpen and its contractors provide workers with PPE to limit exposure to potentially harmful hazardous materials (Department of Labor 2019). Compliance with these existing laws and regulations would greatly reduce the potential for proposed Program activities to create a significant hazard to the public or the environment.

Additionally, adherence to Midpen's IPMP would ensure that pest treatments include the most effective and least environmentally harmful options, and require active monitoring and adaptive management to over time. Herbicides are currently used on Midpen lands under the IPMP. The herbicides proposed for use as part of the Program are the same as those already analyzed and are covered by the IPMP EIR as Addended (Midpen 2014a; Midpen 2019). No new herbicides are proposed for use. The toxicity of each of the herbicides has already been analyzed in the IPMP and found to have a moderate to very low toxicity to humans. Chemical use across Midpen lands would not increase with implementation of the proposed Program.

Finally, Midpen would implement the following BMPs, incorporated as part of the Program, to reduce potential impacts associated with improper storage, handling, use, transport, and disposal of hazardous materials. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-5 Hazardous Materials Storage/Disposal
- BMP GEN-6 Spill Prevention and Control

- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-26 Non-native Plant Removal and Herbicide Management

With implementation of the above-listed BMPs and adherence to Midpen's IPMP, impacts associated with the majority of hazardous materials transport, use, and disposal that would occur under the proposed Program would be less than significant. Although less frequent, Program-related ground disturbance could encounter contaminated soil, sediment, or groundwater that would expose workers, the public, or the environment to hazards if adequate precautions are not taken. This would be a significant impact. Implementation of **Mitigation Measure HAZ-1** would minimize potential impacts in this scenario.

> **Mitigation Measure HAZ-1: Proper Handling and Disposal of Contaminated Soil, Sediment, and Groundwater**
>
> Prior to initiating ground-disturbing activities, Midpen or its contractors will inspect the soil, sediment, or groundwater for the presence of possible contamination. If indicators of contamination (e.g., foul odor, staining or sheen, etc.) are found, soil and groundwater sampling will be conducted by an appropriate licensed professional and testing of samples will be completed by a California Certified laboratory. In the event that soils to be excavated are found to be contaminated, the excavated soil will be treated as hazardous materials and disposed of at an approved hazardous waste disposal facility in compliance with state and federal regulations and Midpen operational procedures. Effective dust suppression procedures will be used in construction areas to reduce airborne emissions of these contaminants and reduce the risk of exposure to workers and the public. Regulatory agencies for the State of California (Department of Toxic Substances Control [DTSC] or RWQCB) and the appropriate county will be contacted by Midpen or its contractor to plan handling, treatment, and/or disposal options. In removing potentially contaminated soil, sediment, or groundwater, workers will wear protective clothing and equipment to limit their exposure.

With implementation of the above-listed BMPs, adherence to Midpen's IPMP, and implementation of Mitigation Measure HAZ-1, impacts associated with hazardous materials transport, use, and disposal that would occur under the proposed Program would be **less than significant with mitigation**.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Hazardous materials used or removed during maintenance activities (e.g., herbicides, fuel, oil, lubricants, solvents, asbestos, lead based paint, etc.) could potentially be released to the environment through upset or accidental spills if adequate precautions are not taken. Such a release could harm aquatic or terrestrial organisms and pose a hazard to maintenance workers and/or the public. Midpen would implement the following BMPs, incorporated as

part of the Program, to reduce potential hazards impacts from reasonably foreseeable upset or accident conditions. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-5 Hazardous Materials Storage/Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-26 Non-native Plant Removal and Herbicide Management

Implementation of the BMPs listed above would minimize the potential for accidental releases by requiring proper storage of hazardous materials, including secondary containment, and implementing spill prevention and control measures. While implementation of the above-listed BMPs would address the majority of potential Program-related impacts, they do not fully address the potential for proposed Program activities to create a significant hazard to the public or environment through accidental release of hazardous materials that could result from exposure to contaminated soil, sediment and groundwater encountered during proposed maintenance activities. This would be a significant impact to the public or environment. Implementation of Mitigation Measure HAZ-1, which requires testing and proper disposal of contaminated soil, sediment and groundwater, would reduce potential impacts to **less than significant with mitigation**.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There are five schools located within 0.25 mile of Midpen OSPs, as shown in **Table 3.9-2**. As previously discussed, Program activities would involve the transport and use of herbicides, fuel, oil, lubricants, and solvents, which may be hazardous. Additionally, certain activities may occur in areas with existing soil or groundwater contamination. Program activities could occur within close proximity of a school, potentially exposing children to hazardous materials.

Table 3.9-2. Open Space Preserves within 0.25-Mile of a School

OSP Name	School(s) Within 0.25-Mile	Distance to School(s) (Miles)
Windy Hill	Corte Madera School	0.18
Rancho San Antonio	Eastbrook Elementary School	0.19
Purisima Creek Redwoods	Kings Mountain Elementary School	0.10
La Honda Creek	La Honda Elementary School	0.03
Felton Station	Lakeside Elementary School	0.13

Source: Panorama, 2021

Heavy equipment used during routine maintenance activities would emit some diesel exhaust and related emissions that can be hazardous. In general, these emissions would be similar to emissions associated with road and other construction projects that commonly occur throughout San Mateo, Santa Clara, and Santa Cruz counties, which are in proximity to existing schools from time to time. While the amount and duration of the equipment and vehicle emissions would depend on the specific characteristics of the Program activity, these emissions would not pose an acute health hazard to children at any nearby school. Please refer to Section 3.3, "Air Quality" for further analysis regarding emissions from equipment and vehicles (including DPM). Further, while it is possible that handling of hazardous materials could occur in proximity to a school, these activities would not pose a significant health hazard to school children because the proposed Program would implement the following BMPs, as incorporated as part of the Program, to reduce hazardous impacts to schools. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-5 Hazardous Materials Storage/Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-26 Non-native Plant Removal and Herbicide Management

Implementation of the BMPs listed above would minimize the potential for accidental releases by requiring proper storage of hazardous materials, including secondary containment, and implementing spill prevention and control measures. While implementation of the above-listed BMPs would address the majority of potential Program-related impacts, they do not fully address the potential for accidental release of hazardous materials that could result from exposure to contaminated soil, sediment and groundwater encountered during proposed maintenance activities. This would be a significant impact, if located within one-quarter mile of an existing school. Implementation of Mitigation Measure HAZ-1, which requires testing and proper disposal of contaminated soil, sediment and groundwater, would reduce potential impacts to **less than significant with mitigation**.

Note that herbicides are currently used on Midpen lands under the IPMP. Active ingredients associated with herbicides applied under the IPMP have low to very low toxicity to humans. The herbicides proposed for use as part of the Program are the same as those already analyzed and are covered by the IPMP EIR and EIR Addendum (Midpen, 2014; Midpen, 2019). No new herbicides are proposed for use. Chemical use across Midpen lands, including within one-quarter mile of an existing or proposed school, would not increase with implementation of the proposed Program.

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Known contaminated hazardous sites are identified within and adjacent to the Program area, the majority of which are closed LUST sites (see **Table 3.8-1**). However, there are three

known open hazardous materials sites identified on the SWRCB's GeoTracker database and DTSC's EnviroStor database within the Program area located in the Sierra Azul OSP, Miramontes OSP, and Ravenswood OSP, as described in Section 3.8-1. Additionally, there are several contaminated areas not listed on government databases for which Midpen is involved in cleanup activities. Because Program activities would vary each year and the status of existing contamination and cleanup efforts changes frequently, it is difficult to determine the degree to which Program activities would impact (or be impacted by) existing contaminated sites.

Because a number of locations within or adjacent to the Program area contain contaminated soils, it is possible that Program activities involving ground disturbance could occur on or in the vicinity of documented hazardous materials sites that are listed pursuant to California Government Code Section 65962.5. Were this to occur, Midpen staff or its contractors could be subjected to potential hazards from disturbed contaminated soils on the site, which would be a significant impact. Implementation of Mitigation Measure HAZ-2, which requires review of the proximity of Program-related ground disturbance sites to known hazardous materials clean-up sites and implementation of safety precautions, would reduce potential impacts to **less than significant with mitigation**.

Mitigation Measure HAZ-2: Review of Proximity to Existing Known Hazardous Materials Clean-up Sites and Implementation of Safety Precautions

Midpen and/or its contractors will evaluate the proximity of proposed Program sites that involve ground-disturbing activities to existing known hazardous material clean-up sites. This review will include examination of the planned Program activity footprint in relation to records of hazardous materials sites in the SWRCB's GeoTracker database and the DTSC's EnviroStor database.

If the Program activity is located on or within 100 feet of a documented hazardous material contamination site, for which clean-up activities have not been completed or been successful, Midpen and/or its contractors will commission a Phase I Environmental Site Assessment to more fully characterize the past land uses and potential for soil and/or groundwater contamination to occur at or in close proximity to the site.

If the Phase I Environmental Site Assessment demonstrates a reasonable likelihood that contamination remains within the Program activity's area of disturbance, Midpen and/or its contractors will commission a Phase II Environmental Site Assessment, including soils testing, to characterize the extent of the contamination and develop ways to avoid the contaminated areas during Program activities. Midpen will follow all recommendations of the Phase II Environmental Site Assessment and will avoid areas of contamination, to the extent feasible. In the event that it is not feasible to avoid all areas of contamination, Midpen and its contractors will follow all applicable laws regarding management of hazardous materials and wastes. This includes proper disposal of any contaminated soil in a hazardous waste landfill, and ensuring that workers are provided with adequate personal protective equipment to prevent unsafe exposure.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The majority of Midpen lands are not located in an area with an airport land-use plan or within the vicinity of a public use airport or private airstrip. Ravenswood OSP is within 2 miles of the Palo Alto Airport but is not within the airport-influence area (Panorama 2021). Program activities that may occur within 2 miles of an airport would typically involve routine maintenance at culverts, bridges, channels, ponds, and roadside drainage features; vegetation management activities along roads, trails, around existing facilities, in ponds and channels, and restoration and enhancement projects. These activities would not introduce people permanently to an area that could be subject to safety hazards or excessive noise. In addition, the proposed Program would not involve construction of structures in the vicinity of an airport that could exceed height limitations for protection of navigable airspace. Any prescribed burning that may occur in the vicinity of an airport-influence area would be maintained at low intensities that would not generate sufficient smoke to affect air traffic as described in Midpen's Wildland Fire Resiliency Program EIR (Panorama 2021). This impact would be **less than significant**.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Designated evacuation routes pass through or adjacent to most Midpen lands. Program activities that include the operation of heavy equipment on roadways could potentially interfere with traffic movement and impair evacuation procedures in the event of an emergency. Such activities include sediment and debris removal, fallen and hazardous tree removal, culvert repair/replacement, vegetation management (e.g., brushing or mowing), and fuel management activities (e.g., prescribed burning and maintenance of fuel breaks). Hindering evacuation and emergency response could be a significant impact. **Mitigation Measure TRANS-1** requires Midpen to make provisions to allow emergency responders through any work area or clearly designate alternate routes. Minimal delays, lasting a few minutes, would occur while crews reposition equipment and vehicles to ensure adequate room for emergency vehicles to pass. Mitigation Measure TRANS-1 would ensure that unattended authorized work vehicles are not parked in such a way that blocks the road when there are no operators in attendance to move them and that the fire district and emergency-response agencies have prior notification of temporary access road closures. With implementation of Mitigation Measure TRANS-1, impacts associated with the interference of an adopted emergency response plan or emergency evacuation plan would be **less than significant with mitigation**.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The proposed Program would not involve construction of new habitable structures or homes; however, the potential for significant damage to life and property exists in areas designated as wildland-urban interface (WUI) areas, where existing development is adjacent to densely vegetated areas. In the Program area, this can range from a few scattered houses to larger

subdivisions or communities (Midpen 2021b). Further, significant portions of the Program area fall within State Responsibility Areas designated as Very High and High Fire FHSZs, with some areas identified as Moderate or Unrated (CAL FIRE 2007) (See **Figure 3.9-1**). As such, Program-related routine maintenance (e.g., sediment and debris removal and culvert repair/replacement), vegetation management (e.g., brushing, mowing, pile burning, and chemical treatment), and fuel management activities (e.g., prescribed burning and maintenance of fuel breaks and disclines), involving the operation of mechanical equipment and/or the use of fuel or other flammable substances, would take place in these areas, thereby increasing the potential for igniting a brush fire and triggering a wildland fire.

To minimize fire risk from most Program activities, particularly for routine maintenance and vegetation management activities, Midpen would implement BMP GEN-17: Fire Prevention (described in Chapter 2, *Project Description)*, which would reduce potential wildland fire impacts associated with those activities by requiring on-site fire suppression equipment, spark arrestors on all equipment with internal combustion engines, restricting activities on high fire danger days, and coordinating with local fire districts.

Prescribed burns and related fuel management activities under the proposed Program would be performed consistent with the methodologies and requirements of Midpen's Wildland Fire Resiliency Program. The purpose of the Wildland Fire Resiliency Program is, in large part, to reduce fuel loads and wildland-fire risks on Midpen lands compared with the baseline conditions. The analysis of wildland fire impacts associated prescribed burns and other fuel management activities is covered in the Wildland Fire Resiliency Program EIR (Panorama 2021).

With implementation of BMP GEN-17, adherence to State and local regulations, and compliance with Midpen's Wildland Fire Resiliency Program, impacts of the proposed Program would be **less than significant**.

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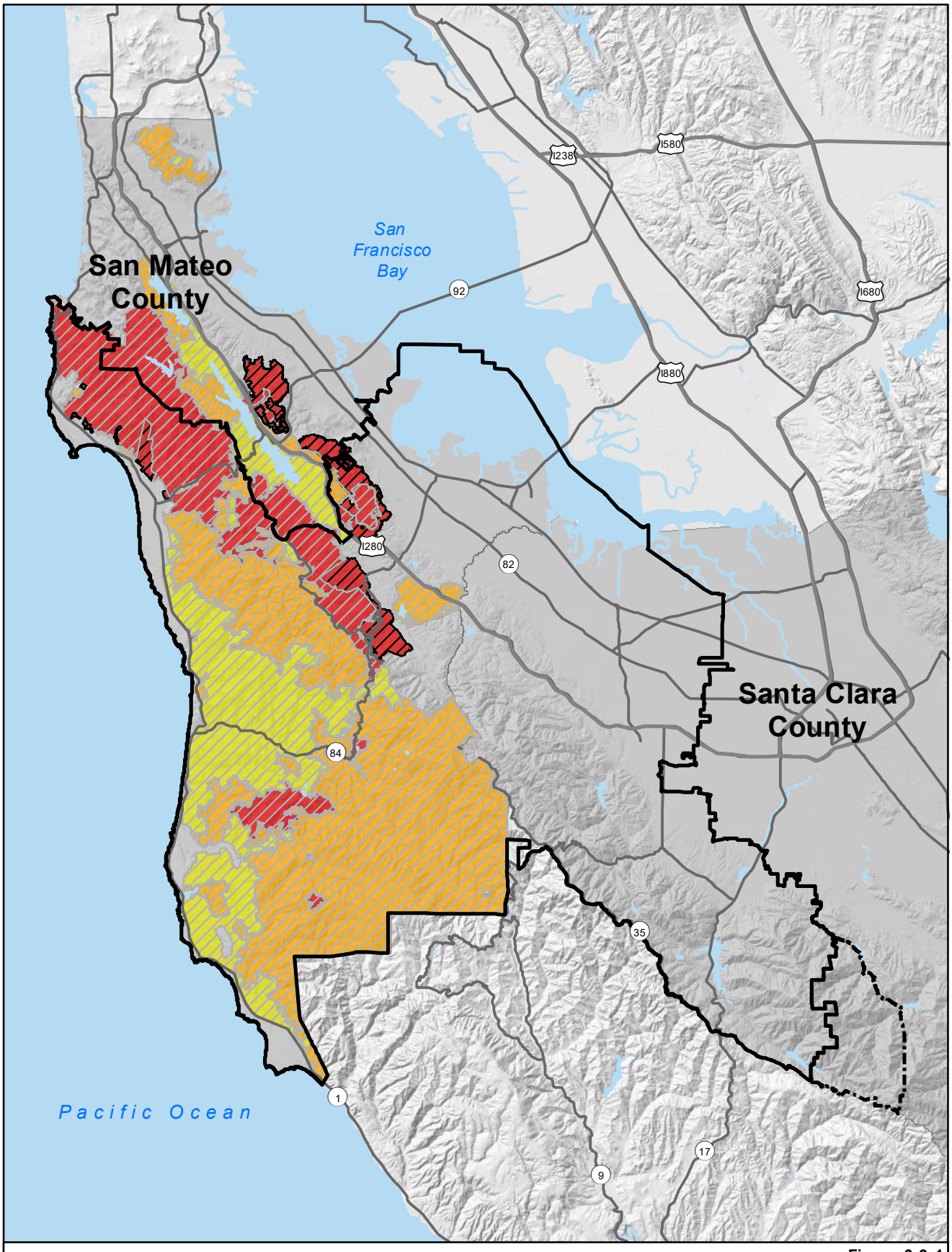

Figure 3.9-1
CAL FIRE Fire Hazard Severity Zones within the Program Area

Source: ESRI 2018; MROSD 2020; San Mateo County 2016; CAL FIRE 2007

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3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

3.10.2 Environmental Setting

The Program area is located in the Santa Cruz Mountains on the San Francisco Peninsula (Peninsula), primarily within southern San Mateo and northwestern Santa Clara counties, with a small portion in Santa Cruz County. The Peninsula separates the San Francisco Bay from the Pacific Ocean and extends from the Golden Gate south to the Santa Clara Valley and northern end of Monterey Bay. Runoff from the peninsula flows to the Pacific Ocean to the west and the San Francisco Bay and estuaries to the east.

Climate and Precipitation

The Program area exhibits a Mediterranean climate with mild, wet winters and warm, dry summers. Regional climatic conditions are moderated by a cooler, moist marine layer from the Pacific Ocean. The Santa Cruz Mountains influence the occurrence of frequent extreme storms with heavy precipitation that can be responsible for periodic flooding. Rainfall mostly occurs between November and April with seasonal rainfall totals varying depending upon topography, exposure, and elevation. The greatest rainfall quantities occur along the west facing slopes of the Santa Cruz Mountains near the summit of the mountain range where totals reach up to 40 to 50 inches per year. Typical average rainfall ranges from 20 to 30 inches per year. Many small creeks and streams are intermittent, which reflect the seasonal distribution of rainfall. Winter flows are higher, especially during and immediately following storms. Due to the open spaces and undeveloped lands within the Program area, rain is able to mostly percolate into the ground rather than rapidly run off the surface (Horizon 2021).

Surface Water Hydrology and Quality

The Program area can be separated into two hydrological regions by the Skyline-Loma Prieta Ridge in the Santa Cruz Mountains. Watersheds in coastal area of San Mateo County are to the west and southwest of the Skyline-Loma Prieta Ridge and drain towards the Pacific Ocean. Watersheds east of the Skyline-Loma Prieta Ridge are located in the South Bay Area and Santa Clara County and drain to the San Francisco Bay. The Program area is located within 25 watersheds within the Santa Cruz Mountains, including the following from north to south: San Pedro Creek, Denniston Creek, Arroyo Leon, San Mateo Creek, Purisima Creek, San Francisquito Creek, Cordilleras Creek, Oakland Inner Harbor-San Francisco Bay, San Francisco Bay Estuaries, San Gregorio Creek, La Honda Creek, Adobe Creek, Permanente Creek, Stevens Creek, Calabazas Creek, Lower Pescadero Creek, Upper Pescadero Creek, Butano Creek, Gazos Creek, Waddell Creek, Saratoga Creek, San Tomas Aquino Creek, Los Gatos Creek, Guadalupe River, and Alamitos Creek. Many of Midpen's OSPs are located within the headwaters or uppermost sections of these watersheds. Most of these watersheds contain steep slopes and deep canyons, typical of the Santa Cruz Mountains. Surfaces waters within the Program area are year-round streams, ephemeral and perennial creeks, lakes, reservoirs, and ponds. Major creeks and streams within the Program include, but are not limited to, Pescadero Creek, San Gregorio Creek, Tunitas Creek, Lobitos Creek, Purisima Creek, Pilarcitos Creek, Cordilleras Creek, San Francisquito Creek, Adobe Creek, Permanente Creek, Stevens Creek, Saratoga Creek, San Tomas Aquino Creek, Los Gatos Creek, and Guadalupe River.

The CWA is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. Under CWA Section 303(d), states are required

to identify "impaired water bodies" (those that do not meet established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for developing control plans to improve water quality. A list of impaired waterbodies within and downstream of the Program is included in Table 3-4 of Chapter 3 of the Program Manual (**Appendix B** of this IS/MND). A Total Maximum Daily Load (TMDL) is developed by states, territories, or authorized tribes for constituents on the CWA Section 303(d) List to restore the quality of the waterbody. TMDLs identify the sources of pollutants and identify actions to restore water quality. TMDLs developed for waterbodies in the Program area include sediment/siltation in San Francisquito, San Gregorio, Pescadero, and Butano creeks; toxicity in urban creeks such as Calabazas, Corte Madera, Matadero, Permanente, and Stevens creeks; selenium in Permanente Creek; and mercury in Guadalupe River watershed. Refer to Chapter 3 of the Program Manual (**Appendix B** of this IS/MND) a further description of water quality impairments.

In addition to major creeks and streams in the Program area, there are over 100 natural and humanmade ponds located on Midpen lands. A majority of these ponds are either humanmade or have been heavily modified from their natural condition. Ponds have many uses, including providing valuable habitat for rare plants and special-status species, supplying clean water for livestock, protecting water quality of creeks and streams, supporting fire suppression, and providing aesthetic value to visitors. Typically, ponds are spring fed year-round (Horizon 2021).

Groundwater Hydrology and Quality

The majority of the Program area within the Santa Cruz Mountains is not underlain by a groundwater basin. In the Santa Cruz Mountains, groundwater conditions vary locally depending on geologic conditions. The occurrence of groundwater is dependent on the presence of porous, permeable rock capable of storing and transmitting water. Hard, fine-grained rock formations underlie most areas of the Santa Cruz Mountains; however, deep weathering, shearing, and fracturing of the rock can create permeability and porosity in the rock units, allowing pockets of water to form. Groundwater can also occur locally in deep colluvial and landslide deposits (Horizon 2021).

The eastern side of the Program is primarily located within the Santa Clara Valley Groundwater Basin, within the Santa Clara subbasin and the San Mateo Plain subbasin (California Department of Water Resources [DWR] 2020). The Santa Clara subbasin is bounded to the west by the Santa Cruz Mountains, to the east by the Diablo Range, to the north by Santa Clara County northern boundary line, and to the south by the groundwater divide near the town of Morgan Hill (DWR 2004a). The San Mateo Plain subbasin is bounded by the San Francisco Bay to the east, the Santa Cruz Mountains to the west, the Westside subbasin to the north, and San Francisquito Creek to the south (DWR 2004b). The primary source of groundwater recharge is infiltration of streamflow and precipitation. Artificial recharge also occurs as part of the Santa Clara Valley Water District (Valley Water) artificial facility recharge program where either locally conserved or imported water is released to in-stream and off-stream facilities to maintain groundwater levels. Valley Water is the Groundwater Sustainability Agency (GSA) for the portion of the Santa Clara subbasin within

Santa Clara County. Groundwater within the groundwater basin supplies approximately 50 percent of the potable water to residents in the Santa Clara Valley (Horizon 2021).

Groundwater in the Santa Clara Valley Groundwater Basin is generally of good quality and drinking water standards are consistently met. The Priority Basin Project of the Groundwater Ambient Monitoring and Assessment (GAMA) study tested raw water samples for a variety of organic and inorganic constituents for the entire 620-square mile San Francisco Bay, including the Santa Clara Valley Groundwater Basin. Fourteen volatile organic compounds (VOCs) and six pesticides were detected in the wells sampled; however, all detections of VOCs and pesticides in study area wells were below established safety thresholds (Horizon 2021).

Flooding

Because the Program area is generally located at areas of high elevation, flooding is not typically an issue. However, OSPs along the Bay margin (i.e., Ravenswood and Stevens Creek Shoreline Nature Study Area) are located in low-lying areas of the Bay and are thus located within the existing 100-year floodplain. OSPs along the Bay margin would experience flooding from major storms and sea-level rise (Panorama 2021); however, activities at these OSPs are not included in the Program.

3.10.3 Discussion

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The following subsections describe the ways in which Program activities could temporarily degrade water quality. In many cases, Program activities (particularly repair/replacement of failed culverts and drainage features, berm/bank stabilization, removal of in-stream structures, and removal of sediment and debris) would benefit water quality as these activities would stabilize slopes, reduce sediment loading into creeks and other waterways, and remove pollutants from channels. Thus, in the long-term once Program activities are complete at a given site, water quality conditions would improve relative to existing conditions.

Ground-Disturbing Activities

Ground-disturbing activities including berm/bank repair, pond restoration, bridge relocation, road grading, trail repair, culvert repair and replacement, vegetation removal, over grazing, road and trail re-routes, among others could expose soils and increase the potential for soil erosion and transport of sediment downstream of the work area. During a storm event, soil erosion could occur at an accelerated rate. Sediment releases may increase turbidity, which could cause an increase in water temperature and a corresponding decrease in dissolved oxygen levels. Eroded sediments can also carry heavy metals, nutrients, or pathogens. The movement and transport of soil, sediment, and other loose material associated with these ground disturbing activities could also emit dust which could affect surface waters in the vicinity of the work areas. Although ground-disturbing activities would be short-term and temporary, discharge of sediment to surface waters could adversely

impact water quality, endanger aquatic life, and/or result in a violation of water quality standards. As described in Chapter 2, *Project Description,* the Program has established size and length limits for ground-disturbing activities. These self-imposed limits, along with implementation of BMPs listed below, would minimize erosion and sediment transport during and after proposed Program activities. Midpen would implement the following BMPs, incorporated as part of the Program, to minimize potential temporary impacts to water and water quality due to ground-disturbing activities. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-7 Waste Management
- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-15 Dust Management Controls
- BMP GEN-16 Site Stabilization
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-22 Spoils Management
- BMP GEN-25 Vegetation Management with Livestock
- BMP BIO-3 Work Area Designation
- BMP BIO-24 Riparian Restoration
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-2 Turbidity Monitoring
- BMP SWQ-3 Sediment Filtering Measures

Implementation of the above-listed BMPs would reduce temporary impacts to water quality due to ground-disturbing activities by minimizing ground disturbance and the amount of earthwork, using previously disturbed areas for staging and access, stabilizing the active work site, restoring disturbed and riparian areas following Program activities, avoiding rainy weather, ensuring proper storage of materials, equipment, and spoils, installing silt control and filtering devices, and monitoring water quality. The Program also includes restoration activities such as native vegetation plantings and road decommissioning that would further prevent erosion from occurring on Midpen lands by stabilizing bank/berm slopes,

revegetating denuded areas with native species, and removing roads to restore the natural hydrology and watershed processes.

In-Water Activities

Program activities within stream channels and ponds associated with bridge repair/maintenance and replacement, bank/berm stabilization, sediment removal, in-stream structure removal, and other activities could result in short-term water quality impacts through the disturbance of bed, banks, and berms, which may result in increased turbidity in the water column and migration of sediment to areas downstream. Work would generally occur during the dry season when the stream channel is dry, except for perennial streams or during wet weather years in which the channel does not dry. If work is necessary where water is in the stream channel, work would be scheduled during low flow and dewatering would be conducted through the use of silt fences, wattles, and/or coffer dams. Work within ponds would occur when the pond is dry if prior to August 15 or if pond draining is necessary, work would occur between August 15 and November 1 to avoid CRLF breeding season.

Midpen would implement the following BMPs, incorporated as part of the Program, to avoid and minimize water quality effects due to in-channel work including dewatering. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-8 Vehicle Maintenance and Parking
- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-12 Exclude Concrete from Channel
- BMP GEN-18 Project Completion by End of Work Period
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-20 Aquatic Resource Protection Measures
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-31 New Culvert Installation (non-stream crossings)
- BMP GEN-32 Bridge and Puncheon Replacement
- BMP GEN-33 Bridge and Puncheon Repair and Maintenance
- BMP GEN-34 Ford and Swale (including Drain Lenses and Causeways) Replacement
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-2 Turbidity Monitoring
- BMP DW-1 Stream/Aquatic Habitat Isolation
- BMP DW-2 Pond Dewatering

Implementation of the above-listed BMPs listed would minimize temporary impacts on water quality by reducing sediment pollution from work areas during dewatering and pond draining activities by avoiding rainy weather, excluding equipment and materials from channels with flows, ensuring in-channel activities are conducted properly, diverting flows around the active work area, and monitoring water quality. As noted above, once work is complete at road/trail slip-outs, bank/berm stabilization sites, and failed culverts/drainage features, water quality conditions would improve as proposed activities would repair erosion along banks/berms, slopes, and roads near creeks and other waterways.

Accidental Release of Hazardous Materials

Program activities would primarily be conducted by hand or with small gas-powered tools, such as chainsaws and brushcutters. Midpen strives to use the least impactful method when conducting Program activities. However, some activities such as sediment removal, pond and wetland restoration, culvert repair/replacement, and water supply structure maintenance could require the use of heavy equipment (e.g., excavators, bulldozers), typically operated from the top of bank/berm, or if unavoidable, within the stream channel. In such instances, work would occur during the dry season.

Fuels and lubricants such as oil and grease are used in excavation and transportation equipment and vehicles. During Program activities, equipment and worker vehicles would be stored and refueled at designated staging areas adjacent to the work site, out of the channel or waterway. Maintenance of bridges and other instream facilities may require repainting or concrete repair using concrete, mortar, or grout. The Program also includes removing hazardous materials such as asbestos and lead based paint from culverts, bridges, and other structures. If hazardous materials (e.g., fuels, oils, concrete, lead-based paint) were accidentally released directly or indirectly into the stream channel, the sediment and water in and around the work site could be significantly degraded. Fine sediments contained within stream channels are particularly apt at absorbing pollutants such as petroleum products. Water in the stream channels can transport pollutants downstream and carry them through the soil into underlying groundwater, thus affecting a larger area. Accidental release of construction-related hazardous materials could adversely affect water quality. In addition, any on-site trash and debris generated from Program activities could pose a potential water quality risk if transported to surface waters. Any trash and debris generated during work would be limited and would be properly disposed of in accordance with BMPs to minimize the potential for waste to be transported to waters in the Program area.

Midpen would implement the following BMPs, incorporated as part of the Program, to avoid and minimize impacts due to accidental release of hazardous materials. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-5 Hazardous Materials Storage/ Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-7 Waste Management
- BMP GEN-8 Vehicle Maintenance and Parking

- BMP GEN-9 Equipment Maintenance & Fueling
- BMP GEN-10 Paving and Asphalt Work
- BMP GEN-11 Concrete, Grout and Mortar Application
- BMP GEN-15 Exclude Concrete from Channel
- BMP GEN-16 Concrete Washout Facilities
- BMP GEN-14 Painting and Paint Removal

Implementation of the BMPs listed above would minimize the potential for accidental releases of hazardous materials into stream channels by requiring appropriate material and equipment staging, maintenance, and refueling areas, onsite hazardous materials management, spill prevention and response, and work site housekeeping.

Vegetation Management Effects on Water Temperatures

Proposed vegetation management activities include brushing, fuel management, pruning, tree removal, downed tree management, pesticide application, conservation grazing, and invasive plant removal. Some of these vegetation management activities are conducted as part of the existing condition to maintain the status quo and would not result in new effects. Vegetation management activities associated with fuel management are analyzed in the Wildland Fire Resiliency Program EIR (Panorama 2021). The discussion below analyzes potential effects of riparian vegetation management activities on water quality.

Vegetation removal along creeks would be limited (i.e., removing trees if stream capacity is limited, or the tree is threatening streams, ponds or bed and banks of streams, or water quality) and would not involve significantly thinning the riparian corridor. The primary purpose of vegetation management activities within water bodies is to maintain natural hydrologic processes and protect facilities and the public. Midpen maintains downed trees to provide habitat; therefore, it is unlikely that Program activities would remove the canopy over stream channels to such an extent that water temperatures would increase and exceed Water Quality Control Plan (Basin Plan) water quality objectives (e.g., increase of 5ºF above background conditions). As a result, vegetation management activities would not permanently affect water quality and thus would not cause water temperatures to increase and exceed water quality objectives. Additionally, thinning of vegetation and removal of dead branches may even result in a beneficial effect to water temperatures in the long-term by maintaining or promoting increased canopy cover over stream channels. The Program would also involve native vegetation plantings, which would increase canopy cover over stream channels thereby reducing water quality effects related to increased water temperature.

Midpen would implement the following BMPs, incorporated as part of the Program, to avoid and minimize water quality effects due to vegetation management activities. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-4 Salvage/ Reuse of Plant and Woody Material

- BMP GEN-16 Site Stabilization
- BMP GEN-23 Vegetation and Tree Removal and Retention
- BMP GEN-27 Snags
- BMP BIO-22 Large Woody Material Management
- BMP BIO-23 Riparian Avoidance
- BMP BIO-24 Riparian Restoration

Implementation of BMPs listed above would reduce any temporary effects associated with riparian vegetation removal activities by minimizing the area of disturbance and removal of vegetation, revegetating/restoring disturbed and riparian areas, reusing removed vegetative material for restoration purposes, retaining trees, snags, and vegetation where possible, and avoiding impacts to riparian areas.

Use of Pesticides

Midpen currently applies pesticides to control invasive plants within the framework of the IPMP. Pesticides would be used consistent with Midpen's IPM Guidance Manual, which uses an integrated approach of chemical, manual, and mechanical methods to manage vegetation along trails, roads, and wildlands. All pesticide applications would be in accordance with federal, state, local regulations, labeled specifications, and any court injunctions concerning special-status species in place. Midpen uses the following pesticide application methods to control invasive species: foliar/spot spray, cut-stump, basal bark application, wick/wipe application, and frill/injection. Existing herbicide use in Midpen preserves is discussed detail in the Wildland Fire Resiliency Program EIR and the IPMP EIR as Addended. Guidelines for safe handling and applying pesticides and other BMPs in the IPMP Guidance Manual (Midpen 2014b) would be implemented during treatment.

Pesticide application near waterbodies and in riparian areas is only conducted when manual or mechanical methods are not feasible or appropriate for the site. Pesticides would not be used in or within 15 feet of any fish-bearing stream, lake, pond, or other water bodies known to support special-status aquatic species without prior consultation with CDFW. For other water bodies, pesticide use is limited to control non-native plant species where excess vegetation is determined to be the cause of sediment deposition and/or debris accumulations that result in flooding or damage to facilities. All pesticides and adjuvants used in aquatic areas would be labeled for aquatic use. Nonetheless, accidental release of pesticides or transport of applied pesticides in stormwater runoff to local surface waters would pose a significant water quality impact. Compliance with Program BMPs listed below, in addition to the BMPs and mitigation measures provided in the IPMP EIR as Addended, would prevent improper or over-application of chemicals and improper disposal and prevent discharge or runoff of chemicals into aquatic features. Refer to the IPMP EIR as Addended for analysis of impacts associated with pesticide application (Midpen 2014a; Midpen 2019).

Midpen would implement the following BMPs, incorporated as part of the Program, to minimize impacts associated with pesticide application. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-2 Minimize Area of Disturbance and Site Maintenance
- BMP GEN-5 Hazardous Materials Storage/ Disposal
- BMP GEN-6 Spill Prevention and Control
- BMP GEN-26 Non-native Plant Removal and Herbicide Management

With implementation of the above-listed BMPs, and adherence to the to the BMPs and mitigation measures identified in the IPMP EIR as Addended, impacts to water quality from applying pesticides would be minimized by complying with exiting pesticide application regulations and label specifications, minimizing the work area, and ensuring proper storage and disposal of pesticides and spill prevention and response.

Overall, implementation of the BMPs listed above would minimize the potential for proposed Program activities to substantially degrade water quality or violate water quality standards or waste discharge requirements. In addition, proposed Program activities such as culvert repair/replacement, clearing clogged drainage features, berm/bank stabilization, and sediment and debris removal would provide long-term water quality benefits by reducing sediment loading into creeks, minimizing existing erosion, and ensuring adequate hydraulic conveyance and capacity within creeks, drainages, and ponds. Therefore, this impact would be **less than significant**. No mitigation is required.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Program activities would include maintenance of water supply infrastructure, including servicing existing wells, to maintain water supply, provide accessible water for livestock and wildlife, and supply clean water to residences. Additionally, restoration and enhancement activities would involve decommissioning abandoned/inactive water wells to protect surface water and groundwater quality. The Program would not install new wells or pumps as part of the Program. Program activities would not involve any actions that would substantially deplete groundwater supplies or affect the aquifer volume or groundwater table level.

Out of the 280,000 acres that comprise the Program area, less than 10% of the area consists of impervious surfaces. Program activities would not substantially increase new impervious surfaces within Midpen lands that would affect groundwater recharge or groundwater supply. Further, Program activities may improve groundwater recharge functioning by removing sediment and debris in streams and ponds and conducting habitat enhancement activities, including potential gravel augmentation. Stream channel bottoms are some of the most effective groundwater recharge locations in a groundwater basin. Removal of sediments and debris from channel bottoms and addition of gravel would encourage groundwater recharge functioning in channel bottoms. This would have a beneficial impact on

groundwater recharge. Overall, **no impacts** related to groundwater supply or groundwater recharge would occur.

c. Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

The proposed Program would involve culvert clearing and drainage feature maintenance, bridge repair/replacement, sediment and debris removal, pond decommissioning, among others that could affect existing drainage patterns in the Program area's stream channels and drainages. The proposed Program would not substantially alter existing drainage patterns as a goal of the Program is to maintain existing facilities to protect natural resources and water quality, including culverts, road and trail drainage features, bridges, and other recreational facilities. Without conducting needed repairs and improvements, areas subject to active erosion or sediment accumulation would continue to be subject to such conditions. Over time, erosion and sediment accumulation could increase at such sites, further degrading site conditions such that bank/berm failures or flooding may occur. Additionally, by not conducting work, erosive forces could redirect runoff such that new drainage pathways could be created and cause further damage to such facilities, thereby decreasing water quality.

Although ground-disturbing activities could increase the potential for erosion and siltation, Program activities such as bank/berm repair, culvert clearing and road and trail drainage feature maintenance, vegetation removal, revegetation, bridge relocation, sediment and debris removal, and removal of in-stream structures would help reduce erosion and sedimentation. Refer to 3.6(b) for a further discussion on erosion.

Midpen would implement the following BMPs, incorporated as part of the Program, to minimize the potential for erosion and siltation from Program activities. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-1 Staging and Access
- BMP GEN-2 Minimize the Area of Disturbance and Site Maintenance
- BMP GEN-3 Construction Entrances and Perimeter
- BMP GEN-16 Site Stabilization
- BMP GEN-19 Avoid Inclement Weather
- BMP GEN-21 Staged Materials Management and Excavation Ramps
- BMP GEN-22 Spoils Management
- BMP GEN-25 Vegetation Management with Livestock
- BMP GEN-28 Culvert Replacement
- BMP GEN-29 Culvert Maintenance
- BMP GEN-31 New Culvert Installation (non-stream crossings)

- BMP BIO-24 Riparian Restoration
- BMP EC-1 General Erosion Control Measures
- BMP EC-2 Slope or Bank Stabilization
- BMP EC-3 Road and Trail Drainage Maintenance
- BMP EC-4 Road and Trail Minor Relocation
- BMP EC-5 Revegetation of Disturbed Areas
- BMP SWQ-1 Water Body Protection Measures
- BMP SWQ-3 Sediment Filtering Measures
- BMP DW-1 Stream/Aquatic Habitat Isolation

Implementation of the BMPs listed above would reduce the potential for erosion and siltation to occur during and after Program activities by minimizing ground disturbance and the amount of earthwork, using previously disturbed areas for staging and access, stabilizing the active work site, restoring disturbed and riparian areas following Program activities, avoiding rainy weather, ensuring proper storage of materials, equipment, and spoils, installing silt control and filtering devices, and monitoring water quality. Due to the temporary nature of the Program activities and with adherence to the above listed BMPs, this impact would be **less than significant**. No mitigation is required.

ii, iii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, provide substantial additional sources of polluted runoff?

Proposed new facility improvements, such as new trails or water infrastructure improvements (e.g., water tanks, spring boxes, etc.), could result in an increase in hardened surfaces in Midpen lands, which could increase the rate and amount of runoff. However, any increase in impervious surface would be minimal in relation to the majority of open space and undeveloped lands in the Program area (less than 10 percent of Midpen lands consist of impervious surfaces). Thus, minor increases in surface runoff resulting from hardened surfaces would not be substantial. Most Midpen facilities are not served by a municipal storm drainage system and runoff would continue to infiltrate into the ground and drain to creeks and drainages, similar to the existing condition. In addition, many of the Program activities are needed to maintain hydraulic capacity in creeks, drainages, and ponds to prevent potential flooding from occurring. Implementation of applicable BMPs noted above in Section 3.8(a) would limit the potential for temporary work sites to generate polluted runoff (e.g., from accidental discharge of hazardous materials used in construction equipment). Thus, Program activities would not create runoff that would result in flooding, exceed the capacity of existing stormwater drainage systems, or provide substantial additional sources of polluted runoff. Impacts would be **less than significant.** No mitigation is required.

iv. Impede or redirect flood flows?

The Program would not involve the construction of new structures that would impede or redirect flood flows. The Program would reduce the potential for flooding by providing sediment and debris removal, vegetation management, maintenance and repair or replacement of culverts and other drainage features, and bank and berm repair. Therefore, implementation of the Program would result in **no impacts** related to placing structures that would impede or redirect flood flows.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The Program area mostly lies inland within the Santa Cruz Mountains and thus would not be located in a tsunami inundation zone. Seiche events are not likely to occur within Midpen lands due to site elevation and distance from the Pacific Ocean and the San Francisco Bay. Flooding may occur along creeks and streams that travel from the upper watershed areas through San Mateo and Santa Clara counties. Midpen participates in flood-protection Programs, including constructing major flood protection projects and protection of properties in previously flooded areas (Panorama 2021). Risk of tidal flooding may also occur within OSPs along the Bay margin; however, no Program activities are proposed to occur along the Bay margin. Implementation of Program activities would not cause seiches to occur due to the nature of the activities. Although flooding could occur along creeks and stream within the Program area, Program activities, including clearing clogged culverts and drainage features; removing sediment from creeks, bridges, and ponds; and stabilizing pond berms/banks would reduce the potential for flooding to occur, and would thus reduce the risk of pollutant release due to inundation. . This impact would be **less than significant.** No mitigation is required.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Program area is primarily located in the San Francisco Bay RWQCB jurisdiction, though the area from Gazos Creek south is within the Central Coast RWQCB jurisdiction. Each RWQCB has developed a Basin Plan that designates beneficial uses for major surface waters and groundwater basins and establishes specific water quality objectives for those waters. Beneficial uses for many of the surface waters within and downstream of Midpen lands are identified in the Basin Plans. A project could conflict with a Basin Plan by degrading water quality in a manner where water-quality objectives are not met or beneficial uses are impacted or not achieved.

As analyzed under 3.9(a), the Program could impact water quality through ground-disturbance, accidental release of hazardous materials, in-water activities, vegetation management activities, and use of pesticides. Increased erosion and consequent sedimentation could occur associated with ground-disturbing activities and in-channel work. Eroded sediments could carry metals, nutrients, or pathogens, impacting efforts to achieve or maintain identified TMDLs, water quality objectives, and identified beneficial uses. Accidental release of hazardous materials or pesticides could also impact downstream waterbodies. Increased contamination of an impaired waterbody, such as additional sedimentation in San

Gregorio Creek or San Francisquito Creek, would conflict with the Basin Plan, which would be considered a significant impact. BMPs listed above under 3.9(a) would reduce the potential for Program activities to impair waterbodies in such a manner that conflicts to identified TMDLs, water quality objectives, or beneficial uses identified in the Basin Plan would occur.

As described above, a small portion of the Program area is within the Santa Clara subbasin, which is managed by Valley Water under the 2016 Groundwater Management Plan. Thus, the small portion of Midpen lands underlain by the subbasin are subject to Valley Water's 2016 Groundwater Management Plan goals and strategies. One of the sustainability goals of the 2016 Groundwater Management Plan is to protect groundwater from contamination. Valley Water conducts monitoring and implements numerous activities to protect groundwater resources (Panorama 2021). As discussed under 3.8(b), Program activities would not result in impacts related to depletion of groundwater supplies or reduce groundwater recharge. Thus, Program activities would not affect the implementation or success of Valley Water's 2016 Groundwater Management Plan.

Overall, the Program would not conflict with the Basin Plan or with a sustainable groundwater management plan. This impact would be **less than significant**. No mitigation is required.

3.11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Physically divide an established community?	☐	☐	☒	☐
b. Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

3.11.1 Environmental Setting

The Program area consists of approximately 227,900 acres in Santa Clara, San Mateo and Santa Cruz counties. Approximately 64,000 acres consist of open space, most of which are located in Midpen's 26 OSPs in the Santa Cruz Mountains. Land uses within Midpen's OSPs predominantly consist of natural open space and recreation. Agriculture uses (i.e., conservation grazing) and rural residential uses also occur in some OSPs. Many of Midpen's OSPs abut small areas of low-density residential development (Panorama 2021). The Program area is located within multiple jurisdictions, including 17 cities (i.e., Atherton, Cupertino, East Palo Alto, Half Moon Bay, Los Altos, Los Altos Hills, Los Gatos, Menlo Park, Monte Sereno, Mountain View, Palo Alto, Portola Valley, Redwood City, San Carlos, Saratoga, Sunnyvale, and Woodside) as well as unincorporated areas in San Mateo, Santa Clara, and northern Santa Cruz counties.

Midpen's *Ordinance for Use of Midpeninsula Regional Open Space District Lands*, first adopted in 1993, includes regulations intended to reduce environmental impacts associated with visitors, contractors, employees, and other users of Midpen lands (Midpen 2020). Other documents that guide the use and vision of Midpen lands include the *Resource Management Policies* (Midpen 2021) and the Vision Plan (Midpen 2014). Land use planning for residential areas adjacent to Midpen's OSPs is governed by local general plan documents and ordinances. In unincorporated areas, land uses are regulated by the respective county general plans (e.g., Santa Clara County General Plan [Santa Clara County 1994], San Mateo County General Plan [San Mateo County Planning and Building Division 1986], and Santa Cruz County General Plan [Santa Cruz County 1994], which provide goals and policies to guide development while protecting sensitive resources.

3.11.2 Discussion

a. Would the project physically divide an established community?

Implementation of the Program would not involve any new development that could physically divide a community. The proposed Program involves routine maintenance

activities, small-scale facility improvements, and restoration and enhancement projects. These activities would not change the overall natural landscape or uses of Midpen lands but would maintain/upgrade degraded and/or dilapidated facilities, such as trails, roads, bridges, culverts, drainage features, water supply infrastructure, and existing buildings. Further, new trails, roads, and reroutes constructed under the Program would provide new connections and facilitate improved access across Midpen lands. The proposed Program would streamline Midpen's management of its lands to ensure a consistent approach to conducting such activities. Although some Program activities along roadways and trails, including culvert repair/replacement, road grading and shaping, trail tread repair and regrading, and vegetation management could cause temporary disruptions to existing roadways or recreational trails that connect existing communities, Program activities would be short in duration. As such, the proposed Program would not permanently affect access to surrounding land uses or create any new permanent, physical barriers between established communities. Thus, this impact would be **less than significant**. No mitigation is required.

b. Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Midpen currently conducts routine maintenance activities, small scale facility improvements, and restoration and enhancement projects as individual projects. Thus, the proposed Program includes activities that already occur on Midpen lands. As described in Chapter 2, *Project Description,* the purpose of the Program is to apply a more comprehensive and consistent approach to conducting these types of activities. In addition, most Program activities would maintain/upgrade existing Midpen facilities and would not result in new development or alter land from its present use. Although some small-scale facility improvement projects, such as new roads, trails, or bridges, may be constructed, all activities conducted under the Program would comply with Midpen and local land use regulations and policies.

The proposed Program would support Midpen and County General Plan goals and policies by reducing soil disturbances, erosion, and water quality impacts associated with Program activities through implementation of BMPs; promoting growth of native vegetation and protecting and restoring special-status species and sensitive habitats; rehabilitating areas disturbed prior to Midpen ownership; acquiring and providing public access to lands while protecting and restoring natural resources; removing and managing invasive species; and reducing fire fuels and restoring ecosystems. For the reasons stated above, the proposed Program would not conflict with any land use plans or policies and impacts would be **less than significant**. No mitigation is required.

3.12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

3.12.2 Environmental Setting

Mineral resources of significance found and extracted in Santa Clara County include construction aggregate deposits such as sand, gravel, and crushed stone, as well as salts found in the evaporation ponds along the San Francisco Bay margin (Santa Clara County 1994). There are four active mines located in Santa Clara County: (1) Curtner Quarry, (2) Permanente Quarry, (3) Stevens Creek Quarry, and (4) Lexington Quarry (CDOC 2016). Mineral resources of significance that are found and extracted in San Mateo County include mineral water, salines, and crushed stone (Midpen 2011). Two active mines are located in San Mateo County: (1) Pilarcitos Quarry and (2) Langley Hill Quarry (CDOC 2016). Active mineral operations in Santa Cruz County provide mineral resources for industrial and construction uses, including glass and cement. Four active mines are located in Santa Cruz County: (1) Felton Quarry, (2) Quail Hollow Quarry, (3) Olive Springs Quarry, and (4) Wilder Sand Plant (CDOC 2016). Mines within the three counties produce a combination of sand and gravel, stone, limestone and fill dirt. Mines located in San Mateo County and northern Santa Clara County are in the South San Francisco Bay Production-Consumption Region, while those located in southern Santa Clara County and Santa Cruz County are located in the Monterey Bay Production-Consumption Region (CDOC 2015). Within the Santa Cruz Mountains, rock suitable for road-base construction is found and extracted.

Although there are no active quarries on Midpen lands, five of the ten active mines within the three counties are located within the Program area (CDOC 2016). The Kaiser Permanente and Stevens Creek quarries are near the Monte Bello, Picchetti Ranch, and Rancho San Antonio OSPs and the Lexington Quarry is in close proximity to the Sierra Azul OSP within the Program area. The Kaiser Permanente quarries located along Monte Bello Ridge are actively mined for cement. Active quarries are also located in proximity to the Miramontes and Russian Ridge OSPs (Panorama 2021). Additionally, a significant mineral resource area is also located near the Purisima Creek Redwood and Tunitas Creek OSPs within the Program area (Panorama 2021).

3.12.3 Discussion

a, b. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The proposed Program involves routine maintenance, small-scale facility improvements, and restoration and enhancement activities. Although Program activities may occur in proximity to active resource recovery sites, the Program would not involve activities that could directly affect the availability of a mineral resource. In addition, the proposed Program would not alter land uses, access, or subsurface areas that could impact mineral resources. The proposed Program would not result in the loss of availability of a known mineral resource that would be of value to the region nor result in the loss of an active mineral resource recovery site. As a result, **no impact** would occur**.**

3.13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.13.1 Overview of Noise Concepts and Terminology

Noise

In the CEQA context, noise can be defined as unwanted sound. Sound is characterized by various parameters, including the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient sound level, or sound intensity. The decibel (dB) scale is used to quantify sound intensity. Because sound pressure can vary enormously within the range of human hearing, a logarithmic scale is used to keep sound intensity numbers at a convenient and manageable level. The human ear is not equally sensitive to all frequencies in the spectrum, so noise measurements are weighted more heavily for frequencies to which humans are sensitive, creating the A-weighted decibel (dBA) scale.

Different types of measurements are used to characterize the time-varying nature of sound. Below are brief definitions of these measurements and other terminology used in this section.

- **Decibel (dB)** is a measure of sound on a logarithmic scale that indicates the squared ratio of sound pressure amplitude to a reference sound pressure amplitude. The reference pressure is 20 micro-pascals.

- **A-weighted decibel (dBA)** is an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Maximum sound level (L_{max})** is the maximum sound level measured during a given measurement period.
- **Minimum sound level (L_{min})** is the minimum sound level measured during a given measurement period.
- **Equivalent sound level (L_{eq})** is the equivalent steady-state sound level that, in a given period, would contain the same acoustical energy as a time-varying sound level during that same period.
- **Percentile-exceeded sound level (L_{xx})** is the sound level exceeded during *x* percent of a given measurement period. For example, L_{10} is the sound level exceeded 10 percent of the measurement period.
- **Day-night sound level (L_{dn})** is the energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels during the period from 10:00 p.m. to 7:00 a.m. (typical sleeping hours). This weighting adjustment reflects the elevated sensitivity of individuals to ambient sound during nighttime hours.
- **Community noise equivalent level (CNEL)** is the energy average of the A-weighted sound levels during a 24-hour period, with 5 dB added to the A-weighted sound levels between 7:00 p.m. and 10:00 p.m. and 10 dB added to the A-weighted sound levels between 10:00 p.m. and 7:00 a.m.

In general, human sound perception is such that a change in sound level of 3 dB is barely noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving the sound level. **Table 3.13-1** presents example noise levels for common noise sources; the levels are measured adjacent to the source.

Table 3.13-1. Examples of Common Noise Levels

Common Outdoor Activities	Noise Level (dBA)
Jet flyover at 1,000 feet	110
Gas lawnmower at 3 feet	100
Diesel truck at 50 feet traveling 50 miles per hour	90
Noisy urban area, daytime	80
Gas lawnmower at 100 feet, commercial area	70
Heavy traffic at 300 feet	60
Quiet urban area, daytime	50
Quiet urban area, nighttime	40
Quiet suburban area, nighttime	30
Quiet rural area, nighttime	20

Source: Caltrans 2013

Vibration

Ground-borne vibration propagates from the source through the ground to adjacent buildings by surface waves. Vibration may be composed of a single pulse, a series of pulses, or a continuous oscillatory motion. The frequency of a vibrating object describes how rapidly it is oscillating, measured in Hertz (Hz). Most environmental vibrations consist of a composite, or "spectrum," of many frequencies**.** The normal frequency range of most ground-borne vibrations that can be felt generally starts from a low frequency of less than 1 Hz to a high of about 200 Hz. Vibration information for this analysis has been described in terms of the peak particle velocity (PPV), measured in inches per second, or of the vibration level measured with respect to root-mean-square vibration velocity in decibels (VdB), with a reference quantity of 1 micro-inch per second.

Vibration energy dissipates as it travels through the ground, causing the vibration amplitude to decrease with distance away from the source. High-frequency vibrations reduce much more rapidly than do those characterized by low frequencies, so that in a far-field zone distant from a source, the vibrations with lower frequency amplitudes tend to dominate. Soil properties also affect the propagation of vibration. When ground-borne vibration interacts with a building, a ground-to-foundation coupling loss usually results but the vibration also can be amplified by the structural resonances of the walls and floors. Vibration in buildings is typically perceived as rattling of windows, shaking of loose items, or the motion of building surfaces. In some cases, the vibration of building surfaces also can be radiated as sound and heard as a low-frequency rumbling noise, known as ground-borne noise.

Ground-borne vibration is generally limited to areas within a few hundred feet of certain types of industrial operations and construction/demolition activities, such as pile driving. Road vehicles rarely create enough ground-borne vibration amplitude to be perceptible to humans unless the receiver is in immediate proximity to the source or the road surface is poorly maintained and has potholes or bumps. Human sensitivity to vibration varies by frequency and by receiver. Generally, people are more sensitive to low-frequency vibration. Human annoyance also is related to the number and duration of events; the more events or the greater the duration, the more annoying it becomes.

3.13.2 Regulatory Setting

Local regulation of noise involves implementation of general plan policies and noise ordinance standards. Local general plans identify general principles intended to guide and influence development plans, and noise ordinances set forth the specific standards and procedures for addressing particular noise sources and activities. General plans recognize that different types of land uses have different sensitivities toward their noise environment; residential areas are generally considered to be the most sensitive type of land use to noise, and industrial/commercial areas are generally considered to be the least sensitive. **Table 3.13-2** includes a summary of local noise standards for jurisdictions where Program activities are proposed. Note that the table only includes standards for incorporated areas that contain existing OSPs. It is possible that land acquired in the future may fall under the jurisdiction of a community not listed in the table below.

Table 3.13-2. Noise Standards for the Counties and Incorporated Cities where Program Activities are Proposed

Jurisdiction	Noise Standards
San Mateo County	The San Mateo County Noise Ordinance exempts activities conducted on public parks, in addition to, noise associated with construction, repair, or grading during the hours of 7:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 5:00 p.m. on Saturdays.
Santa Clara County	The Santa Clara County Noise Ordinance prohibits the use of construction-related tools and equipment between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and Saturdays or at any time on Sundays and holidays where the sound generated creates a noise disturbance across a residential or commercial real property line.
Santa Cruz County	The Santa Cruz County Noise Ordinance considers multiple factors in determining whether a noise violation exists, including loudness, pitch, and duration of the sound, time of day or night, necessity of the noise, level of customary background noise, and proximity to any building regularly used for sleeping purposes.
Cupertino	The City of Cupertino Noise Ordinance limits the use of motorized equipment for landscape maintenance activities to the hours of 8:00 a.m. to 8:00 p.m. on weekdays, and 9:00 a.m. to 6:00 p.m. on weekends and holidays, with the exception of landscape maintenance activities for public schools, public and private golf courses, and public facilities, which are allowed to begin at 7:00 a.m. Construction equipment is exempt from noise standards provided that reasonable efforts are made by the user to minimize the disturbances to nearby residents. Grading, construction and demolition activities are allowed to exceed the noise limits of Section1 0.48.040 during daytime hours; provided, that the equipment utilized has high-quality noise muffler and abatement devices installed and in good condition, and the activity meets one of the following two criteria: 1. No individual device produces a noise level more than 87 dBA at a distance of 25 feet (7.5 meters); or 2. The noise level on any nearby property does not exceed 80 dBA.
East Palo Alto	The City of East Palo Alto Noise Ordinance exempts: 1) activities conducted in parks, public playgrounds and school grounds provided such parks, playgrounds and school grounds are owned and operated by a public entity; and 2) noise sources associated with demolition, construction, repair, remodeling or grading of any real property, provided such activities do not take place between the hours of 8:00 p.m. and 7:00 a.m.
Los Altos Hills	The Town of Los Altos Hills Municipal Code exempts construction equipment from noise standards when operated on weekdays between the hours of 8:00 a.m. and 5:30 p.m.
Los Gatos	The Los Gatos Municipal Code allows construction, alteration or repair activities between the hours of 8:00 a.m. to 6:00 p.m. weekdays, and 9:00 a.m. to 4:00 p.m. Saturdays if they meet at least one of the following noise limitations: 1) No individual piece of equipment produces a noise level exceeding 85 dBA at 25 feet. 2) The noise level at any point outside of the property plane does not exceed 85 dBA.

Jurisdiction	Noise Standards
Menlo Park	The City of Menlo Park Municipal Code contains exceptions from noise limits for: construction activities performed between 8:00 a.m. and 6:00 p.m. on weekdays property owners undertaking construction activities to maintain or improve their property on weekends and holidays between 9:00 a.m. and 5:00 p.m. powered equipment used on a temporary, occasional or infrequent basis operated between the hours of 8:00 a.m. and 6:00 p.m. on weekdays. No piece of equipment shall generate noise in excess of 85 dBA at 50 feet.
Mountain View	The City of Mountain View Municipal Code limits construction activity with respect to development between 7:00 a.m. to 6:00 p.m., Monday through Friday.
Palo Alto	The City of Palo Alto Municipal Code exempts any noise source which does not exceed a noise level of 70 dBA at a distance of 25 feet between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday, 9:00 a.m. and 8:00 p.m. on Saturday, and 10:00 a.m. and 6:00 p.m. on Sundays and holidays. Construction on non-residential property is limited to Monday – Friday 8:00 a.m. to 6:00 p.m., Saturday 9:00 a.m. to 6:00 p.m. During construction no individual piece of equipment shall produce a noise level exceeding 110 dBA at 25 feet and the noise level outside of the property plane of the project shall not exceed 110 dBA.
Portola Valley	The Town of Portola Valley Noise Element establishes non-transportation noise standards for receiving land uses. Daytime (7:00 a.m. to 10:00 p.m.) standards are 50 Leq and 65 Lmax for residential land uses, and 55 Leq for other sensitive land uses including medical, convalescent, and religious facilities, schools, libraries, museums, playgrounds, and parks. The Town's noise control ordinance limits construction activities to between 8:00 a.m. and 5:30 p.m. on weekdays.
San Carlos	San Carlos limits construction hours to 8:00 a.m. to 5:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays.
San Jose	The City of San Jose's acceptable exterior noise level objective is 60 dBA Day-Night Average Sound Level or less for residential and most institutional land uses.
Saratoga	The Town of Saratoga municipal code states that construction and grading activities are allowed Monday through Friday, between the hours of 7:30 a.m. and 6:00 p.m. and on Saturdays, between 9:00 a.m. and 5:00 p.m. Construction is not allowed on Sundays or on weekday holidays. These activities shall not exceed 100 dBA measured at any point 25 feet or more from the source of noise. Gasoline powered chainsaws may be utilized between 8:00 a.m. and 5:00 p.m. Monday through Friday and between 10:00 a.m. and 5:00 p.m. on Saturdays and Sundays. Woodchippers shall not exceed 100 dBA at any point 25 feet or more from the source of noise. Woodchippers may be utilized between 8:00 a.m. and 5:00 p.m. Monday through Friday and Saturdays between 10:00 a.m. and 5:00 p.m. Use of woodchippers shall not be allowed on Sundays.
Woodside	The Town of Woodside Noise Element lists maximum noise levels of 55 Ldn for residential and open space land uses and 60 Ldn for commercial land uses. The Town's municipal code limits hours of construction on weekdays between 7:30 a.m. and 5:30 p.m., and on Saturdays between 8:00 a.m. and 1:00 p.m.

Sources: San Mateo County 2020, Santa Clara County 2013, Santa Cruz County 2020, Cupertino 2020, East Palo Alto 2020, Los Altos Hills 2020, Los Gatos 2020, Menlo Park 2020, Mountain View 2020, Palo Alto 2020, Portola Valley 2020, San Carlos, 2021, San Jose 2020, Saratoga 2021, Woodside 2012, Woodside 2020

Environmental Setting

Noise conditions in the Program area vary greatly based on local land uses. The majority of Midpen lands are located in quiet, rural areas comprised largely of open space. Major sources of noise in the Program area include highways, railroads, and airports. Interstate 280, U.S. Highway 101, and State Highways 92, 84, 35, 17, 9, and 1 influence noise conditions at multiple existing Midpen OSPs. Caltrain and VTA trains operate within the Program area and multiple airports are located in or near Midpen lands including, Moffett Federal Airfield, Palo Alto Airport, San Jose International Airport, San Carlos Airport, San Francisco International Airport, and Eddie Andreini Sr. Airfield.

With respect to noise, sensitive receptors may include residences, schools and school yards, parks and playgrounds, daycare centers, nursing homes, places of worship, medical facilities, and facilities with vibration-sensitive equipment. Given the size of the Program area and uncertainty around the timing and location of Program activities, a detailed analysis of sensitive receptors is not practical; however, the most prevalent sensitive receptors within the Program area and in the vicinity of existing OSPs include rural and suburban residences and other recreational areas.

3.13.3 Discussion

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The proposed Program would result in temporary increases in ambient noise levels during the day from the operation of heavy equipment and use of vehicles and trucks associated with Program activities. Noise from the operation of heavy equipment could affect sensitive receptors (e.g., residents, recreational users, school children) located in close proximity to active work areas.

Table 3.13-2, above, summarizes specific noise criteria and noise restrictions on heavy equipment from general plans and noise ordinances of jurisdictions within the Program area. For the proposed Program, noise regulations and standards for San Mateo County, Santa Clara County, Santa Cruz County, Cupertino, East Palo Alto, Los Altos Hills, Los Gatos, Menlo Park, Mountain View, Palo Alto, Portola Valley, San Carlos, San Jose, Saratoga, and Woodside would be considered when Program activities occur within these jurisdictions. As indicated in **Table 3.13-2**, most jurisdictions restrict the hours of when construction activities may occur and many establish numeric noise level thresholds for residential areas or for specific types of equipment.

In addition to the local criteria listed in **Table 3.13-2**, above, the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018) recommends noise and vibration criteria for evaluating daytime construction equipment-related noise impacts in outdoor areas. The FTA recommends noise thresholds of 90 dBA equivalent continuous sound level (Leq) and 100 dBA Leq for residential and

commercial/industrial areas, respectively (FTA 2018). For this analysis, local criteria and the FTA's criteria and guidance are jointly used to analyze the proposed Program's potential noise impacts.

To roughly estimate anticipated noise levels at nearby sensitive receptor locations from construction equipment, the FTA recommends that the noisiest two pieces of equipment be used in these noise estimations along with the following assumptions:

- full power operation for a full one hour,
- there are no obstructions to the noise travel paths,
- typical noise levels from construction equipment are used, and
- all pieces of equipment operate at the center of the project site.

Using these simplifying assumptions, the noise levels at specific distances can be obtained using the following equation:

$$L_{eq}(equip) = EL_{50ft} - 20log_{10}(D/50)$$

Where:

L_{eq} (equip) = the noise emission level at the receiver at distance D over 1 hour.
EL_{50ft} = noise emission level of a particular piece of equipment at reference distance of 50 feet.
D = the distance from the receiver to the piece of equipment in feet.

In order to add the two noisiest pieces of equipment together, the following equation applies:

$$L_{total} = 10\ log_{10}(10^{\frac{L1}{10}} + 10^{\frac{L2}{10}})$$

Where:

L_{total} = The noise emission level of two pieces of equipment combined
L_1 = The noise emission level of equipment type 1
L_2 = The noise emission level of equipment type 2

Typical noise levels for the operation of the proposed Program's two loudest pieces of equipment were used to estimate the individual and combined noise levels at the nearest sensitive receptors (FTA 2018). Note that multiple types of equipment would generate high noise levels. For example, cranes, graders, excavators, bulldozers, rollers, and chainsaws may each generate noise levels of 85 dBA. **Table 3.13-3** provides the values used for the reference equipment noise levels at 50 feet, and the distances needed from the equipment to comply with FTA's and the jurisdictions with the most stringent local noise thresholds (i.e., the city of Cupertino and town of Los Gatos). **Appendix E** of this IS/MND provides details on the assumptions for the operation of equipment used for Program activities and anticipated noise levels. It should be noted that estimated noise levels are conservative and represent the

noisiest potential combination of equipment operating in tandem, which would not be a frequent occurrence. Succumbing

Table 3.13-3. Predicted Noise Levels of Heavy Equipment and Distances to Applicable Noise Thresholds

Equipment Type	Noise Level at 50 feet (dBA)	Distance (feet) to 90 dBA, FTA threshold	Distance (feet) to 85 dBA, Los Gatos Noise Threshold	Distance (feet) to 80 dBA, Cupertino Noise Threshold
Excavator	85	28	50	89
Bulldozer	85	28	50	89
Combined	88	40	71	126

Source: FTA 2018, Federal Highway Administration (FHWA) 2019. Noise calculations are shown in ***Appendix E.***

Exceeding established noise thresholds in close proximity to sensitive receptors could be a potentially significant impact**.** While some of Midpen's Program activities would not involve operation of heavy equipment, other Program activities (e.g., pond maintenance, restoration and enhancement projects, and tree removal) may exceed established noise thresholds when activities occur in close proximity to sensitive residential receptors. Noise impacts associated with these activities at individual sites would be temporary, of short duration (up to three weeks for bridge maintenance and replacement and pond maintenance projects), infrequent, and similar in scale and frequency to those currently conducted by Midpen.

Program activities would generally be conducted during daytime hours (between 7:00 a.m. and 5:00 p.m., depending on the time of year) on weekdays, which is largely in compliance with the construction hours listed in **Table 3.13-2**. Weekend operations would occur infrequently and may include volunteer-based events for invasive plant removal by hand. Given that the majority of Program activities would take place in fairly remote and sparsely populated locations on large OSPs and that the operation of noisy equipment would occur during hours permitted by applicable jurisdictions, the majority of potential noise impacts would be minimized. However, since the location of Program sites and future Midpen lands is uncertain, a potentially significant noise impact to nearby sensitive receptors remains.

Implementation of **Mitigation Measure NOI-1,** which includes the implementation of best noise control practices and notification of nearby sensitive receptors of upcoming work, would reduce noise generated from heavy equipment used in close proximity to sensitive receptors. As stated above, work at each project site would be temporary, infrequent, and short in duration. Additionally, the operation of noisy equipment would only take place during normal construction hours (between 7:00 a.m. and 5:00 p.m.) or in compliance with the applicable noise standard included in **Table 3.13-2**. . Therefore with implementation of Mitigation Measure NOI-1, temporary exceedances of thresholds established by the FTA and local jurisdictions (as applicable) from the use of heavy equipment would be l**ess than significant with mitigation**.

Similar to equipment-related noise generated during maintenance activities, traffic-related noise from vehicles and trucks during maintenance activities would be temporary, infrequent, and of a short duration at any given maintenance location. The limited number of daily trips required for maintenance activities would occur during normal work hours, in compliance with local regulations, and would not result in a substantial increase in traffic causing ambient noise levels to substantially increase. Additionally, the proposed Program would not construct any stationary equipment or other permanent sources of noise that would permanently increase ambient noise levels in the Program area.

Overall, with the implementation of **Mitigation Measure NOI-1** the proposed Program would comply with applicable noise thresholds. This impact would be **less than significant with mitigation**.

Mitigation Measure NOI-1 Noise Control

For all Program activities, Midpen will implement the following noise control practices to minimize disturbances to residential areas surrounding work sites:

- The operation of heavy construction equipment will be limited to occur between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday and comply with applicable local noise requirements.
- Program activities in residential areas will not occur on Saturdays, Sundays, or any holidays except during emergencies, or with advance notification of surrounding residents. Powered equipment (vehicles, heavy equipment, and hand equipment such as chainsaws) will be equipped with adequate mufflers maintained in good condition. Best available noise control techniques (e.g., mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) will be used for all equipment and trucks, as necessary.
- Staging areas will be located as far as possible from noise sensitive receptors during maintenance work.
- At work sites where heavy equipment will be used within 40 feet of sensitive receptors for longer than 5 days within the Program area, residents/sensitive receptors will be notified at least one week prior to performing maintenance work. At Program sites where heavy equipment will be used within 75 feet and 130 feet in Los Gatos and Cupertino, residents/sensitive receptors will be notified at least one week prior to performing maintenance work. The notification will include the anticipated schedule and contact number for a Midpen representative who can address noise complaints.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The FTA guidelines establish a construction vibration annoyance threshold of 80 vibration velocity in decibels (VdB) for infrequent events (fewer than 30 vibration events per day) and a damage threshold of 0.12 inches per second (in/sec) PPV for buildings extremely

susceptible to vibration damage (FTA 2018). Buildings considered extremely susceptible to vibration damage include fragile historic buildings, ruins or ancient monuments. Vibration and ground-borne noise levels were estimated for the proposed Program by following the methods described in the *FTA Noise and Vibration Impact Assessment* (FTA 2018). For the purposes of this analysis, it was assumed that equipment used during proposed Program activities would have similar vibration sound levels as a large bulldozer or loaded trucks. **Table 3.13-4** lists PPV and noise vibration levels for equipment used under the proposed Program as well as the distance to sensitive receptors that must be met in order to be comply with the FTA's established thresholds.

Table 3.13-4. Construction Equipment and Vibration Distance

Equipment	PPV at 25 feet	Distance to PPV of 0.12 in/sec (Building Damage Threshold)	Noise Vibration Level at 25 feet	Distance to Noise Vibration of 80 VdB (Annoyance Threshold)
Large Bulldozer	0.089 in/sec	20.5 feet	87 VdB	43 feet
Loaded Trucks	0.076 in/sec	18.4 feet	86 VdB	39.6 feet

Because Midpen lands consists primarily of large areas of open space, it is unlikely that extremely susceptible buildings would be located within the building damage threshold of Program work areas. Although sensitive receptors (i.e., residences) may be located in areas within the noise vibration annoyance threshold, work at each project site would be temporary, infrequent, and short in duration. Therefore, this impact would be **less than significant**. In addition, and although not necessary to reduce this impact to less than significant, implementation of Mitigation Measure NOI-1 would further reduce groundborne vibration impacts to sensitive receptors by limiting work near sensitive receptors.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The closest OSPs to existing airports are the Ravenswood OSP and Stevens Creek Shoreline Nature Study Area. The Ravenswood OSP is located less than a mile from the Palo Alto Airport and falls within the airport's 60 dB CNEL noise contour (Santa Clara County Airport Land Use Commission 2016a). The Stevens Creek Shoreline Nature Study Area is adjacent to Moffett Field and falls within the airfield's 70 dB CNEL (Santa Clara County Airport Land Use Commission 2016b). However, no Program activities would be conducted at these OSPs along the Bay margin under the proposed Program. The San Carlos Airport and Eddie Andreini Sr. Airfield are located within the Program area; however, these two airports are not located within two miles of any current OSPs. Because no Program activities would be conducted at the OSPs along the Bay margin or within close proximity to any airports, the proposed Program would not expose workers to excessive noise levels from airport operations. Therefore, **no impact** would occur.

3.14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.14.2 Environmental Setting

As shown in **Figure 2-1**, the Program area consists of approximately 227,900 acres in Santa Clara, San Mateo, and Santa Cruz counties. Nearly 64,000 acres are protected open space, most of which are located in Midpen's 26 OSPs in the Santa Cruz Mountains. Midpen lands serve 17 cities and unincorporated areas in the three counties, with a combined population of over 700,000 residents (Panorama 2021). The predominant land uses in Midpen's OSPs are natural open space, recreation, and agriculture. There are several small, rural residences located on some OSPs as well as small areas of low-density residential development adjacent to Midpen lands.

3.14.3 Discussion

a. Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

The proposed Program would not involve the construction of new housing or introduce new land uses associated with population increases (e.g., employment centers) that would directly induce population growth in the area. The proposed Program would involve facility improvements (e.g., roads, trails, bridges) to support public access; however, these recreational improvements are small-scale (e.g., construction of new trail connection between two existing trails or re-routing existing road/trail to avoid sensitive habitat) and would not draw new residents to the area. Because the number of activities conducted annually would increase under the Program, an increase in Midpen employees or contracted workers may be required. However, the overall increase in employment opportunities from the Program would be minimal and primarily seasonal (most likely fewer than 15 full-time-equivalent jobs). Additional workers would be sourced from the local available work force in

the region. Thus, impacts associated with inducing population growth either directly or indirectly would be **less than significant**. No mitigation is required.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Program activities would occur on Midpen lands; however, these activities would be confined to specific sites, including ponds, lakes, creeks, water supply infrastructure, roads, trails, open spaces, and other recreational facilities. Although some residences are located on Midpen lands near facilities and open spaces requiring maintenance and/or improvement, the Proposed Project would not remove any housing units. Thus, no residents would be displaced by Program activities. Therefore, the proposed Program would not result in the displacement of existing housing or people from Midpen lands. As such, **no impacts** related to housing or people displacement would occur.

3.15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project *result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a. Fire protection?	☐	☒	☐	☐
b. Police protection?	☐	☒	☐	☐
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

3.15.2 Environmental Setting

Midpen collaborates with state and local agencies to ensure comprehensive provision of public services across their lands. Midpen rangers are hired to support police and fire protection services provided by other state and local agencies. Midpen's rangers are responsible for visitor contact and patrolling OSPs to enforce federal, state, and local laws, and Midpen regulations. Sometimes rangers perform fire suppression and emergency medical response.

Fire protection services are provided by local fire departments and volunteer fire companies within Midpen lands, as well as CAL FIRE. CAL FIRE provides fire protection in the State Responsibility Areas, which encompasses the majority of Midpen lands within the OSPs. Law enforcement services on Midpen lands are provided by local police departments. County sheriffs' offices provide services to the unincorporated areas of San Mateo, Santa Clara, and Santa Cruz counties. The California Highway Patrol responds to vehicular accidents, including those involving pedestrians, bicyclists, and equestrians on Midpen lands. State and county park rangers also provide law enforcement within state and county parks adjacent to Midpen lands. (Panorama 2021)

Emergency medical services in San Mateo County are provided by American Medical Response, the County's 9-1-1 ambulance provider, and local fire departments (San Mateo County 2021). Santa Clara County Ambulance is Santa Clara County's 911 ambulance provider, which is operated by Rural/Metro Ambulance (Santa Clara County Ambulance 2017). American Medical Response West provides emergency services in Santa Cruz County (Santa Cruz County 2021).

Several school district jurisdictions within San Mateo and Santa Clara counties overlap with the Program area. Four elementary schools and one middle school are located within 0.25 mile of Midpen OSPs.

3.15.3 Discussion

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire Protection

As discussed in Section 3.14, "Population and Housing," the proposed Program would not induce population growth in the Program area and therefore would not require construction of new or altered fire protection facilities in order to maintain acceptable response times.

Some vegetation management activities, such as mowing, brushing, and tree removal, would involve the use of internal combustion-powered equipment (e.g., tractor-operated mowers and chippers), in addition to the use and storage of flammable and/or hazardous materials (e.g., fuel), which could temporarily increase fire risk or provide an ignition source. Such activities could require a response from the CAL FIRE or other local fire departments if a fire ignites, diverting resources from other calls for service. Midpen would implement BMP GEN-17: Fire Prevention (described in Chapter 2, *Project Description)*, which would reduce potential wildland fire impacts associated with those activities by requiring on-site fire suppression equipment, spark arrestors on all equipment with internal combustion engines, and restricting activities on high fire danger days. By implementing necessary safety precautions through BMP GEN-17, the potential for CAL FIRE or other local fire departments to provide resources to Midpen lands would be reduced.

Additionally, the proposed Program involves fuel management activities that would overall reduce potential fire risks, including maintaining disclines, shaded fuel breaks, and defensible space around buildings and prescribed burns. All vegetation management activities would be conducted according to CAL FIRE regulations and burn protocols. Prescribed burns would be monitored to ensure adherence to burn prescriptions as well as the conditions outlined in the Wildland Fire Resiliency Program (Midpen 2020).

As discussed in Section 3.17, "Transportation," Section 3.9, "Hazards and Hazardous Materials," and Section 3.20, "Wildfire," the proposed Program would include the operation of heavy equipment on roadways and may require temporary lane closures that could interfere with fire response times. Impeding fire protection and impacting response times could be a significant impact. **Mitigation Measure TRANS-1** requires Midpen to make provisions to allow emergency responders through any work area or clearly designate alternate routes. Minimal delays, lasting a few minutes, would occur while crews reposition equipment and vehicles to ensure adequate room for emergency vehicles to pass. Mitigation Measure TRANS-1 would ensure that unattended authorized work vehicles are not parked in such a way that blocks the road when there are no operators in attendance to move them and

that the fire district and emergency-response agencies have prior notification of temporary access road closures. With implementation of Mitigation Measure TRANS-1, impacts to fire protection response times would be **less than significant with mitigation**.

b. Police Protection

As discussed in Section 3.14, "Population and Housing," the proposed Program would not induce population growth in the Program area that would increase demand for police protection services or result in the need for new or physically altered police protection facilities. However, as discussed above, heavy equipment would be operated on roadways and temporary lane closures could affect response times of police services. Impeding police protection services and impacting response time could be a significant impact. **Mitigation Measure TRANS-1** requires Midpen to make provisions to allow emergency responders through any work area or clearly designate alternate routes. Minimal delays, lasting a few minutes, would occur while crews reposition equipment and vehicles to ensure adequate room for emergency vehicles to pass. Therefore, with implementation of Mitigation Measure TRANS-1, impacts to police protection response times would be **less than significant with mitigation**.

c, d, e. Schools, Parks and Other Facilities?

As discussed in Section 3.14, "Population and Housing," the proposed Program would not involve the construction of new facilities that would directly or indirectly induce population growth in the area, necessitating the construction of additional schools, parks, or other public facilities. For an analysis of potential impacts on parks and other recreational uses, refer to Section 3.16, "Recreation." **No impact** would occur.

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3.16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

3.16.2 Environmental Setting

Recreation is the primary use of nearly all Midpen lands. Ranging from 55 to over 19,000 acres, 24 out of the 26 OSPs are open to the public year-round, free of charge, from dawn until just after sunset (Midpen 2021). Recreational facilities available for public use within the OSPs include over 240 miles of trails, restrooms, picnic tables and benches, horse stables, visitor centers, and parking areas. Each year, an estimated two million recreationalists visit Midpen lands (Midpen 2019). Recreational activities include hiking, biking, horseback riding, bird watching, and picnicking. In addition, many other open space lands and trails maintained by various agencies, including state and county parks, abut Midpen lands and have trails connecting onto Midpen lands.

3.16.3 Discussion

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

As described in Section 3.14, "Population and Housing," the proposed Program would not induce population growth in the area. The proposed Program would involve routine maintenance of existing facilities, including road and trails; new small-scale facility improvements and facilities, including the construction of new trail/road bridges and trail re-routes; and restoration and enhancement projects. Some Program activities, particularly those involving trails and roads, would require temporary closure of those facilities such as trails, picnic areas, or parking areas in order to access the site or use as staging areas. Although temporary closures could briefly increase use of nearby recreational facilities, the proposed Program would not permanently increase the demand of other recreational

facilities such that substantial deterioration would occur. This impact would be **less than significant**. No mitigation is required.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

The proposed Program would involve the routine maintenance of recreational facilities, such as trails and roads, and the construction of new small-scale recreational facility improvements including new trails/roads and re-routes, new bridges and replacements, and new interpretative facilities and signage. No new large-scale recreational facility projects would be conducted under the Program. Potential effects on the environment including to air quality, noise, traffic, and aesthetics associated with the proposed Program have been addressed in the other sections of this IS/MND and were found to be less than significant with mitigation.

Although recreational users of trails, picnic areas, and other facilities may experience temporary disruptions during maintenance and construction as described above in Section 3.16 (a), alternative recreational opportunities would continue to be available in Program area. Further, implementation of the proposed Program would improve the condition of existing recreational facilities and improve public access throughout Midpen's OSPs**.** Thus, impacts would be **less than significant**. No mitigation is required.

3.17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☒	☐	☐
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
d. Result in inadequate emergency access?	☐	☒	☐	☐

3.17.2 Environmental Setting

The circulation system within the Program area includes roads ranging from freeways and major arterials to local collector streets to rural roads. Regional access to the Program area is provided via U.S. Highway 101 (U.S. 101), I-280, I-880, and SR-1. Local access to the Program area is provided via SR-9, SR-17, SR-35, SR-84, and SR-92, all of which are part of the California State Highway System, with the exception of U.S. 101. SR-35 (Skyline Boulevard) runs adjacent to 15 of the 26 OSPs, serving as a key access route to the Program area.

The San Mateo City/County Association of Governments (C/CAG) is the designated Congestion Management Agency for San Mateo County and the Valley Transit Authority (VTA) is the designated Congestion Management Agency for Santa Clara County. Each Congestion Management Agency is responsible for developing and updating the Congestion Management Program (CMP) in its respective jurisdiction. C/CAG's CMP identifies I-280, SR-1, SR-35, SR-84, and SR-92 as CMP roadways. VTA's CMP contains a large list of CMP roadways, including SR-17 and SR-35, which pass adjacent to Midpen lands.

Numerous County and local roads lead to parking lots where the public can access Midpen's OSPs (see **Table 3.16-1** for a list of local access roads adjacent to Midpen OSPs). In general, local access roads that provide access to the majority of OSPs veer off of main highway routes, except for the Saratoga Gap OSP (which is accessed directly from Skyline Boulevard or Highway 9). Miramontes Ridge OSP is closed to the public and does not have publicly

accessible local roads (Panorama 2021). Public parking is available at all OSPs besides Miramontes Ridge, Teague Hill, and Tunitas Creek OSPs.

Table 3.17-1. Local Access Roads Adjacent to Midpen Lands

Managed Land	Local Access Roads
Bear Creek Redwoods OSP	Bear Creek Road
Coal Creek OSP	Skyline Boulevard Page Mill Road
El Corte de Madera Creek OSP	Star Hill Road Skyline Boulevard Native Sons Road Bear Gulch Road
El Sereno OSP	Montevina Road
Felton Station (Closed to the public)	Black Rock
Foothills OSP	Page Mill Road
Fremont Older OSP	Prospect Road
La Honda Creek OSP	Sears Ranch Road Allen Road[1]
Long Ridge OSP	Portola Heights Road Portola Heights Road
Los Trancos OSP	Page Mill Road
Miramontes Ridge OSP (Closed to the public)	San Mateo Road Skyline Boulevard
Monte Bello OSP	Page Mill Road
Picchetti Ranch OSP	Montebello Road
Pulgas Ridge OSP	Edmonds Road
Purisima Creek Redwoods OSP	Edmonds Road
Rancho San Antonio OSP	Cristo Rey Drive
Rancho San Antonio County Park	Cristo Rey Drive
Ravenswood OSP	Bay Road
Russian Ridge OSP	Page Mill Road Alpine Road
Saratoga Gap OSP	Skyline Boulevard Highway 9
Sierra Azul OSP and Easements	Alma Bridge Road
Skyline Ridge OSP	Edmonds Road

[1]Note that Midpen has an agreement with the neighbors on this private road pertaining to public access. The public is only allowed to the Allen Road parking area with a permit.

Source: Panorama 2021

There are a number of public transit operators who operate public bus and rail service within the vicinity of the Program area, including San Mateo County Transit District (SamTrans), Santa Clara VTA, and Santa Cruz Metro Transit District. SamTrans operates 76 bus routes throughout San Mateo County and portions of San Francisco and Santa Clara counties. Santa Clara VTA provides bus, light rail, and paratransit services to areas near the eastern and southern portions of the Program area in Santa Clara County, including Cupertino, Los Altos, Los Altos Hills, Los Gatos, Mountain View, Palo Alto, Saratoga, and Sunnyvale. Santa Cruz Metro Transit District provides transit service throughout Santa Cruz County near the southwestern portion of the Program area. While the SamTrans Bus Line 295 may come close to Pulgas Ridge OSP, with a stop at Cordilleras Center located approximately 0.15 mile away, and may provide limited weekday and no weekend service, there is no direct transit service to any of Midpen lands (Panorama 2021). Caltrain (a commuter railroad operating between the cities of San Francisco and San Jose) is operated by the Peninsula Corridor Joint Powers Board and serves the eastern portion of San Mateo County and the western and southern portions of Santa Clara County. Several stations within its Zones 2 and 3 from, Belmont to Sunnyvale, would provide access to the eastern portion of the Program area, though no direct service to any of the OSPs is provided.

Public recreational opportunities are provided at most of the OSPs in the Program area and include 240 miles of easy-access/ADA accessible trails, hiking trails, mountain biking trails, and equestrian trails. Numerous state and County roads, including SR-35, SR-84, SR-92, Purisima Creek Road, Kings Mountain Road, La Honda Road, and Alpine Road, connect to and are within OSPs and may be used by bicyclists; however, none of these roadways are designated as Class 1, 2, or 3 bikeways[4]. OSPs near the Santa Clara and San Mateo County lines, including portions of Rancho San Antonio, Foothills, Los Trancos, and Monte Bello OSPs, can be accessed by a Class 2 bikeway along Stevens Creek Boulevard and Page Mill Road. Additionally, the Ravenswood OSP can be accessed by Class 1 and Class 2 bikeways, and the Stevens Creek Shoreline OSP can be accessed by the Stevens Creek Trail, a protected shared-use trail for pedestrians and bicyclists. The Ravenswood and Stevens Creek Shoreline OSPs are located along the San Francisco Bay and can be access by the San Francisco Bay Trail; however, activities conducted at these two OSPs are not included in the Program.

[4] Bikeways are generally classified as follows (Caltrans 2017):

- **Class 1** bikeways, also known as bike paths or shared use paths, are facilities with exclusive right of way for bicyclists and pedestrians, away from the roadway and with cross flows by motor traffic minimized.
- **Class 2** bikeways are bike lanes established along streets and are defined by pavement striping and signage to delineate a portion of a roadway for bicycle travel.
- **Class 3** bikeways, or bike routes, designate a preferred route for bicyclists on streets shared with motor traffic not served by dedicated bikeways to provide continuity to the bikeway network.
- **Class 4** separated bikeways, often referred to as cycle tracks or protected bike lanes, are for the exclusive use of bicycles, physically separated from motor traffic with a vertical feature.

3.17.3 Discussion

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Program activities would generate worker and Program-related vehicle trips, and, for activities along or in close proximity to public roadways (e.g., culvert repair/replacement, roadside drainage feature maintenance, bridge maintenance, road maintenance, and brushing and mowing), could require temporary lane closure along portions of state highways and local access roads in the Program area. Program activities also could require temporary re-routing of bicycle lanes or bicycle routes in the public right-of-way, as well as temporary closure of trails and other pedestrian facilities located within Midpen lands.

As described in Chapter 2, Project Description, most Program activities typically would involve a 3 to 6 person crew, depending on the activity. Activities such as bridge maintenance and replacement may require up to 7 people. Other activities, such as conservation grazing and fuel management, would generally require a 2 person crew. In a given year, it is anticipated that the maximum number of projects that Midpen would conduct under the Program would be:

- 50 culvert repair and replacement projects;
- 10 bridge maintenance and replacements;
- 256 road and trail drainage feature maintenance projects;
- 28 sediment and debris removal projects;
- 4 streambank stabilization projects;
- 6 water supply structure maintenance projects;
- 3 pond and lake repair projects;
- 6 minor maintenance projects (e.g., repair of fences, gates and signage, and trash rack clearing);
- 83 road and trail maintenance projects (e.g., paved and unpaved road projects, road/trail surface maintenance projects, and roadway/trail slip-outs and slide repairs);
- 53 new small-scale facility improvements (e.g., trail bridges, interpretative facilities and signage, wildlife passage, building and structure improvement projects, etc.); and
- 50 restoration and enhancement projects.

In addition, Midpen would conduct annual brushing and mowing activities along approximately 600 miles of roads and trails, parking lots, and other recreational facilities, occurring over approximately 160 days. Midpen would also annually conduct 30 miles of discline maintenance, occurring over 8 days and 2 days of conservation grazing. IPMP

activities, including pesticide application and vegetation removal, would occur over approximately 300 days. Although it may vary from year to year, Program activities may generate up to 246 haul truck trips annually. Most of these estimated haul truck trips would be associated with the import of fill for culvert repair/replacement, bridge maintenance, road and trail drainage feature maintenance, unpaved road and trail maintenance, and roadway/trail slip-outs and slide repairs. These trips represent a conservative estimate, assuming the maximum number of Program activities that may occur annually on Midpen lands. However, most of these activities are ongoing and the periodic trips generated under the proposed Program would be similar to past levels of work for similar activities. Further, assuming haul truck trips associated with these activities would primarily occur over 6 months during the peak work season from April to October (or approximately 100 workdays), this would translate to approximately 2.5 haul trips per day, or 12.5 per week. Spread over an area of approximately 64,000 acres, these vehicle trips would not have a substantial effect on the local circulation systems in the Program area.[5]

During the peak work season, the work crew at any one project site may consist of up to 7 workers; however, projects occurring with the greatest frequency (e.g., road and trail drainage feature maintenance, culvert replacement, and restoration and enhancement projects) would have typical crew sizes of 3 to 5 workers. Additionally, it is likely that several projects would overlap in duration during the peak work season. Although it is unknown how many projects would occur in a typical day, if 10 crews were employed simultaneously, up to 50 workers would be driving to and from project sites. Even if each worker drove independently to the work site, these vehicle trips would have a negligible impact on the local circulation system given the size of the Program area and the diffuse locations of the OSPs, and would not substantially affect level-of-service or any other performance metric. Additionally, these trips would not affect bicycle routes on local roadways, trails or other pedestrian facilities on Midpen lands. Further, the Program would not involve construction of any housing or new retail or commercial uses that would generate any new long-term vehicle trips.

Finally, a number of Program activities (e.g., culvert repair/replacement, drainage feature maintenance, bridge maintenance, road maintenance, and brushing and mowing) may take place along, or in close proximity to, public roadways. Where insufficient widths for both work vehicles/equipment and regular traffic occur, temporary closing or narrowing of lanes may be necessary, which could lead to temporary traffic delays and/or create traffic hazards if adequate precautions are not taken, resulting in a significant impact. Implementation of **Mitigation Measure TRANS-1** would ensure that vehicle flow and emergency access is maintained during Program activities. Mitigation Measure TRANS-1 would ensure that appropriate agencies with jurisdiction are notified in advance of the closures as well as adjacent neighbors, unattended authorized work vehicles are not parked in such a way that blocks the road when there are no operators in attendance to move them, and traffic flaggers

[5] Although Program vegetation management activities are discussed in the IPMP EIR as Addended (Midpen 2014, 2019) and the Wildland Fire Resiliency Program EIR (Panorama 2021), truck and worker trips are accounted for in this Program herein.

are present to safely maintain traffic flow. Mitigation Measure TRANS-1 would also minimize impacts to neighbors who require driveway access, pedestrian and bicyclist traffic, and the limited public transit (e.g., occasional buses) that may travel through the Program area.

Mitigation Measure TRANS-1: Emergency Responders and Access

The following measures shall be implemented to ensure emergency access is maintained:

1. At least one week prior to temporary lane or full closure of a public road, Midpen shall contact the appropriate emergency response agency/agencies with jurisdiction (e.g., CalTrans, County, City) to ensure that each agency is notified of the closure and any temporary detours in advance. Midpen shall also notify adjacent neighbors along the road in advance of temporary closure.

2. In the event of an emergency, roads (public roads, and Midpen-owned or managed roads) or access trails blocked or obstructed by activities shall be cleared to allow emergency vehicles to pass.

3. During temporary lane or road closures on public roads, Midpen shall use flaggers equipped with two-way radios. During an emergency, flaggers shall radio to the crew to cease operations and reopen the public road to emergency vehicles.

4. In work areas, all vehicles and equipment shall be parked so the road is not blocked or obstructed when there is no operator present to move the vehicle.

With implementation of Mitigation Measure TRANS-1, impacts on the local circulation system would be **less than significant with mitigation**.

b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?

Although many of the proposed Program activities would occur at a similar level of frequency as current conditions, the proposed Program would generate increased vehicle trips from both workers traveling to project sites as well as from truck haul trips associated with conducting Program activities. Based on the air quality modeling completed in CalEEMod, the proposed Program would generate approximately 178,984 vehicle miles traveled (VMT) annually. A majority of these trips would be from worker trips from Program activities such as bridge maintenance and replacement, unpaved road maintenance, roadway or trail slip-outs and slide repairs, culvert replacement, and road and trail drainage feature maintenance (see **Appendix C**, *Air Quality/Greenhouse Gas Calculations* for calculations). Because Program activities would occur at a similar level as current conditions, the proposed Program would not result in a substantial increase in VMT compared to existing conditions. Thus, the Program would not conflict with State CEQA Guidelines Section 15064.3 subdivision (b); impacts would be **less than significant.** No mitigation is required.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Program activities would not substantially change the design of any roadway or intersection. Rather, these activities would address potentially dangerous roadway and trail conditions, such as slip-outs and slides, fallen trees, potholes, and cracked or deteriorated surfaces (i.e., from erosion or stormwater damage). Managing vegetation along roads would also have the benefit of maintaining site distances for motorists, thereby minimizing potentially hazardous conditions resulting from roadside overgrowth. However, such activities could pose hazards to motorists, bicyclists and recreationalists due to incompatible uses, such as operation of heavy equipment and vehicles on roadsides/trailsides. Additionally, certain Program activities (e.g., road repaving, bridge maintenance, slip-out/slide repairs, culvert repair/replacement, and vegetation management) may require temporary closure of one or more lanes of traffic. In addition, operation of heavy construction equipment at work sites would be incompatible with other vehicles on local roads. Implementation of Mitigation Measure TRANS-1 would ensure that potential impacts from heavy equipment on local roadways are minimized by requiring flaggers to safely guide travelers during Program activities, notifying local agencies with jurisdiction regarding planned lane closures, and ensuring that unattended authorized work vehicles are not parked in such a way that blocks the road when there are no operators in attendance to move them. With implementation of Mitigation Measure TRANS-1, this impact would be **less than significant with mitigation**.

d. Would the project result in inadequate emergency access?

The proposed Program would not include any activities that would permanently block or constrain publicly accessible roadways or emergency access routes. Rather, in the long term, the Program would alleviate conditions that could impede emergency access by repairing deteriorated roads, reducing fuel loads, and clearing roadside vegetation to maintain line of site for emergency responders. During some Program activities (e.g., road repaving, bridge maintenance, slip-out/slide repairs, culvert repair/replacement, and vegetation management) partial lane closure may be required on a short-term basis and could temporarily limit the mobility of emergency response vehicles or residents attempting to evacuate the area. However, implementation of Mitigation Measure TRANS-1 would require that emergency responders are allowed through any work area or clearly designate alternate routes. Minimal delays, lasting a few minutes, would occur while crews reposition equipment and vehicles to ensure adequate room for emergency vehicles to pass. Mitigation Measure TRANS-1 would also ensure that unattended authorized work vehicles are not parked in such a way that blocks the road when there are no operators in attendance to move them and that the fire district and emergency-response agencies have prior notification of temporary access road closures. Program activities would have a beneficial effect on emergency response in the long term by ensuring that emergency vehicle and evacuation access is maintained along roadsides through roadway maintenance, vegetation clearance, and fuel reduction. With implementation of Mitigation Measure TRANS-1, impacts related to emergency access would be **less than significant with mitigation.**

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3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project *cause a substantial adverse change in the significance of a tribal cultural resource, defined in Pub. Res. Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☐	☐	☒
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	☐	☐	☒	☐

3.18.2 Environmental Setting

Prior to the arrival of the Spanish explorers in northern California in the late 1700s, the Program area was occupied by numerous indigenous Ohlone groups, as described in Section 3.5, "Cultural Resources." Each group was a discrete political entity that controlled a defined territory that provided food and materials for daily sustenance, as well as connectivity to the spiritual world. The landscape remained largely natural but was nurtured through cultivation techniques that encouraged and increased the abundance of the most sought-after resources but also shaped the world view of the indigenous inhabitants. As Ballard et al (2013:5) eloquently stated:

> *"We can also presume that the landscape was an integral part of the ideological world of the societies living within them. For tribes that used the study area as home and resource procurement lands, the ridges, valleys, streams and other features played crucial roles in establishing boundaries between communities, and were also features of the mind. Landforms and the flora and fauna fit within the context of native views of creation and the forces of the spiritual world. Thus, even though a given area may have served routine functional uses, it still could be seen as a special place where its attributes might trigger recollections of traditional lore and be read like a book. The landscape was text, and through oral traditions including songs, stories and legends, or inheritance of gathering or hunting rights, it could be read symbolically by the various communities interfacing within it."*

The lands within Midpen's modern-day OSPs have the potential to contain tribal cultural resources (TCRs), whether they be specific utilitarian or spiritual sites, or landscapes that reflect daily subsistence and invoke a deep attachment to their ancestors.

Midpen contacted the NAHC on November 17, 2020 for a search of the Sacred Lands Files and for a list of tribes with a traditional and cultural affiliation with the Program area. The NAHC responded on December 1, 2020, noting that sacred sites are listed in the Sacred Lands File for the Program area. The NAHC also provided a list of twelve tribes and individuals traditionally affiliated with Midpen lands who might have knowledge of the sacred lands on file. Although none of the Native American tribes in the Program area have submitted letters of interest to Midpen pursuant to Public Resources Code Section 21080.3.1(b)(1), in the spirit of compliance with Public Resources Code Section 21080.3.1, Midpen notified local tribes listed by the NAHC about the proposed Program via letter with a return receipt, mailed on December 10, 2020. The Native American tribes contacted by Midpen are listed in **Table 3.18-1**.

Table 3.18-1. Native American Contacts

Name of Contact	Organization/Tribe
Monica Arellano	Muwekma Ohlone Indian Tribe of the San Fransisco Bay Area
Tony Cerda, Chairperson	Costanoan Rumsen Carmel Tribe
Andrew Galvan	Ohlone Indian Tribe
Corrina Gould, Chairperson	The Confederated Villages of Lisjan
Valentin Lopez, Chairperson	Amah Mutsun Tribal Band
Charlene Nijmeh, Chairperson	Muwekma Ohlone Indian Tribe of the San Fransisco Bay Area
Patrick Orozco, Chairman	Costanoan Ohlone Rumsen-Mutsun Tribe
Ms. Katherine Erolinda Perez, Chairperson	North Valley Yokuts Tribe
Timothy Perez	North Valley Yokuts Tribe
Ms. Ann Marie Sayers, Chairperson	Indian Canyon Mutsun Band of Costanoan
Kanyon Sayers-Roods	Indian Canyon Mutsun Band of Costanoan
Ms. Irene Zwierlein, Chairperson	Amah Mutsun Tribal Band of Mission San Juan Bautista

No responses were received from the tribes contacted on December 20, 2020 and listed in **Table 3.18-1**. To date, Midpen is not aware of any TCRs within the Program area. Nevertheless, Midpen continually works with local tribal communities on implementation of TEK practices in the OSPs, such as in Purisima Creek, Sierra Azul, Russian Ridge, and Skyline Ridge (refer to Chapter 2, *Project Description* for additional information on this Program activity). Tribes are primarily interested in cultivating and harvesting plants with cultural significance. Through regular communication with the tribes, Midpen would be kept informed about the potential to impact TCRs with Program activities proposed under this Program.

3.18.3 Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Although the NAHC indicated that significant Native American resources are located within the region, no TCRs that are listed or eligible for listing in the CRHR or a local register of historical resources have been identified by contacted tribes within the Program area. Therefore, **no impact** to TCRs that are currently listed or eligible for listing in the CRHR or other historical resource registers would occur.

TCRs that may be archaeological in nature and discovered during ground disturbance activities, or are otherwise known to tribes but not formally listed or determined eligible for listing, are discussed below.

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

Only one of the Native American archaeological resources known to exist within the OSPs has been evaluated for significance, and it was determined not to be eligible for the CRHR and has not been determined to be a TCR. However, future studies are likely to identify additional archaeological sites that are evaluated as significant, or other significant resource types, some of which may be TCRs. In addition, because not all archaeological sites have surface manifestations, ground-disturbing Program activities may encounter unknown buried cultural resources. Similarly, unknown human remains may be uncovered during project excavations. Buried archaeological remains and human remains may be determined eligible for listing in the CRHR and as TCRs.

The response from the NAHC indicated that significant cultural resource sites have been recorded within Midpen lands; thus, local Native American tribes likely have knowledge of locations and resources that are culturally significant and would be considered TCRs. However, tribes convey this information to Midpen on a need-to-know basis. As a result, ground disturbance under the Program has the potential to adversely impact TCRs that relate to significant gathering areas or locations of spiritual or ancestral importance that do not present as archaeological sites (i.e., they do not contain artifacts or other site indicators). Midpen would implement the following BMPs, incorporated as part of the Program, to avoid or reduce potential impacts to tribal cultural resources. Descriptions of each BMP are provided in Chapter2, *Project Description.*

- BMP CUL-1 Review Sensitivity Maps

- BMP CUL-2 Record Search and Field Inventory for Highly or Moderately Sensitive Areas, and Areas of Unknown Sensitivity
- BMP CUL-3 Consult with Native American Tribes
- BMP CUL-4 Construction Monitoring
- BMP CUL-5 Conduct Pre-Maintenance Educational Training
- BMP CUL-6 Address Discovery of Cultural Remains or Paleontological Resources Appropriately

Application of the BMPs listed above would prevent significant impacts to archaeological sites and human remains that could be identified as TCRs, whether observed through pedestrian survey or discovered during construction, as discussed in Section 3.5, "Cultural Resources." For Program activities that involve excavation or work in previously undisturbed native soils beyond existing engineered extent or depth, a desktop investigation to determine the presence of known resources and review of sensitivity of the Project site (BMP CUL-1) would be conducted. For areas with known sites, or high/moderate or unknown sensitivity, a cultural resources investigation would be conducted by a qualified professional archaeologist prior to performing the Program activity (BMP CUL-2) and appropriate Native American tribes would be consulted (BMP CUL-3). Construction monitoring (BMP CUL-4) may also be required during ground-disturbing activities within 50 feet of recorded archaeological resources and in areas identified as highly sensitive for cultural areas. All personnel would also receive an educational training by a qualified cultural resources specialist prior to the beginning of each maintenance season (BMP CUL-5) to learn how to identify cultural resources. If unknown resources are discovered during work, all work would stop and appropriate treatments would be adhered to (BMP CUL-6). In addition, for locations that are considered culturally significant and are unrelated to archaeological deposits, Midpen would annually notify tribes, with whom they have a working relationship, about the upcoming projects to allow the tribes the opportunity to express any concerns that they might have about the potential to impact TCRs. With the implementation of the BMPs listed above, impacts to TCRs would be **less than significant.** No mitigation is required.

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

3.19.1 Environmental Setting

Water for use in buildings and public facilities in the Program area generally comes from springs, creeks, and groundwater or from commercial water supplies. Irrigation water for agricultural uses comes from surface waters, springs, and wells. Wastewater is generated from public restrooms in the Program area and is stored in on-site vaults before removal and disposal by local service providers.

Solid waste disposal services are provided for residences by local providers. For OSPs located in San Mateo County, solid waste would be transferred to one of the four transfer stations to be sorted and separated into material that requires disposal at a landfill. There is one active

landfill in San Mateo County, Ox Mountain Landfill (or Corinda Los Trancos Landfill), which is located in the city of Half Moon Bay and is a Class III Municipal Solid Waste Landfill. The Ox Mountain Landfill accepts all types of solid waste except hazardous waste. Ox Mountain Landfill has a maximum permitted throughput of 3,598 tons per day with a maximum permitted capacity is 60,500,000 cubic yards. As of December 2015, this landfill had a remaining capacity of 22,180,000 cubic yards and the estimated closure date for the Ox Mountain Landfill is January 2034 (California Department of Resources Recycling and Recovery [CalRecycle] 2021a).

In Santa Clara County, solid waste would be transferred to one of the three transfer stations, sorted and separated, and disposed of at one of the two active landfills or at composting facilities located in the cities of San Jose and Milpitas.

- The Guadalupe Landfill is a Class III Municipal Solid Waste Landfill that accepts soil, concrete, asphalt, and other construction and demolition debris for recycling. The Guadalupe Landfill accepts up to 3,650 tons of material per day (Waste Management 2021). As of January 2011, this landfill has a remaining capacity of 11,055,000 cubic yards with an estimated closure date of January 2048 (CalRecycle 2021b).
- The Kirby Canyon Landfill accepts construction and demolition debris and municipal special waste. The Kirby Canyon Landfill has a maximum permitted throughput of 2,600 tons per day with a maximum permitted capacity of 36,400,000 cubic yards. As of July 2015, this landfill had a remaining capacity of 16,191,600 cubic yards with an estimated closure date of December 2059 (CalRecycle 2021c).
- The Newby Island Facility and the Zanker Road Facility are green material composting facilities that accept green materials and wastes. The Newby Island Facility has a maximum permitted throughput of 700 tons per day with a maximum permitted capacity of 146,600 cubic yards (CalRecycle 2021d).
- Zanker Road Facility stopped operating as a landfill in 2015 and now has a maximum permitted throughput of 200 tons per day of green materials (CalRecycle 2021e).

Pacific Gas and Electric Company (PG&E) maintains power lines and underground gas lines through the Program area. PG&E maintains these facilities through easements. PG&E retains the responsibility for vegetation clearance associated with PG&E infrastructure, under the jurisdiction of the California Public Utilities Commission (CPUC) (and not Midpen), by law and conducts vegetation management under PG&E utility lines in compliance with by General Order 95, Section III of the CPUC.

Midpen facilities are not typically served by municipal storm drain facilities and thus, implementation of the proposed Program would not impact existing stormwater drainage facilities.

3.19.2 Discussion

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

The Program includes maintenance of septic, telephone, telecommunications, and other utilities, installation, or replacement of water infrastructure to support conservation grazing practices, and repair or replacement of existing drainage facilities (i.e., culvert repair/replacement, swale and ford maintenance, clearing drainage features, etc.). Although the proposed Program would not require or result in the construction of new water or wastewater treatment, electric power, natural gas, or telecommunication facilities, existing infrastructure may be expanded from its original location to provide connection to existing utilities. These expansions would be small and would not result in significant environmental effects as discussed throughout this IS/MND. Program activities would be conducted to maintain Midpen facilities while enhancing and protecting the natural environment. As such, **no impact** would occur.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

The proposed Program would not involve construction of any housing, commercial buildings, or any other structures or landscaping that would require permanent water supplies. Dust control activities at Program work sites (per BMP GEN-15) would require a minimal amount of water, which would likely be supplied by a water truck and would not adversely affect local water supplies or substantially increase the volume of water used in the Program area. Given the relatively limited amount of water needed, no additional water supplies or entitlements would be needed to support the proposed Program. Therefore, this impact would be **less than significant.** No mitigation is required.

c. Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The Program would not construct any new or expanded housing or other occupied buildings that would generate additional wastewater or require connection to the municipal wastewater collection and treatment system. A nominal amount of wastewater would be generated by maintenance workers using portable restrooms on site, which would be disposed of at a sewage treatment plant by the sanitation contractor. The limited amount of wastewater generated by the small number of workers on-site at one time would not substantially contribute to an exceedance of capacity at local wastewater treatment facilities. As such, implementation of the Program would not necessitate the expansion of any wastewater treatment facilities. Therefore, this impact would be **less than significant.** No mitigation is required.

d, e. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Solid waste generated by the proposed Program activities would include excavated sediment from clearing culverts, ponds, streams, and drainage features; vegetative debris from vegetation management activities; trash and debris from other maintenance and facility improvement activities; hazardous materials such as asbestos and lead based paint from culverts, bridges, and other structures; and general refuse generated by Midpen workers.

Removed sediment would be primarily used with Midpen lands or disposed of at an approved facility in accordance with applicable federal and state regulations. Prior to disposal, Midpen would test the material to determine the suitability for disposal or reuse. If suitable, Midpen may re-use the sediment on-site; at another wetland, channel, or restoration site; or reuse it at an upland area. If not suitable for reuse, the sediment may require landfill disposal or hazardous waste disposal. Excavated sediment may be stockpiled onsite for up to three working days so that it can be loaded into trucks for off-site disposal.

Debris and materials from vegetation management activities would be processed using a masticator. The masticator would leave behind chips and pieces of shattered wood which would be hauled offsite to use as ground cover or erosion control in other areas. Midpen may also stockpile chips and other vegetative material at permanent composting sites near field offices for use on future projects. Generally, the proposed Program would not use local or regional composting facilities to dispose of vegetive materials. However, if off-site hauling is required, materials would be disposed of at a permitted facility that has capacity to accept the materials, such as the Newby Island or Zanker composting facilities. Otherwise, materials would be chipped on-site. Other organic materials would be distributed in upland areas similar to the surroundings of where the material was removed from.

Removed hazardous materials, including asbestos, lead based paint, and soils with hazardous levels of contaminants would be disposed of at an appropriate hazardous waste disposal facility, discussed in more detail in Section 3.9 of this IS/MND.

Trash, tires, and other debris may impair hydraulic conditions, reduce conveyance capacity, cause erosion or scour on banks, and/or threaten existing facilities. Midpen routinely removes such debris from channels, lakes, ponds, ditches, and other drainage features to improve hydraulic conditions. Removed debris would require disposal at an appropriate disposal facility. Other solid waste generated from Program activities including fence posts, watering troughs, pipes, metal infrastructure, and worker refuse would also require off-site disposal at an appropriate disposal facility. All waste and materials would be transported to local transfer stations to be sorted and separated in material that can be composted, recycled, or require landfill disposal. Because transfer stations prioritize reuse, recycling, and composing of incoming material, only a portion of the trash and debris would require disposal at a landfill facility. As described above, the Ox Mountain Landfill, Guadalupe Landfill, and Kirby Canyon Landfill all have sufficient capacity to dispose of any non-hazardous solid

waste generated from the Program. Midpen has a Waste Diversion Policy that directs salvaging, recycling, and the proper disposal of all other materials.

Midpen would implement the following BMPs, incorporated as part of the Program, to address temporary impacts associated with solid waste. Descriptions of each BMP are provided in Chapter 2, *Project Description.*

- BMP GEN-7 Waste Management
- BMP SWQ-1 Water Body Protection Measures
- BMP GEN-5 Hazardous Materials Storage/ Disposal

Implementation of the BMPs listed above would ensure that solid waste generated onsite would be stored and appropriately disposed of in accordance with all regulations related to solid waste. Implementation of the Program would not significantly affect permitted capacity of local or regional solid waste disposal services serving Midpen lands nor change existing levels of compliance with federal, state, and local regulations related to solid waste. For these reasons and with the implementation of the BMPs listed above, impacts associated with solid waste would be **less than significant.** No mitigation is required.

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3.20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

3.20.2 Environmental Setting

The Office of the State Fire Marshal and the CAL FIRE administer state policies regarding wildland fire safety. Midpen staff and contractors must comply with applicable requirements in the Public Resources Code when implementing Program activities (i.e., routine maintenance, facility improvements, and restoration projects) at any sites with forest-, brush-, or grass-covered land. Additionally, Santa Mateo, Santa Clara, and Santa Cruz counties have established Hazard Mitigation Plans, which contain goals and policies to protect residents and structures from wildfires.

The Program area lies within a combination of State and local responsibility areas generally identified by CAL FIRE as Very High and High FHSZs (CAL FIRE 2007). The OSPs in the northern portion of the Program area within central and southern San Mateo County as well as western Santa Clara County occur primarily in the Santa Cruz Mountains. These areas consist of rural land uses, are densely forested, and are highly susceptible to wildfire, particularly during the late summer and fall. These OSPs fall within a combination of High

and Very High FHSZs, with small areas designated as Moderate FHSZ and/or not rated. Midpen OSPs in the southern portion of the Program area within southwestern Santa Clara County occur within the Sierra Azul Range and the Santa Teresa Hills in densely forested areas. Due to a mix of topography, rural land uses, and vegetation, this portion of the Program area is also highly susceptible to wildfire. These OSPs fall within a combination of High and Very High FHSZs.

Fire hazards present a considerable risk to vegetation and wildlife habitats throughout the Program area. Additionally, the potential for significant damage to life and property exists in areas designated as wildland-urban interface areas, where development is adjacent to densely vegetated areas. In the Program area, this can range from a few scattered houses to larger subdivisions or communities, which have the potential to become urban ignition sources as well as fire fuels (e.g., structures, vehicles, equipment, burn piles, barbeques, etc.) and pose a potential threat to OSPs (Midpen 2021). One of the primary anticipated outcomes of Midpen's recent Wildland Fire Resiliency Program is to reduce fire fuels that contribute to the risk of catastrophic wildfire and restore ecosystems by removing invasive plant species and/or dead and excessive accumulated vegetation due to past fire suppression.

In recent years, the Santa Cruz Mountains have been prone to periodic wildfire events as a result of fire suppression, the introduction of invasive plant species, and changes in forest management (Fire Safe San Mateo County 2019). Significant fires in recent years in San Mateo County include the Skeggs Fire in 2017, which burned approximately 50 acres three miles west of the town of Woodside (CAL FIRE 2018), and the Cabrillo Fire in 2019, which burned 62 acres just south of Pescadero (CAL FIRE 2019). In August 2020, the CZU Lightening Complex fires burned a record 86,509 acres in San Mateo and Santa Cruz counties, resulting in one death, one injury, and the destruction of 1,490 structures. Numerous fires have occurred in Santa Clara County in recent years in proximity to the Program area, particularly in the Sierra Azul range. Prior to 2020, the most significant recent fire within proximity to the Program area was the Loma Fire in 2016, northwest of Morgan Hill, which burned 4,474 acres and destroyed 28 structures. In August 2020, the Crews Fire burned 5,513 acres north of Gilroy (CAL FIRE 2020), and the SCU Complex fires, the third largest in the State's history, burned 396,624 acres in eastern Santa Clara County and five other counties.

The majority of the proposed Program activities would be conducted in areas where there is high to very high fire risk throughout San Mateo and Santa Clara counties, and a small portion of northern Santa Cruz County. **Figure 3.9-1** shows the proposed Program area overlain with CAL FIRE FHSZs.

3.20.3 Discussion

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

As described in Section 3-18, "Transportation," and Section 3-9, "Hazards and Hazardous Materials," proposed Program activities that include the operation of heavy equipment on roadways could potentially interfere with traffic movement and impair evacuation procedures in the event of an emergency, such as a wildfire. Such activities include sediment

and debris removal, fallen and hazardous tree removal, culvert repair/replacement, vegetation management (e.g., brushing or mowing), and fuel management activities (e.g., prescribed burning and maintenance of fuel breaks). Temporary lane closures and operation of heavy equipment on public roadways could potentially impede movement of fire apparatus and vehicles, as well as residents attempting to flee a wildfire. Hindering evacuation and emergency response represents a potentially significant impact. **Mitigation Measure TRANS-1** requires Midpen to make provisions to allow emergency responders through any work area or clearly designate alternate routes. Minimal delays, lasting a few minutes, could occur while crews reposition equipment and vehicles to ensure adequate room for emergency vehicle passage. Mitigation Measure TRANS-1 would ensure that unattended authorized work vehicles are not parked in such a way that blocks the road when there are no operators in attendance to move them and that the fire district and emergency-response agencies have prior notification of temporary access road closures. With implementation of Mitigation Measure TRANS-1, impacts associated with the interference of an adopted emergency response plan or emergency evacuation plan would be **less than significant with mitigation**.

b, d. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire / Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Program activities would not involve placement of people or habitable structures in areas without adequate fire protection. Additionally, proposed Program activities would not result in the creation of new wildland areas which could increase fire dangers. Rather, the proposed Program involves primarily routine maintenance activities, many of which would reduce potential wildland fire risks. In particular, fuel management activities such as maintaining disclines, shaded fuel breaks, and defensible space around buildings would help protect people, structures, and habitat from wildfire risks. Additionally, prescribed burns would help restore native upland habitats and control invasive vegetation, further reducing the likelihood of wildfires on Midpen lands. Additionally, maintenance activities such as downed tree management, erosion protection, and bank stabilization would minimize downstream flooding or landslides that could occur in the aftermath of a wildfire in the vicinity of the proposed Program.

Because Program activities involving the use of vehicles and equipment would be conducted during the dry summer months when fire danger is the highest, there is a potential for an accidental ignition of a wildland fire. To ensure that necessary precautions are taken to reduce such risks, Midpen would implement BMP GEN-17: Fire Prevention (described in Chapter 2, *Project Description)*, which would reduce potential wildland fire impacts associated with those activities by requiring on-site fire suppression equipment, spark arrestors on all equipment with internal combustion engines, and restricting activities on high fire danger days.

Additionally, Midpen would conduct prescribed burns prior to the peak of wildfire season, which could also ignite a wildfire if not controlled properly. Prescribed burns and related fuel

management activities under the proposed Program would be performed consistent with the methodologies and requirements of Midpen's Wildland Fire Resiliency Program**.** The purpose of the Wildland Fire Resiliency Program is, in large part, to reduce fuel loads and wildland-fire risks on Midpen lands compared with the baseline conditions. The analysis of wildland fire impacts associated prescribed burns and other fuel management activities is covered in the Wildland Fire Resiliency Program EIR (Panorama 2021).

With implementation of BMP GEN-17, adherence to State and local regulations, and compliance with Midpen's Wildland Fire Resiliency Program, the proposed Program would neither exacerbate wildfire risks and expose Program occupants to pollutant concentrations from a wildfire, nor would it expose people or structures to significant risks, including downslope or downstream flooding or landslides. The proposed Program would reduce the risks and hazards associated with wildfire. Therefore, this impact would be **less than significant**. No mitigation is required.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The proposed Program would, by design, involve maintenance of infrastructure that would benefit the natural environment and ultimately achieve Program outcomes described in Chapter 2, *Project Description.* Maintenance activities specifically intended to reduce wildfire fuel loads such as discing adjacent to major roads/highways, grasslands along the wildland-urban interface areas, and around Midpen buildings; and maintenance of shaded fuel breaks along roads and road-width trails, staging areas, and helicopter landing zones would be beneficial by limiting the potential for wildland fires on Midpen lands and adjacent areas of residential development. Similarly, maintenance and replacement of existing infrastructure such as culverts, bridges, roadside drainage features, as well as re-routes of roads and trails, would both ensure access is maintained for emergency responders while also reducing soil disturbances, erosion, and water quality impacts. Additionally, the proposed Program would involve water infrastructure improvements, such as repairing spring boxes, water lines, and/or storage tanks. Such activities would support conservation grazing efforts and also ensure availability of an onsite water supply in the event of an emergency.

Program activities would be conducted using a range of equipment, including mechanical tools such as tractors, brushcutters, chainsaws, chippers, masticators, to heavier equipment such as dozers, loaders, and excavators, which could temporarily exacerbate fire risk and potentially cause a fire in adjacent wildland fuel areas. As discussed above and in Section 3.9, "Hazards and Hazardous Materials," implementation of BMP GEN-17: Fire Prevention would minimize potential impacts associated with activities involving the use of vehicles and heavy equipment by requiring on-site fire suppression equipment, spark arrestors on all equipment with internal combustion engines, requiring a 10-foot distance between flammable materials and any equipment that could produce a spark, and requiring a 25-foot distance between portable tools powered by gasoline-fueled internal combustion engines and flammable materials. Additionally, BMP GEN-17 also includes specific protocols for the use of mechanical equipment in high fire risk areas, including restricting operation to outside the

fire season (i.e., May 1 – November 30) when possible, and monitoring weather conditions prior to any high-risk activity.

The maintenance of infrastructure associated with the proposed Program would ultimately help Midpen achieve its conservation goals and reduce the risk of wildland fires. Additionally, implementation of BMP GEN-17, would reduce potential impacts related to the installation or maintenance of associated infrastructure that could exacerbate fire risk or result in temporary or ongoing impacts to the environment. Therefore, this impact would be **less than significant**. No mitigation is required.

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3.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
b. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
c. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
d. Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

3.21.1 Discussion

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As discussed throughout this IS/MND, significant but mitigatable impacts were identified for biological resources; geology, soils, and seismicity; hazards and hazardous materials; noise; and transportation. With implementation of BMPs identified in **Appendix A** and Mitigation Measures BIO-1, BIO-2, GEO-1, HAZ-1, HAZ-2, NOI-1, and TRANS-1, the proposed Program would not have the potential to substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered

plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, this impact would be **less than significant with mitigation.**

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

A cumulative impact refers to the combined effect of "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (State CEQA Guidelines Section 15355)**.** As defined by the State of California, cumulative impacts reflect "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time**.**" (State CEQA Guidelines Section 15355[b]).

The following cumulative analysis evaluates the potential cumulative impacts from the proposed Program in combination with other related past, present, and probable future projects in the area, shown in **Table 3.21-1.**

Table 3.21-1. Summary of Cumulative Projects in Midpen Lands and Surrounding Area

No.	Project Name	Description	Planned or Expected Date
1	Midpeninsula Regional Open Space District Integrated Pest Management Program (IPMP)	The IPMP outlines management of all pests on Midpen lands. The IPMP also includes some rodent and insect pest management strategies at Midpen-owned structures. The IPMP involves use of manual and mechanical treatments as well as chemical methods, such as pesticides, herbicides, and insecticides.	Ongoing since 2014
2	Forest Management Projects	Midpen conducts forest management practices through various programs and plans including: ▪ Los Trancos – Page Mill Eucalyptus Removal ▪ Restoration Forestry Demonstration Project.	Early phases of planning/ implementation
3	Preserve and Master Plans	Midpen conducts specific OSP projects such as habitat restoration and recreational facility improvements through Preserve Plans including: ▪ Bear Creek Redwoods Preserve Plan ▪ La Honda Creek Master Plan ▪ Hawthorns Area Plan ▪ Mindego Ranch Use and Management Plan ▪ Mt Umunhum Restoration and Public Access Site Plan ▪ Ravenswood Comprehensive Use and Management Plan ▪ Skyline Master Plan	Ongoing or in Progress

No.	Project Name	Description	Planned or Expected Date
4	Natural Resource Protection and Restoration Projects	Midpen implements numerous projects identified as key project portfolios in Midpen's Vision Plan including: ▪ Mount Umunhum Environmental Restoration and Public Access Project ▪ Miramontes Ridge: Gateway to the San Mateo Coast Public Access, Stream Restoration, and Agriculture Enhancement Projects ▪ Purisima Creek Redwoods: Purisima-to-Sea Trail Completion, Watershed Protection, and Conservation Grazing Projects ▪ La Honda Creek: Upper Area Recreation, Habitat Restoration, and Conservation Grazing Projects ▪ La Honda Creek: Driscoll Ranch Area Public Access, Endangered Wildlife Protection, and Conservation Grazing Projects ▪ Russian Ridge: Public Recreation, Grazing, and Wildlife Protection Projects ▪ Cloverdale Ranch: Wildlife Protection, Grazing, and Trail Connections ▪ Regional: Redwood Protection and Salmon Fishery Conservation ▪ Long Ridge: Trail, Conservation, and Habitat Restoration Projects ▪ Various additional small creek, pond, and tree restoration projects	Ongoing

5	Regional Trails, Public Access, and Education Projects	Midpen implements many public access improvement projects throughout Midpen lands. Midpen has identified the following regional trail and public access projects, some of which were identified in Midpen's Vision Plan: ▪ Coal Creek: Reopen Alpine Road for Trail Use ▪ Beatty Parking Area and Trail Connections Project ▪ Bear Creek Redwoods: Public Recreation and Facilities Projects ▪ Highway 17 Wildlife and Regional Trail Crossings ▪ Highway 17 Bay Area Ridge Trail Connections ▪ Ravenswood Bay Trail Project ▪ El Corte de Madera Creek: Bike Trail and Water Quality Projects ▪ El Sereno: Dog Trails and Connections ▪ Windy Hill: Trail Improvements and Preservation ▪ Hawthorns Public Access Project ▪ La Honda Creek/Russian Ridge: Preservation of Upper San Gregorio Watershed and Ridge Trail Completion ▪ Peninsula and South Bay Cities: Partner to Complete Middle Stevens Creek Trail ▪ Develop trails between Butano State Park, Pescadero Creek County Park, and Russian Ridge OSP, and between Skyline Ridge OSP, Portola Redwoods State Park, and Big Basin State Park ▪ Regional: Complete Upper Stevens Creek Trail ▪ South Bay Foothills: Saratoga-to-Sea Trail and Wildlife Corridor ▪ Sierra Azul: Cathedral Oaks Public Access and Conservation Projects ▪ Sierra Azul: Rancho de Guadalupe Family Recreation and Interpretive Projects ▪ Sierra Azul: Loma Prieta Area Public Access, Regional Trails, and Habitat Projects	Ongoing

No.	Project Name	Description	Planned or Expected Date
6	Infrastructure Improvement Projects	Midpen proposes several infrastructure improvement projects within Midpen lands, including: ▪ Midpen Office Building Project ▪ South Area Office (Campbell) ▪ American Disabilities Act (ADA) Self-Evaluation and Transition Plan Update Implementation ▪ La Honda Parking and Trailhead Feasibility Study and Short-term Measures ▪ Rancho San Antonio: Interpretive Improvements and Refurbishing ▪ Rancho San Antonio Multimodal Access Project Implementation ▪ Purisima Creek Redwoods Multimodal Access Study ▪ Highway 35 Multiuse Trail Crossing and Parking Feasibility Study ▪ Mount Umunhum Radar Tower Project ▪ Sierra Azul Ranger Residence ▪ Solar Panels Installation at Skyline Field Office ▪ Various additional grazing infrastructure projects ▪ Various residential and structural maintenance and repairs projects (e.g. Hawthorns Historic House re-roof, Thornewood Historic Estate, La Honda White Barn stabilization, Rancho San Antonio Deer Hollow Farm White Barn stabilization, etc.)	Ongoing
7	Wildland Fire Resiliency Program	This program includes managing vegetation and infrastructure on Midpen lands to reduce wildland fire risks. Vegetation would be managed primarily with manual and mechanical methods, prescribed herbivory, and herbicides. Manual and mechanical methods include mowing, cutting, discing, masticating, pile burning, chipping, and flaming. Treatment types include fuelbreaks, evacuation routes, disclines, defensible space, invasive species removal, and prescribed burns.	Planned implementation date of May 2021*[*

No.	Project Name	Description	Planned or Expected Date
8	Memorial County Park Facility Improvement Project	This project includes constructing a new restroom and shower buildings, resurfacing park roads, improving paths of travel, and accessible features that are ADA compliant. It is the first facility improvement project in Memorial County Park. Memorial County Park is located near La Honda Creek OSP.	Under construction – anticipated to be complete summer 2021.
9	Memorial Park Wastewater Treatment Facilities Improvement Project	This project would replace Memorial County Park's existing wastewater treatment plant facility and septic system with a new wastewater treatment plant. The collection system would also be repaired and pipe sections and manholes would be replaced to fix structural defects and reduce infiltration and inflow.	Under construction -- complete October 2020.
10	Ohlone-Portolá Heritage Trail Project	This project will construct or use existing public trails for a 90-mile Ohlone-Portolá Heritage Trail alignment through San Mateo County. The trail will use segments of the California Coastal Trail, existing sidewalks and/or trails on POST and Midpen lands, state and County park, and the Golden Gate National Recreation Area.	Project was approved by San Mateo County Board of Supervisors in June 2019. Currently in early stages of planning.
11	Tunitas Creek Beach Improvement Project	This project will provide safe public access to Tunitas Creek Beach including improved environmental protection, equity and inclusion, education and environmental awareness, and outdoor experiences.	Undergoing design
12	Sanborn County Park Master Plan	This master plan provides for long range development and management of the park while balancing protecting natural resources.	Implementation is underway

No.	Project Name	Description	Planned or Expected Date
13	San Francisco Public Utilities Commission Southern Skyline Boulevard Bay Area Ridge Trail Extension Project	This project will construct a new trail extension on the Peninsula Watershed that would link the existing Fifield-Cahill Ridge Trail with the Golden Gate Recreation Area (GGNRA) Phleger estate to the south in the future. The proposed Southern Skyline Boulevard Ridge Trail Extension would parallel upper Highway 35 from Highway 92 south to the Phleger Estate. The new extension would add six new trail miles, creating a single 16.5-mile trail through the Peninsula Watershed when combined with the existing 10-mile Fifield-Cahill Ridge Trail.	City and County of San Francisco Planning Commission certified EIR in 2021. San Francisco Public Utilities Commission approved project in 2021. Final design is underway, and construction anticipated in 2022.

Source: Panorama 2021.

Impacts Avoided

The proposed Program would have no impact on the following resources and would therefore not contribute to potential cumulative impacts on these resources:

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing

Cumulative Impacts

Aesthetics

Although temporary visual impacts would occur from the presence of personnel, equipment, staging, earthwork, and other Program-related activities, these activities would be temporary and would not result in significant visual impacts. Over the long term, visual conditions of Midpen facilities would generally improve as a result of implementation of the proposed Program (e.g., repairing dilapidated/failed culverts, removing trash and debris from ponds/channels, enhancing riparian habitat, etc.). For these reasons, the Program would not contribute to a cumulatively significant impact related to aesthetics.

Air Quality

Vehicles and other off-road equipment used for Program activities would cause daily and annual emissions of criteria air pollutants. As discussed in Section 3.3, "Air Quality," daily emissions of all criteria air pollutants are not significant/substantial because annual emissions would be well below annual BAAQMD and MBARD significance thresholds. These significance thresholds take into account the levels at which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions**.** As such, the BAAQMD and MBARD thresholds utilized also represent cumulative thresholds. Like the Program, the other projects identified in **Table 3.21-1** would also generate criteria air pollutants subject to BAAQMD and MBARD thresholds. Therefore, because the proposed Project emissions would be below BAAQMD and MBARD significance thresholds, the proposed Project would not make a considerable contribution to cumulative impacts related to regional air quality.

Biological Resources

Program activities would occur in similar habitats to some of the other projects identified in **Table 3.21-1**. Thus, the Program could result in similar habitat impacts, including impacts to riparian areas, oak woodland, wetlands, and riverine aquatic habitat as the other cumulative projects. Midpen actively manages their lands to protect and restore the natural environment; thus, the vast majority of the proposed Program activities benefit listed species and their habitats (e.g., pond de-sedimentation, trash and debris removal, invasive species removal, etc.).

Although the Program may impact biological resources, most impacts would be temporary. Some permanent loss of habitat could occur as well as impacts to special-status species and habitat as a result of the proposed Program activities. These impacts would be reduced through implementation of **Mitigation Measures BIO-1** and **BIO-2** and Program BMPs. Further, any permanent impacts associated with Program activities would be offset through the various enhancement and restoration activities included under the Program. Given that (1) the nature of the Program, Midpen's mission and adopted Resource Management Policies (Midpen 2021), and the intent of other planned Midpen projects is to protect and restore the natural environment, (2) the Program's long-term effects on biological resources would be beneficial, and (3) the impacts of the Program would be effectively mitigated, the Program would not have a cumulatively considerable impact to biological resources.

Cultural Resources and Tribal Cultural Resources

Many of the other cumulative projects identified in **Table 3.21-1** may involve some amount of ground disturbance, and thus may have the potential to uncovered buried archaeological resources, some of which could be TCRs. If proper protocols were not followed, this could result in adverse effects on cultural resources and TCRs. Additionally, similar to the proposed Program, none of the cumulative projects would be anticipated to significantly affect known built environment resources or substantially change a place or landscape. Also, natural resource, restoration, and infrastructure improvement projects would generally have less of a potential to adversely affect cultural resources and TCRs than other typical development projects in the region, such as housing developments. Given implementation of BMPs, significant effects on cultural resources and TCRs from the proposed Program would be avoided or minimized. Overall, the Program would not have a cumulatively considerable impact on cultural resources or TCRs.

Energy

Most of the other cumulative projects identified in **Table 3.21-1** would involve operation of construction equipment and use of energy in the form of fossil fuels. However, similar to the proposed Program, the energy use associated with these other projects would be temporary. None of the projects would include construction of housing, buildings, or commercial or industrial uses that could create a substantial long-term demand for energy. As such, and given the fact that the Program's energy use would be relatively minor and similar to existing conditions, the Program would not have a cumulatively considerable impact to energy.

Geology, Soils, and Seismicity

Midpen lands and the surrounding area are located in a seismically active region that may be susceptible to seismic-related ground shaking and ground failure, as well as other geologic hazards including landslides. Although construction workers and recreationalists may be exposed to seismic-related hazards when conducting Program activities and recreating in the area, the proposed Program and other cumulative projects would not exacerbate existing seismic hazards, such as ground shaking. Further, no habitable structures would be constructed under the proposed Program or cumulative projects listed in **Table 3.21-1**. Program activities and other cumulative projects that disturb large areas located in unstable, landslide prone locations could cause landsliding. Implementation of **Mitigation Measure**

GEO-1 would require that erosion and slope stabilization measures are implemented in areas susceptible to erosion and instability. Similar requirements would be required for other cumulative projects located in landslide prone areas of the Santa Cruz Mountains in accordance with state and local regulations. Although the other cumulative projects shown in **Table 3.21-1** may involve earthmoving activities, none of these projects would be expected to result in a substantial loss of topsoil. Implementation of BMPs would prevent or minimize Program-related effects on soils (e.g., erosion) and paleontological resources. Lastly, one of the benefits of the proposed Program is to maintain the functional integrity of Midpen facilities to prevent detrimental effects and to enhance the natural environment. As such, the proposed Program would not contribute to a cumulatively significant impact regarding geology, soils, and seismicity.

Greenhouse Gas Emissions

GHGs are cumulative in nature and the cumulative impact from GHG production at a global scale is significant. The proposed Program would generate GHG emissions during Program activities; however, these activities would be limited in nature and duration, similar to activities conducted in the existing condition and be required to comply with state and local regulations. Similar to the Program, the other projects identified in **Table 3.21-1** would also generate GHG emission; however, these would be temporary and would be required to comply with state and local regulations. Thus, the proposed Program would not contribute to a cumulatively significant impact to greenhouse gas emissions.

Hazards and Hazardous Materials

Similar to the proposed Program, other cumulative projects would be required to comply with standard federal, state, and local requirements to minimize impacts related to hazardous materials. The other cumulative projects listed in **Table 3.21-1** would be expected to use hazardous materials during construction and operation of construction equipment, and certain projects may involve the use of herbicides over the longer term for vegetation management. All herbicide application is required to comply with federal, state and local standards and label specifications. Midpen also aims to reduce per-acre pesticides use at individual sites in natural areas over time. As described in Section 3.9, "Hazards and Hazardous Materials," Program activities would be of short duration. Implementation of **Mitigation Measures HAZ-1** and **HAZ-2** would ensure that maintenance workers and the public are protected from any contaminated soils, sediment, or groundwater encountered during Program activities and any contamination associated with known hazardous materials cleanup sites in proximity to proposed activities. Given the above, the proposed Program would not substantially contribute to a cumulatively significantly impact related to hazards and hazardous materials.

Hydrology and Water Quality

Similar to the proposed Program, many of the other cumulative projects identified in **Table 3.21-1** would benefit hydrology and water quality over the long term through enhancing riparian habitat and managing overgrown or invasive vegetation. Short-term construction-related impacts could occur, and many of the streams in Midpen lands are impaired for various constituents. As described Section 3.10, "Hydrology and Water Quality," the proposed

Program would implement BMPs to minimize potential construction-related impacts on hydrology and water quality. The proposed Program would also not include any new significant amounts of impervious surface that would generate additional runoff and create potential for generation of polluted stormwater. Given the long-term benefits of the Program and implementation of effective BMPs, the proposed Program would not substantially contribute to a cumulatively significant impact related to hydrology and water quality.

Land Use and Planning

The proposed Program would not divide an established community or conflict with existing land use plans or policies. Similar to the proposed Program, other identified cumulative projects would not include substantial above-ground structures or developments and would be primarily limited to habitat restoration and public access improvements. Thus, the proposed Program would not contribute to a cumulatively significant impact related to land use.

Noise

Similar to the proposed Program, the other cumulative projects identified in **Table 3.21-1** would generate construction noise similar to or greater than the proposed Program. As described in Section 3.13, "Noise", noise generated during Program activities would be temporary and of short duration at any given location and generally localized. All Program activities would occur during normal work hours, in compliance with the relevant jurisdictions' noise standards. Implementation of Mitigation Measure NOI-1 would ensure that noise control measures are implemented in locations in close proximity to sensitive receptors. Further, the proposed Program would not permanently increase noise levels above the existing condition. For the reasons above, the proposed Program would not result in a cumulatively significant impact related to noise.

Public Services

The other cumulative projects identified in **Table 3.21-1** would have limited potential to adversely affect public services, as these projects would not induce population growth (i.e., would not include housing, generate new permanent jobs, or remove barriers to growth) such as to increase demand for public services or directly impact any fire protection, police protection, school, or park facilities. Population density and public service facilities are variable throughout the Program area and cumulative impacts are likely to be more location-specific. While the proposed Program could increase fire risk from operation of internal combustion engine equipment in vegetated areas, compliance with applicable requirements (e.g., CAL FIRE) and implementation of BMPs would minimize this potential risk and any associated impacts on fire protection services. The proposed Program and other cumulative projects would not adversely affect other types of public services (e.g., police, schools, parks). Therefore, the proposed Program would not contribute to a cumulatively significant impact to public services.

Recreation

The proposed Program would not induce population growth that would result in a significant increased use of recreation facilities in the Program area. The proposed Program may result

in temporary disruptions to recreational trails and facilities; however, these activities would be of short duration. In addition, Midpen lands and surrounding state and County parks have a large number of trails and recreational facilities; thus, Program activities would not significantly affect the availability of public trails or recreational facilities. Similar to the proposed Program, other cumulative projects involve public access improvements that would increase recreational access and improve recreational facilities and opportunities throughout Midpen lands. Overall, the proposed Program would not contribute to a cumulatively significant impact related to recreation.

Transportation

During Program activities, the proposed Program would contribute some vehicle traffic to local roadways (e.g., vehicle trips to work sites and truck haul trips); however, the vehicle traffic and VMT from the proposed Program would be similar to existing conditions and the ongoing work conducted by Midpen. In addition, these trips would be spread over an area of approximately 64,000 acres and would not have an appreciable effect on the circulation system. For any activities occurring on or near roads that would result in temporary closures, appropriate traffic controls would be implemented to maintain traffic flow (particularly for emergency responders) and reduce potential safety hazards through implementation of **Mitigation Measure TRANS-1**. In general, traffic conditions throughout the region are variable and congestion-related cumulative impacts would be relatively localized. Some of the other cumulative projects listed in **Table 3.21-1** may generate haul truck trips, but like the proposed Program would not create substantial long-term vehicle trips or VMT. As a result, the proposed Program would not contribute to a cumulatively significant impact related to transportation.

Utilities and Service Systems

The proposed Program would not directly nor indirectly induce growth in the Program area and therefore would not increase the cumulative demand for utilities and service systems. Given that the other cumulative projects identified in **Table 3.21-1** would not include any housing or similar land uses that would require permanent water, wastewater, electricity, or other utilities services, these projects also would not increase cumulative demand for utilities and service systems. Any temporary need for water or wastewater service during construction or Program activities and other cumulative projects would be limited and would have no potential to substantially contribute to an exceedance in capacity or need for additional entitlements or sources. Therefore, the proposed Program would not contribute to a cumulatively significant impact to utilities and service systems.

Wildfire

As discussed under Section 3.20, "Wildfire," although Program activities would occur within very high or high fire hazard severity zones, compliance with applicable requirements and implementation of BMPs during Program activities would minimize the risk of accidental ignition of a wildfire. Further, the proposed Program includes activities such as maintaining disclines, shaded fuel breaks, and defensible spaces around buildings and other vegetation management activities that would protect people, structures, and habitat from wildfire risks. Similar to the proposed Program, other cumulative projects would be required to implement

fire safety measures during construction activities, such that these projects would not substantially exacerbate wildfire risks. Over the long term, these projects would not establish land uses that could increase overall wildfire risk or place new people or structures in areas susceptible to wildfire. Therefore, the proposed Program would not contribute to a cumulatively significant impact to wildlife.

Summary

Based on the cumulative impact analysis provided above, and with implementation of BMPs and mitigation measures included herein, the proposed Program would not result in any significant cumulative environmental impacts. This impact would be **less than significant with mitigation.**

c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Based on the analysis provided in the above resource sections, the proposed Program would result in less than significant impacts for the following resources topics: aesthetics, air quality, energy, greenhouse gas, hydrology and water quality, land use, public services, recreation, utilities and service systems, and wildfire. Mitigation measures pertaining to biological resources, geology, soils, and seismicity, hazards and hazardous materials, noise, and transportation would reduce Program-related impacts to a less than significant level. As such, implementation of the already identified mitigation measures would ensure that the effects on human beings would be **less than significant with mitigation**.

Chapter 4
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Chapter 5
REFERENCES

Chapter 1, Introduction

None.

Chapter 2, Project Description

Midpeninsula Regional Open Space District. 2011. Defensible Space Clearing Guidelines. November.

Midpeninsula Regional Open Space District. 2012. Wildfire Management Policy.

Midpeninsula Regional Open Space District. 2014. *Integrated Pest Management Program Guidance Manual.* Prepared May & Associates, Shelterbelt Builders, and by Ascent Environmental. September. Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf. Accessed May 12, 2021.

Midpeninsula Regional Open Space District. 2021a. Grazing Management Policy. Available at: https://www.openspace.org/sites/default/files/20210210_GMPA_R_21-22.pdf. Accessed June 25, 2021.

Midpeninsula Regional Open Space District. 2021b. Resource Management Policies. February. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf. Accessed May 12, 2021.

Midpeninsula Regional Open Space District. 2021c. Wildland Fire Resiliency Program. May. Available at: https://www.openspace.org/sites/default/files/WFRP_Table_of_Contents_F.pdf. Accessed June 29, 2021.

Midpen. *See* Midpeninsula Regional Open Space District.

Chapter 3, Environmental Checklist

Section 3.1, Aesthetics

California Department of Transportation. 2021. Scenic Highways. Available at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed February 3, 2021.

Caltrans. *See* California Department of Transportation.

San Mateo County Planning and Building Division. 1986. General Plan. Available at: https://planning.smcgov.org/sites/planning.smcgov.org/files/SMC-GP%201986.pdf. Accessed February 3, 2021.

Santa Clara County. 1994. Santa Clara County General Plan 1995-2010. Available at: https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf. Accessed February 3, 2021.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.2, Agricultural Resources and Forestry

California Department of Conservation. 2016. California Important Farmland Finder. Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Last accessed January 28, 2021.

CDOC. *See* California Department of Conservation.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.3, Air Quality

Bay Area Air Quality Management District. 2017a. California Environmental Quality Act, Air Quality Guidelines. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed December 1, 2020.

Bay Area Air Quality Management District. 2017b. Air Quality Standards and Attainment Status. Available at: https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status. Accessed December 1, 2020.

BAAQMD. *See* Bay Area Air Quality Management District.

California Air Resources Board. 2005. Air Quality and Land Use Handbook. Available at: https://ww3.arb.ca.gov/ch/handbook.pdf. Accessed April 5, 2021.

California Air Resources Board. 2011. Appendix 1 Five Factor Analyses for California Air Basins. Available at: https://www.arb.ca.gov/desig/so2a1.pdf. Accessed May 17, 2021.

California Air Resources Board. 2019. Summaries of Historical Area Designations for State Standards. Available at: https://ww2.arb.ca.gov/our-work/programs/state-and-federal-area-designations/state-area-designations/summary-tables. Accessed December 1, 2020.

CARB. *See* California Air Resources Board.

Jennings, C.W., Strand, R.G., and Rogers, T.H. 1977. Geologic map of California: California Division of Mines and Geology. Available at: https://mrdata.usgs.gov/geology/state/state.php?state=CA. Accessed April 5, 2021.

Monterey Bay Unified Air Pollution Control District. 2008. CEQA Air Quality Guidelines. Available at: https://www.mbard.org/files/f665829d1/CEQA_full+%281%29.pdf. Accessed December 1, 2020.

MBUAPCD. *See* Monterey Bay Unified Air Pollution Control District.

United States Environmental Protection Agency. 2020. Green Book. Available at: https://www3.epa.gov/airquality/greenbook/anayo_ca.html. Accessed December 1, 2020.

USEPA. *See* United States Environmental Protection Agency.

Section 3.4, Biological Resources

APLIC and USFWS. 2005. Avian Protection Plan Guidelines. April.

Brabb, E.E., Graymer, R.W. and Jones, D.L. 2000. Geologic Map and Map Database of the Palo Alto 30' x 60' Quadrangle, California**.** Miscellaneous Field Map Studies Map MF-2332 U.S. Geological Survey.

Calflora. 2019. Web application. Berkeley, California: The Calflora Database. Available at: https://www.calflora.org/.

California Department of Fish and Wildlife. 2015. Recovery Strategy for California Coho Salmon Progress Report 2004**–**2012.

California Department of Fish and Wildlife. 2020a. California Natural Community List. September 9, 2020. Available at: https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities. Accessed December 18, 2020.

California Department of Fish and Wildlife. 2020b. California Natural Diversity Database. Available at: https://wildlife.ca.gov/Data/CNDDB. Accessed December 2020.

CDFW. *See* California Department of Fish and Wildlife

California Native Plant Society. 2020. CNPS Inventory of Rare and Endangered Plants of California. Retrieved from http://www.rareplants.cnps.org/.

CNPS. *See* California Native Plant Society

Center for Ecosystem Management and Restoration. 2008. Steelhead/Rainbow Trout Resources of San Mateo County. Prepared for the California Coastal Conservancy.

Consortium of California Herbaria. 2019. Data provided by the participants of the Consortium of California Herbaria. Regents of the University of California, Berkeley. Website. Available at: https://ucjeps.berkeley.edu/consortium/. Accessed September 2019.

CCH1. *See* Consortium of California Herbaria

San Mateo County. 2021a. Tree Ordinances Update Project. Available at: https://planning.smcgov.org/tree-ordinances-update-project. Accessed March 23, 2021.

San Mateo County. 2021b. Interim Significant and Heritage Tree Regulations Amendments. Available at: https://planning.smcgov.org/interim-significant-and-heritage-tree-regulations-amendments. Accessed March 23, 2021.

Cornell Lab of Ornithology. 2021. eBird. Ithaca, New York. Available at: http://www.ebird.org. Accessed February 2, 2021.

Friends of Edgewood. 2021. Bay Checkerspot Butterfly. Available at: https://friendsofedgewood.org/learn-about-edgewood-park/bay-checkerspot-butterfly. Accessed May 24, 2021.

Gregory S. V., F. J. Swanson, W. A. McKee, and K. W. Cummins. 1991. An ecosystem perspective of riparian zones. Bioscience, 540-551.

Griffith, G., Omernik, J., Smith, D., & Cook, T. 2016. Ecoregions of California (poster): U.S. Geological Survey Open-File Report 2016–1021, with map, scale 1:1,100,000. Retrieved from https://pubs.er.usgs.gov/publication/ofr20161021.

Holland, R. 1986. Preliminary descriptions of the terrestrial natural communities of California. Unpublished document, California Department of Fish and Game, Natural Heritage Division. Sacramento, CA.

H.T. Harvey and Associates. 2021. Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program Biological Assessment Covering the California Red-legged Frog, California Tiger Salamander, San Francisco Garter Snake, and Marbled Murrelet. April 21.

ICF International. 2012. Final Santa Clara Valley Habitat Plan. Prepared for the City of Gilroy, City of Morgan Hill, City of San Jose, County of Santa Clara, Santa Clara Valley Transportation Agency, and Santa Clara Valley Water District. August 2012.

iNaturalist [website]. 2019. Available at: https://www.inaturalist.org/. Accessed October 31, 2019.

Kruckeberg, A.R. 1984. California Serpentines: Flora, Vegetation, Geology, Soils, and Management Problems. University of California Press.

Leidy, R.A. 2007. Ecology, Assemblage Structure, Distribution, and Status of Fishes in Streams Tributary to the San Francisco Estuary, California. San Francisco Estuary Institute.

Leidy, R. A., G. S. Becker, B. N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (Oncorhynchus mykiss) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, CA.

Meyer, K. E., and W. F. Laudenslayer. 1988. A guide to wildlife habitats of California. 1988. Sacramento. California Dept. of Fish and Game.

Midpeninsula Regional Open Space District. 2014. 2014 Vision Plan Conservation Atlas. Available at: https://www.openspace.org/sites/default/files/Conservation_Atlas.pdf.

Midpeninsula Regional Open Space District. 2017. Sensitive species list.

Midpeninsula Regional Open Space District. 2018. Vegetation Classification GIS dataset.

Midpeninsula Regional Open Space District. 2019. Sensitive species occurrence data provided to H.T. Harvey & Associates.

Midpeninsula Regional Open Space District. 2021a. Grazing Management Policy. Available at: https://www.openspace.org/sites/default/files/20210210_GMPA_R_21-22.pdf. Accessed June 25, 2021.

Midpeninsula Regional Open Space District. 2021b. Resource Management Policies. February. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf.

Midpen. *See* Midpeninsula Regional Open Space District.

National Marine Fisheries Service. 1999. Designated Critical Habitat; Central California Coast and Southern Oregon/Northern California Coasts Coho Salmon. Federal Register 64(86):24049–24062.

National Marine Fisheries Service. 2005. Endangered and Threatened Species: Designation of Critical Habitat for Seven Evolutionarily Significant Units of Pacific Salmon and Steelhead in California; Final Rule. FR Doc. 05-16389. Part II. 50 CFR. Part 226. Vol. 70. No. 170: pp. 52488-52627. September 2, 2005.

National Marine Fisheries Service. 2009. Endangered and Threatened Wildlife and Plants: Final Rulemaking to Designate Critical Habitat for the Threatened Southern Distinct Population Segment of North American Green Sturgeon; Final Rule. FR Doc. E9-24067. 50 CFR. Part 226. Vol. 74. No. 195: pp. 52300-52351. October 9, 2009.

NMFS. *See* National Marine Fisheries Service.

Natural Resources Database. 2020. Compilation of observations of flora and fauna made at open space and nature preserves and parks in the greater San Francisco Bay Area. May 30, 2019 Update. http://nrdb.org. Accessed April 2020.

Pacific Seabird Group Marbled Murrelet Technical Committee. 2003. Methods for Surveying Marbled Murrelets in Forests: A Revised Protocol for Land Management and Research. Pacific Seabird Group Technical Publication Number 2.

Peninsula Open Space Trust. 2021. Coho Salmon Return to Pescadero Creek. Available at: https://openspacetrust.org/coho-salmon-pescadero/. Accessed March 23, 2021.

POST. *See* Peninsula Open Space Trust

Penrod K, Garding PE, Paulman C, Beier P, Weiss S, Schaefer N, Branciforte R, Gaffney K. 2013. Critical Linkages: Bay Area & Beyond. Produced by Science & Collaboration for Connected Wildlands, Fair Oaks, CA in collaboration with the Bay Area Open Space Council's Conservation Lands Network.

Reilly, Sean B., Daniel M. Portik, Michelle S. Koo, and David B. Wake. 2014. Discovery of a New, Disjunct Population of a Narrowly Distributed Salamander (*Taricha rivularis*) in California Presents Conservation Challenges. Journal of Herpetology, Vol. 48, No. 3, 371–379.

Sawyer, J. O., T. Keeler-Wolf, and J. Evens. 2009. *A Manual of California Vegetation.* Second edition. California Native Plant Society Press.

Sequoia Audubon Society. 2001. San Mateo County Breeding Bird Atlas. 224 p.

Spence B.C., Bjorkstedt E.P., Garza J.C., Smith J.J., Hankin D.G., Fuller D, Jones W.E., Macedo R, Williams T.H., Mora E. 2008. A framework for assessing the viability of threatened and endangered salmon and steelhead in the North-Central California Coast recovery domain. NOAA Tech Memo NMFS NOAA-TM-NM

Stanford University. 2012. San Francisco garter snake Thamnophis sirtalis tetrataenia. Available at: http://hcp.stanford.edu/snake.html.

University of California, Davis. 2019. California Fish Website. Available at: http://calfish.ucdavis.edu/. Accessed through October 31, 2019.

U.S. Department of Agriculture, U.S. Forest Service. 2004. Existing Vegetation - CALVEG, [ESRI personal geodatabase]. USDA, Forest Service, Pacific Southwest Region, Remote Sensing Lab, McClellan, CA. EvegTile03B_99_04_v2.

USDA USFS. *See* U.S. Department of Agriculture, U.S. Forest Service.

U.S. Fish and Wildlife Service. 2010. Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for California Red-Legged Frog. FR Doc. 2010-4656. 50 CFR. Part 17. Vol. 75. No. 51: pp. 12816-12959. March 17, 2010.

U.S. Fish and Wildlife Service. 2011. Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for the Marbled Murrelet. FR Doc. 2011-25583. 50 CFR. Part 17. Vol. 76. No. 193: pp. 61559-61621. October 5, 2011.

U.S. Fish and Wildlife Service. 2016. Intra-Service Biological Opinion on the issuance of a 10(a)(1)(A) permit to Midpeninsula Regional Open Space District for the San Francisco Garter Snake and California Red-legged Frog Habitat Enhancement Projects at their Open Space Preserves in San Mateo and Santa Clara Counties, California. December 9, 2016.

U.S. Fish and Wildlife Service. 2020. Critical Habitat. Available at: https://www.fws.gov/endangered/what-we-do/critical-habitats.html. Accessed December 18, 2020.

USFWS *See* U.S. Fish and Wildlife Service

Wentworth, C.M., Blake Jr, M.C., McLaughlin, R.J., and Graymer, R.W. 1999. Preliminary Geologic Map of the San Jose 30 X 60-Minute Quadrangle, California: A Digital Database. Open File Report 98-795. U.S. Geological Survey

Xerces Society. 2016. State of the Monarch Butterfly Overwintering Sites in California. Report to the U.S. Fish and Wildlife Service.

Xerces Society. 2017. Protecting California's Butterfly Groves: Management Guidelines for Monarch Butterfly Overwintering Habitat.

Xerces Society. 2019. Western Monarch Count Instructions. Available at: https://www.westernmonarchcount.org/wp-content/uploads/2019/11/Count-Survey-Instructions_updated2019.pdf. Accessed May 24, 2021.

Section 3.5, Cultural Resources

Ballard, H., E. Reese, and M. Hylkema. 2013. Cultural Resources Existing Conditions Report for the Midpeninsula Regional Open Space District Vision Plan Appendix E of the Midpen Vision Plan. Report on file with Midpen, Los Altos, California.

California State Lands Commission. 1982. Grants of Land in California Made by Spanish or Mexican Authorities. Available at: https://www.slc.ca.gov/land-types/grants-of-land-in-california-made-by-spanish-or-mexican-authorities/. Accessed March 1, 2019.

Kyle, D. E., Hoover, M., H. E. Rensch, E. G. Rensch, and W. N. Abeloe. 2002. *Historic Spots in California*. 5th edition, Stanford, CA: Stanford University Press.

Meyer, J. 2013. A Geoarchaeological Overview and Assessment of Northeast California: Cultural Resources Inventory of Caltrans County 2 Rural Conventional Highways: Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity Counties. Far Western Anthropological Research Group, Inc., Davis, California. Submitted to California Department of Transportation, County 2, Redding, California.

Midpeninsula Regional Open Space District. 2014. Imagine the Vision of Open Space: 2014 Vision Plan. Available at: https://www.openspace.org/sites/default/files/2014_Vision_Plan.pdf. Accessed May 12, 2021.

Midpeninsula Regional Open Space District. 2021a. History. Available at https://www.openspace.org/about-us/history. Accessed January 5, 2021.

Midpeninsula Regional Open Space District. 2021b. Resource Management Policies. February. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf. Accessed May 12, 2021.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp.

Milliken, Randall, Richard T. Fitzgerald, Mark. G. Hylkema, Randy Groza, Tome Origer, David G. Bieling, Alan Leventhal, Randy S. Wiberg, Andrew Gottsfield, Donna Gillette, Viviana Bellifemine, Eric Strother, Robert Cartier, and David A. Fredrickson. 2010. Punctuated Culture Change in the San Francisco Bay Area. In *California Prehistory*, edited by Terry L. Jones and Kathryn A. Klar. Lanham, MD: Altamira Press.

Section 3.6, Energy

Bay Area Air Quality Management District. 2017. Final 2017 Clean Air Plan. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed January 5, 2021.

BAAQMD. *See* Bay Area Air Quality Management District.

California Air Resources Board. 2017. Available at: https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/scoping_plan_2017.pdf. Accessed December 3, 2020.

CARB. *See* California Air Resources Board.

California Energy Commission. 2017. RPS Eligibility Guidebook. Available at: https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard. Accessed December 3, 2020.

California Energy Commission. 2020a. Integrated Energy Policy Report – IEPR. Available at: https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report. Accessed December 3, 2020.

California Energy Commission. 2020b. 2019 Integrated Energy Policy Report. Available at: https://efiling.energy.ca.gov/getdocument.aspx?tn=232922. Accessed December 3, 2020.

CEC. *See* California Energy Commission.

Midpeninsula Regional Open Space District. 2018. Midpeninsula Regional Open Space District Climate Action Plan. Available at: https://www.openspace.org/sites/default/files/20181015%20Climate%20Action%20Plan.pdf. Accessed April 5, 2021.

Midpeninsula Regional Open Space District. 2019. Midpeninsula Regional Open Space District 2018 Greenhouse Gas Inventory Report. Available at: https://www.openspace.org/sites/default/files/2018_Greenhouse_Gas_Inventory.pdf. Accessed April 5, 2021.

San Mateo County. 2020. Climate Action Plans. Available at: https://www.smcsustainability.org/climate-change/climate-action-plans/. Accessed December 3, 2020.

Santa Cruz County. 2020. Climate Action Strategy. Available at: http://www.sccoplanning.com/PlanningHome/SustainabilityPlanning/ClimateActionStrategy.aspx. Accessed December 3, 2020.

United States Energy Information Administration. 2020. California State Energy Profile. Available at: https://www.eia.gov/state/print.php?sid=CA. Accessed December 3, 2020.

EIA. *See* United States Energy Information Administration.

Section 3.7, Geology/Soils

California Department of Conservation. 2019. Alquist-Priolo Earthquake Fault Zones. Available at: https://www.conservation.ca.gov/cgs/alquist-priolo. Accessed February 18, 2021.

CDOC. *See* California Department of Conservation.

California Department of Forestry and Fire Protection. 2020. California Forest Practice Rules. Available at: https://bof.fire.ca.gov/media/9478/2020-forest-practice-rules-and-act_final_ada.pdf. Accessed May 12, 2021.

CAL FIRE. *See* California Department of Forestry and Fire Protection.

California Geologic Survey. 2002. Earthquake Zones of Required Investigation. Los Gatos Quadrangle.

California Geologic Survey. 2005. Earthquake Zones of Required Investigation. Castle Rock Ridge; Mindego Hill Quadrangles.

California Geologic Survey. 2011. Susceptibility to Deep-Seated Landslides in California. Available at: https://www.conservation.ca.gov/cgs/Documents/Publications/Map-Sheets/MS_058.pdf. Accessed March 8, 2021.

California Geologic Survey. 2019. Earthquake Zones of Required Investigation. Woodside Quadrangle.

CGS. *See* California Geologic Survey.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Weaver, Weppner, and Hagans, 2015. Handbook for Forest, Ranch & Rural Road. Available at: http://www.pacificwatershed.com/sites/default/files/roadsenglishbookapril2015b_0.pdf. Accessed May 12, 2021

Wentworth et al. 1997. Estimating Earthquake Location and Magnitude from Seismic Intensity Data. Available at: https://pubs.geoscienceworld.org/ssa/bssa/article-abstract/87/6/1502/120272/Estimating-earthquake-location-and-magnitude-from?redirectedFrom=fulltext. Accessed May 12, 2021.

Wills et al. 2011. Susceptibility to Deep-Seated Landslides in California. Available at: https://www.napawatersheds.org/img/managed/Document/4859/Susceptibility%20to%20Deep-Seated%20Landslides%20in%20CA%20-%20MS58.pdf. Accessed May 12, 2021.

Section 3.8, Greenhouse Gas Emissions

Bay Area Air Quality Management District. 2017a. California Environmental Quality Act, Air Quality Guidelines. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed December 1, 2020.

Bay Area Air Quality Management District. 2017b. Final 2017 Clean Air Plan. Available at: https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed January 5, 2021.

BAAQMD. *See* Bay Area Air Quality Management District.

California Air Resources Board. 2014. First Update to the Climate Change Scoping Plan. Available at: https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf. Accessed January 5, 2021.

California Air Resources Board. 2017. California's 2017 Climate Change Scoping Plan. Available at: https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/scoping_plan_2017.pdf. Accessed January 5, 2021.

California Air Resources Board. 2018b. California Greenhouse Gas Emissions for 2000 to 2016, Trends of Emissions and Other Indicators. Available at: California Greenhouse Gas Emissions for 2000 to 2016, Trends of Emissions and Other Indicators. Available at: https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2016/ghg_inventory_trends_00-16a.pdf. Accessed January 5, 2021.

California Air Resources Board. 2021. 2017 Scoping Plan Documents. Available at: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2017-scoping-plan-documents. Accessed January 5, 2021.

CARB. *See* California Air Resources Board.

California Energy Commission. 2018. California Energy Commission – Tracking Progress, Greenhouse Gas Emission Reductions. Available at: https://www.energy.ca.gov/sites/default/files/2019-12/Greenhouse_Gas_Emissions_Reductions_ada.pdf. Accessed January 5, 2021.

CEC. *See* California Energy Commission.

Center for Climate and Energy Solutions. 2020. Federal Vehicle Standards. Available at: https://www.c2es.org/content/regulating-transportation-sector-carbon-emissions/. Accessed December 6, 2020.

Midpeninsula Regional Open Space District. 2018. Midpeninsula Regional Open Space District Climate Action Plan. Available at: https://www.openspace.org/sites/default/files/20181015%20Climate%20Action%20Plan.pdf. Accessed April 5, 2021.

Midpeninsula Regional Open Space District. 2019. Midpeninsula Regional Open Space District 2018 Greenhouse Gas Inventory Report. Available at: https://www.openspace.org/sites/default/files/2018_Greenhouse_Gas_Inventory.pdf. Accessed April 5, 2021.

Midpen. *See* Midpeninsula Regional Open Space District.

San Mateo County. 2020. Climate Action Plans. Available at: https://www.smcsustainability.org/climate-change/climate-action-plans/. Accessed December 3, 2020.

Santa Cruz County. 2020. Climate Action Strategy. Available at: http://www.sccoplanning.com/PlanningHome/SustainabilityPlanning/ClimateActionStrategy.aspx. Accessed December 3, 2020.

United States Environmental Protection Agency. 2020. Final Rule for Phase 2 Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles. Available at: https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-phase-2-greenhouse-gas-emissions-standards-and. Accessed December 6, 2020.

USEPA. *See* United States Environmental Protection Agency.

Section 3.9, Hazards and Hazardous Materials

California Department of Forestry and Fire Protection. 2007. Fire Hazard Severity Zones in State Responsibility Areas: Santa Clara County and San Mateo County. Available at: https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/. Accessed February 19, 2021.

CAL FIRE. *See* California Department of Forestry and Fire Protection.

Midpeninsula Regional Open Space District. 2014. Environmental Impact Report for the Midpeninsula Regional Open Space District Integrated Pest Management Program. September 26.

Midpeninsula Regional Open Space District. 2019. Addendum to the Environmental Impact Report Integrated Pest Management Program. SCH # 2013092033. January.

Midpeninsula Regional Open Space District. 2021. Resource Management Policies. February. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf. Accessed February 19, 2021.

Midpen. *See* Midpeninsula Regional Open Space District.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

United States Department of Labor, Occupational Health and Safety Administration. 2016. Occupational Safety and Health Standards - 1910.132 - General requirements. Available at: https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.132. Accessed May 4, 2021.

Section 3.10, Hydrology/Water Quality

California Department of Water Resources. 2020. CA Bulletin 118 Groundwater Basins. Available at: https://gis.data.ca.gov/datasets/b5325164abf94d5cbeb48bb542fa616e_0?geometry=-122.739%2C37.255%2C-121.422%2C37.636. Accessed February 22, 2021.

California Department of Water Resources. 2004a. Santa Clara Valley Groundwater Basin, Santa Clara Subbasin. Updated February 27, 2004.

California Department of Water Resources. 2004b. Santa Clara Valley Groundwater Basin, San Mateo Plain Subbasin. Updated February 27.

DWR. *See* California Department of Water Resources.

Horizon Water & Environment. 2021. Midpeninsula Regional Open Space District Open Space Maintenance and Restoration Program Manual. April.

Horizon. *See* Horizon Water & Environment.

Midpeninsula Regional Open Space District. 2014a. Environmental Impact Report for the Midpeninsula Regional Open Space District Integrated Pest Management Program. September 26.

Midpeninsula Regional Open Space District. 2014b (September). *Integrated Pest Management Program Guidance Manual.* Prepared May & Associates, Shelterbelt Builders, and by Ascent Environmental. Available at: https://www.openspace.org/sites/default/files/IPM_Guidance_Manual.pdf.

Midpeninsula Regional Open Space District. 2019. Addendum to the Environmental Impact Report Integrated Pest Management Program. SCH # 2013092033. January.

Midpen. *See* Midpeninsula Regional Open Space District.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.11, Land Use and Planning

Midpeninsula Regional Open Space District. 2014. Imagine the Vision of Open Space: 2014 Vision Plan. Available at: https://www.openspace.org/sites/default/files/2014_Vision_Plan.pdf.

Midpeninsula Regional Open Space District. 2020. Ordinance for Use of Midpeninsula Regional Open Space District Lands. Ordinance No. 20-01, revised and adopted September 23, 2020. Available at: https://www.openspace.org/sites/default/files/District_Regulations.pdf. Accessed April 29, 2021.

Midpeninsula Regional Open Space District. 2021. Resource Management Policies. February. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf. Accessed April 29, 2021.

Midpen. *See* Midpeninsula Regional Open Space District.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

San Mateo County Planning and Building Division. 1986. General Plan. Available at: https://planning.smcgov.org/sites/planning.smcgov.org/files/SMC-GP%201986.pdf. Accessed February 3, 2021.

Santa Clara County. 1994. Santa Clara County General Plan 1995-2010. Available at: https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf. Accessed February 3, 2021.

Section 3.12, Mineral Resources

California Department of Conservation. 2015. CGS Information Warehouse: Mineral Land Classification. Available at: https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc. Accessed May 5, 2021.

California Department of Conservation. 2016. Mines Online. Available at: https://maps.conservation.ca.gov/mol/index.html. Accessed May 5, 2021.

CDOC. *See* California Department of Conservation.

Midpeninsula Regional Open Space District. 2011. Resource Management Policies: Initial Study/Mitigated Negative Declaration. October 2011. Available at: https://www.openspace.org/sites/default/files/RSM_IS_MDM.pdf. Accessed May 5, 2021.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Santa Clara County. 1994. Santa Clara County General Plan: Book B. Available at: https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf. Accessed May 5, 2021.

Section 3.13, Noise

California Department of Transportation. 2013. Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol. Available at: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf. Accessed December 6, 2020.

Caltrans. *See* California Department of Transportation.

Cupertino. 2020. Municipal Code. Available at: https://codelibrary.amlegal.com/codes/cupertino/latest/cupertino_ca/0-0-0-47646. Accessed December 10, 2020.

East Palo Alto. 2020. Municipal Code. Available at: https://library.municode.com/ca/east_palo_alto/codes/code_of_ordinances?nodeId=TIT8HESA_CH8.52NOCO_ARTVNOST. Accessed December 10, 2020.

Federal Highway Administration. 2019. Construction Noise Handbook. Available at: https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm. Accessed December 10, 2020.

FHWA. *See* Federal Highway Administration.

Federal Transit Administration. 2018. Transit Noise and Vibration Impact Assessment Manual. Available at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed December 11, 2020.

FTA. *See* Federal Transit Administration.

Los Altos Hills. 2020. Municipal Code. Available at: https://www.losaltoshills.ca.gov/199/Municipal-Code. Accessed December 10, 2020.

Los Gatos. 2020. Municipal Code. Available at: https://library.municode.com/ca/los_gatos/codes/code_of_ordinances?nodeId=CO_CH16NO. Accessed December 10, 2020.

Menlo Park. 2020. Noise Ordinance. Available at: https://www.codepublishing.com/CA/MenloPark/html/MenloPark08/MenloPark0806.html. Accessed December 10, 2020.

Mountain View. 2020. Municipal Code. Available at: https://library.municode.com/ca/mountain_view/codes/code_of_ordinances?nodeId=PTIITHCO_CH8BU_ARTVICONO_S8.70CONO. Accessed December 10, 2020.

Palo Alto. 2020. Municipal Code. Available at: https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-6082. Accessed December 11, 2020.

Portola Valley. 2020. Noise Ordinance. Available at: https://library.municode.com/ca/portola_valley/codes/code_of_ordinances?nodeId=TIT9PUPEMOWE_CH9.10NOCO. Accessed December 10, 2020.

San Carlos. 2021. Frequently Asked Questions. Available at: https://www.cityofsancarlos.org/government/departments/community-development/building/building-permits/frequently-asked-questions-faqs#:~:text=and%20fax%20permits.-,What%20are%20the%20construction%20noise%20hours%20in%20San%20Carlos%3F,to%205%20p.m.%20on%20Saturday. Accessed April 6, 2021.

San Jose. 2020. Envision San José 2040 General Plan. Available at: https://www.sanjoseca.gov/home/showpublisheddocument?id=22359. Accessed April 6, 2021.

San Mateo County. 2020. Noise Ordinance. Available at: https://library.municode.com/ca/san_mateo_county/codes/code_of_ordinances?nodeId=TIT4SAHE_CH4.88NOCO. Accessed December 6, 2020.

Santa Clara County. 2013. Noise Ordinance. Available at: https://www.sccgov.org/sites/cpd/programs/NP/Documents/NP_Noise_Ordinance.pdf. Accessed December 6, 2020.

Santa Clara County Airport Land Use Commission. 2016a. Comprehensive Land Use Plan Santa Clara County Palo Alto Airport. Available at: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_PAO_CLUP.pdf. Accessed April 6, 2021.

Santa Clara County Airport Land Use Commission. 2016b. Comprehensive Land Use Plan Santa Clara County Moffett Federal Airfield. Available at: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_PAO_CLUP.pdf. Accessed April 6, 2021.

Santa Cruz County. 2020. Noise Ordinance. Available at: https://www.codepublishing.com/CA/SantaCruzCounty/html/SantaCruzCounty08/SantaCruzCounty0830.html. Accessed December 6, 2020.

Saratoga. 2021. Municipal Code. Available at: https://library.municode.com/ca/saratoga/codes/code_of_ordinances?nodeId=CH7HESA_ART7-30NOCO#CH7HESA_ART7-30NOCO_7-30.060EXSPAC. Accessed April 6, 2021.

Woodside. 2012. Noise Element. Available at: https://www.woodsidetown.org/sites/default/files/fileattachments/planning/page/2601/9_noise_element_3.pdf. Accessed December 10, 2020.

Woodside. 2020. Municipal Code. Available at: https://library.municode.com/ca/woodside/codes/municipal_code?nodeId=CD_ORD_TITXVLAUS_CH151SIDE_ARTIVOPRE_S151.55CORERE. Accessed December 10, 2020.

Section 3.14, Population/Housing

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.15, Public Services

Midpeninsula Regional Open Space District. 2020. Wildland Fire Resiliency Program.

Midpen. *See* Midpeninsula Regional Open Space District.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

San Mateo County. 2021. Public Safety Communications: Services [website]. Available at: https://911dispatch.smcgov.org/services. Accessed May 5, 2021.

Santa Clara County Ambulance. 2017. 911 Paramedic and Emergency Ambulance Services [website]. Available at: https://www.santaclaracountyemsambulance.com/. Accessed May 5, 2021.

Santa Cruz County. 2021.Emergency Medical Services [website]. Available at: http://www.santacruzhealth.org/HSAHome/HSADivisions/PublicHealth/EmergencyMedicalServices.aspx. Accessed May 5, 2021.

Section 3.16, Recreation

Midpeninsula Regional Open Space District. 2019. Budget and Action Plan FY2019-20. June 26. Available at: https://www.openspace.org/sites/default/files/Budget_ActionPlan_FY19-20.pdf. Accessed April 8, 2021.

Midpeninsula Regional Open Space District. 2021. Visit A Preserve. Available at: https://www.openspace.org/visit-a-preserve. Accessed April 1, 2021.

Midpen. *See* Midpeninsula Regional Open Space District.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.17, Transportation

California Department of Transportation. 2017. A Guide to Bikeway Classification. Available at: www.dot.ca.gov/d4/bikeplan/docs/caltrans-d4-bike-plan_bikeway-classification-brochure_072517.pdf.

Caltrans. *See* California Department of Transportation.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.18, Tribal Cultural Resources

Ballard, H., E. Reese, and M. Hylkema. 2013. Cultural Resources Existing Conditions Report for the Midpeninsula Regional Open Space District Vision Plan Appendix E of the Midpen Vision Plan. Report on file with Midpen, Los Altos, California.

Section 3.19, Utilities/Service Systems

CalRecycle. 2021a. SWIS Facility/ Site Activity Details. Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002). Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223. Accessed March 7, 2021.

CalRecycle. 2021b. SWIS Facility/ Site Activity Details. Guadalupe Sanitary Landfill (43-AN-0015). Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1376?siteID=3399. Accessed March 7, 2021.

CalRecycle. 2021c. SWIS Facility/ Site Activity Details. Kirby Canyon Recyl. & Disp. Facility (43-AN-008). Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1370?siteID=3393. Accessed March 7, 2021.

CalRecycle 2021d. SWIS Facility/ Site Activity Details. Newby Island Compost Facility (43-AN-0017). Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1378?siteID=3401. Accessed March 7, 2021.

CalRecycle 2021e. SWIS Facility/ Site Activity Details. Zanker Road Resource Recovery Operation (43-AN-0007). Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1368?siteID=3392. Accessed March 7, 2021.

Waste Management. 2021. Guadalupe Landfill About Us. Available at: https://guadalupe.wm.com/about-us/index.jsp. Accessed March 7, 2021.

Section 3.20, Wildfire

California Department of Forestry and Fire Protection. 2007. Fire Hazard Severity Zones in State Responsibility Areas: Santa Clara County and San Mateo County. Available at: https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/. Accessed February 19, 2021.

California Department of Forestry and Fire Protection. 2018. Incident Information: Skeggs Fire [website]. Available at: https://www.fire.ca.gov/incidents/2017/9/11/skeggs-fire/. Accessed May 5, 2021.

California Department of Forestry and Fire Protection. 2019. Incident Information: Cabrillo Fire [website]. Available at: https://www.fire.ca.gov/incidents/2019/10/24/cabrillo-fire/. Accessed May 5, 2021.

California Department of Forestry and Fire Protection. 2020. Incident Information: Crews Fire [website]. Available at: https://www.fire.ca.gov/incidents/2020/7/5/crews-fire/. Accessed May 4, 2021.

CAL FIRE. *See* California Department of Forestry and Fire Protection.

Fire Safe San Mateo County. 2019. San Mateo's History of Fire [website]. Available at: https://firesafesanmateo.org/resources/fire-history. Accessed May 5, 2021.

Midpeninsula Regional Open Space District. 2021. Resource Management Policies. February 2021. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf. Accessed February 19, 2021.

Midpen. *See* Midpeninsula Regional Open Space District.

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Section 3.21, Mandatory Findings of Significance

Panorama Environmental, Inc. 2021. Midpeninsula Regional Open Space District Wildland Fire Resiliency Program Environmental Impact Report. SCH #2020049059. April. Available at: https://www.openspace.org/our-work/projects/wfrp. Accessed April 29, 2021.

Midpeninsula Regional Open Space District. 2021. Resource Management Policies. February. Available at: https://www.openspace.org/sites/default/files/Resource_Management_Policies.pdf. Accessed May 12, 2021.

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT J

RESOLUTION NO. 21-32

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION INCLUDING A MITIGATION MONITORING PROGRAM IN CONNECTION WITH THE OPEN SPACE MAINTENANCE AND RESTORATION PROGRAM

WHEREAS, The Midpeninsula Regional Open Space District ("MROSD") is a lead agency, as provided for under section 21067 of the California Environmental Quality Act (CEQA, Public Resources Code sections 21000 et seq.); and

WHEREAS, an Initial Study and Mitigated Negative Declaration (collectively referred to as the MND), attached to the MROSD Board Report, dated September 22, 2021, and incorporated into this Resolution as if fully set forth herein; was prepared for the Open Space Maintenance and Restoration Program ("Project") pursuant to the requirements of the California Environmental Quality Act (CEQA, Public Resources Code section 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regulations sections 15000 et seq.); and

WHEREAS, a Notice of Intent (NOI) to adopt an MND was distributed to the California Office of Planning and Research's State Clearinghouse (CEQAnet), interested agencies, individuals, and on the MROSD website, notifying all parties of the availability and 30-day public review period of the MND from August 9, 2021 to September 7, 2021. Copies of the full MND were available on the MROSD website, at the MROSD main Administrative Office (330 Distel Circle, Los Altos, CA 94022), at the Foothills Field Office (222500 Cristo Rey Drive, Cupertino, CA 95014), and at the Skyline Field Office (21150 Skyline Ranch Road, La Honda, CA 94020), and printed copies were available upon request; and

WHEREAS, The MND identified potentially significant adverse impacts on the environment, including specific impacts to Biological Resources, Geology, Soils and Seismicity, Hazards and Hazardous Materials, Noise, Public Services, Transportation, and Wildfire and found that the mitigation for the proposed Project would avoid or mitigate these impacts to below a level of significance by adoption and implementation of the Mitigation Monitoring Program (MMP); and

WHEREAS, a Mitigation Monitoring Program (Exhibit A) was prepared to ensure compliance with the MND's mitigation measures and attached to the MROSD Board Report, dated September 22, 2021, and incorporated into this Resolution as if fully set forth herein; and

WHEREAS On September 22, 2021, the Board of Directors of MROSD conducted a duly noticed public meeting whereby all oral and written comments received during the public review period and a staff recommendation for approval of the MND were presented to the Board of Directors of MROSD. The Board of Directors of MROSD reviewed and considered the information in the MND, administrative record, and Staff Reports for completeness and compliance with CEQA and CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED THAT, BASED UPON THE INITIAL STUDY, MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING PROGRAM, ALL COMMENTS RECEIVED AND ALL SUBSTANTIAL EVIDENCE IN LIGHT OF THE WHOLE RECORD PRESENTED, THE MROSD BOARD OF DIRECTORS FINDS THAT:

1. The MND and NOI were prepared and publicly noticed in accordance with all legal requirements pursuant to the California Environmental Quality Act (CEQA, Public Resources Cod sections 21000 et seq.) and the CEQA Guidelines (14 Cal. Code. Regulations sections 15000 et seq.)

2. All interested parties desiring to comment on the MND were given the opportunity to submit oral and written comments on the adequacy of the MND prior to this action by the MROSD Board of Directors and all comments raised during the public comments period and at the public meeting on the MND were responded to adequately.

3. Prior to approving the Project, the MROSD Board has considered the MND, along with all comments received during the public review process.

4. The MND identified all potentially significant impacts to the environment and finds potentially significant impacts will be mitigated to less than significant or avoided by adoption of the mitigation measures as described in the MND as part of the Project and through implementation of the MMP.

5. The MROSD Board finds that, on the basis of the whole record before it, including the MND and all comments received, there is no substantial evidence that the Project will have a significant effect on the environment in that, although the Project could have a significant effect on the environment, there will not be significant effect since Mitigation Measures have been made a part of the Project to avoid such effects.

6. The MROSD Board determines that the MND reflects MROSD's independent judgement and analysis and adopts the MND.

7. The MROSD Board adopts the MMP and finds that these mitigation measures are fully enforceable conditions on the Project and shall be implemented as part of the Project.

8. The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based are located at the offices of the General Manager of the Midpeninsula Regional Open Space District, 330 Distel Circle, Los Altos, California 94022.

* * * * * * * * * * * * * * * * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on September 22, 2021, at a Regular Meeting thereof, by the following vote:

AYES: **CYR, HASSETT, HOLMAN, KERSTEEN-TUCKER, KISHIMOTO, RIFFLE, SIEMENS**
NOES: **NONE**
ABSTAIN: **NONE**
ABSENT: **NONE**

ATTEST:

Larry Hassett, Secretary
Board of Directors

APPROVED:

Curt Riffle, President
Board of Directors

APPROVED AS TO FORM:

Hilary Stevenson, General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

Jennifer Woodworth, District Clerk

EXHIBIT A

MITIGATION MONITORING PROGRAM

Open Space Maintenance and Restoration Program

State Clearinghouse Number: 2021080129

San Mateo County, CA
Santa Clara County, CA
Santa Cruz County, CA

September 2021

Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022-1404

OPEN SPACE MAINTENANCE AND RESTORATION PROGRAM MITIGATION MONITORING PROGRAM

This mitigation monitoring program (MMP) includes a brief discussion of the legal basis and purpose of the program, a key to understanding the monitoring matrix, discussion and direction regarding noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITGATION MONITORING PROGRAM

Public Resources Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying and environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigations incorporated into the Open Space Maintenance and Restoration Program (the project). These mitigations are reproduced from the Mitigated Negative Declaration for the project. The columns within the tables have the following meanings:

Number:	The number in this column refers to the Initial Study section where the mitigation is discussed.
Mitigation:	This column lists the specific mitigation identified within the Mitigated Negative Declaration.
Timing:	This column identifies at what point in time, review process, or phase the mitigation will be completed. The mitigations are organized by order in which they appear in the Mitigated Negative Declaration.
Who will verify?	This column references the District staff that will ensure implementation of the mitigation.
Agency / Department Consultation:	This column references any public agency or District Department with which coordination is required to ensure implementation of the mitigation. California Department of Fish and Wildlife is listed as CDFW. The United States Fish and Wildlife Service is listed as USFWS.
Verification:	This column will be initialed and dated by the individual designated to confirm implementation.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measure associated with the project. The complaint shall be directed to the District's General Manager in written form, providing specific information on the asserted violation. The General Manager shall cause an investigation and determine the validity of the complaint; if noncompliance with the mitigation has occurred, the General Manager shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance.

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
Mitigation in Section 3.4.	**Mitigation Measure BIO-1: Avoid Monarch Butterfly Wintering Habitat**: Prior to any Program activities in tree groves comprised primarily or entirely of pine, cypress, fir, or eucalyptus that are within 2 miles of the Pacific Coast, a qualified biologist or biological monitor working under a qualified biologist will survey the grove for aggregations of monarch butterflies during the overwintering season according to the Xerces Society's Western Monarch Count Protocol (Xerces Society 2019), available at https://www.westernmonarchcount.org: Two surveys will be conducted during the overwintering season, one during the Western Monarch Thanksgiving Count period (the three-week period centered on the Thanksgiving holiday), and a second during the New Year's Count period (the two-week period beginning the weekend prior to New Year's Day). • Each survey will be conducted by two surveyors to provide multiple independent estimates of monarch numbers. • Surveys will be conducted in the morning while temperatures are below 55° F (13° C) and monarchs are more likely to be clustered. • Surveys will not be conducted during rain or strong winds due to poor visibility and the chance that individual monarchs shall be scattered on the ground. • If no monarch overwintering aggregations are observed, Program activities may proceed pursuant as long as they occur prior to November 1. If Program activities are delayed beyond November 1, then the grove will be re-surveyed. • If a monarch overwintering aggregation of any size is detected, then no Program activities may take place inside the tree canopy within 200 feet of the aggregation, when present. Activities outside of the canopy line but within 200 feet may proceed (i.e., treatment of low-growing vegetation outside of the tree grove) if a qualified biologist or monitor determines	Prior to construction	District Natural Resource Specialist or their designee	USFWS	

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	that the activity does not pose a threat to the monarch aggregation. • Once the aggregation disperses (typically by March), treatment of vegetation within 200 feet of tree(s) where monarch aggregations were observed may proceed if, as determined by a qualified biologist or monitor, it will not result in significant alteration to wind and sunlight patterns within the grove. • If monarch overwintering aggregations are detected in eucalyptus removal areas, then a long-term tree planting strategy is necessary (see Protecting California's Butterfly Groves [Xerces Society 2017]). A long-term tree planting strategy will also be used for those stands which have historically been used as monarch overwintering habitat (https://www.westernmonarchcount.org/find-an-overwintering-site-near-you/). • Native tree species suitable for monarchs must be planted many years prior to eucalyptus removal with the understanding that they may not reach functional heights to provide wind protection and suitable dappled lighting for 15-30 years. Transplanting saplings from a local source may speed this process. Planting of eucalyptus will be prohibited. Removal of eucalyptus may proceed once native replacement trees have reached sufficient size to provide wind protection within the grove. • Standing dead trees generally do not contribute to monarch overwintering habitat (Xerces Society 2017) and may be removed within the grove between April 1 and August 31, outside of the overwintering period, as determined appropriate by a qualified biologist or monitor. Sites where invasive dead trees have been removed may create opportunities for native tree planting within the interior of the grove. • If a eucalyptus grove where a monarch overwintering aggregation was previously detected is re-surveyed using the				

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	Western Monarch Count Protocol (Xerces Society 2019) and found to be unoccupied for 5 consecutive years, then the grove may be removed before native replacement trees have reached full size.				
Mitigation in Section 3.4.	**Mitigation Measure BIO-2: Avoid Monarch Butterfly Host Plants:** • For all Program activities that only have incidental vegetation removal, Midpen will conduct a pre-construction worker training to identify milkweeds (Asclepias sp.), the host plant for monarch butterflies, and survey for eggs/larvae. Following the training, workers will survey the site for milkweed. • For Program activities that have more than incidental vegetation removal, a qualified biologist or biological monitor working under a qualified biologist will conduct pre-construction surveys for milkweed. • Host plants containing eggs, larvae, or pupae of monarch butterflies will be avoided, and will be protected with an appropriately-sized buffer as determined by a qualified biologist, taking into account the characteristics of the plant species and the nature of the proposed treatment. • Vegetation treatment may proceed if a qualified biologist determines that the host plants (1) are not occupied by monarchs, and (2) may benefit from treatment (such as if the host plants have already set seed and post-treatment conditions will favor them over non-native weed species).	Prior to construction	District Natural Resource Specialist or their designee	USFWS	
Mitigation in Section 3.7.	**Mitigation Measure GEO-1: Erosion Control and Slope Stability Measures:**: This mitigation measure applies to any Program activity areas determined to be at risk for erosion and slope instability, including if the activity exposes soils and leaves groundcover or native mulch/organic matter to be less than 70 percent following work; if work is proposed to occur on steep slopes (defined as over 35 percent slope); if evidence of	Prior to during construction	District Natural Resource Specialist or their designee	N/A	

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	unconsolidated soils or landslides is found on site; or if the scale of the proposed activity would disturb a large area. Prior to conducting work that could result in erosion or slope instability, qualified personnel will conduct a review of site conditions which may include, but is not limited to, a desktop review of slope, LiDAR, historic evidence of landslides (e.g., Wentworth et al. 1997), local hazard mapping and safety plans, proximity of the site to infrastructure, and modeling of landslide susceptibility GIS data (e.g., Wills et al. 2011). Qualified personnel are personnel who have knowledge and experience in the application of erosion and slope stabilization control measures through training or field experience with control measure installation. The qualified personnel may also conduct a site visit to look for existing signs of erosion or slope instability (e.g., rills or slumped soil). Depending on the slope and the downslope resources (e.g., roads that could be impacted if a slope failed or waterbodies or habitat that could be impacted from erosion.), erosion and slope stabilization measures (listed below) will be implemented. These measures will depend on the site's specific characteristics and the type and extent of work to be performed and will be determined by qualified personnel. The qualified personnel will memorialize in writing their field observations and corresponding recommendations regarding installation of control measures. Control measures may be adjusted as needed depending on the site's specific characteristics. For activities that involve substantial grading on active slide areas, unstable areas, or unstable soils (as defined in the California Forest Practice Rules), a licensed geologist or Registered Professional Forester (RPF) will conduct the site inspection. This includes activities occurring in previously undisturbed soils (e.g., would not apply for grading within an existing, engineered road or trail); or activities occurring above (within 0.5 mile) or below (within 0.25 mile) infrastructure, including residences or other potentially occupied structures. Activities involving substantial vegetation				

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	removal will be conducted consistent with the IPM and Wildland Fire Resiliency Program measures. A licensed geologist or RPF will also conduct site inspections where any road is proposed to be extended or re-routed by 600 feet or more, regardless of the proximity to active slide areas, unstable areas, or unstable soils. The licensed geologist or RPF will identify specific control measures to be implemented, which may include, but are not limited to, the control measures identified below. If the desktop review and/or site visit determine that a public safety hazard could occur from Program activities being conducted in unstable areas adjacent to existing infrastructure, sensitive habitat, or habitable structures, a licensed geologist/ engineer will perform a site assessment. Recommendations provided in the site assessment will be implemented as needed to ensure that slope instability and public safety hazards do not occur. Recommendations could include measures such as stabilizing slopes with mats or natural materials after tree removal and replanting denude areas to stabilize soils. In areas that were previously analyzed by an RPF or licensed geologist, Midpen will review the prior recommendations for consistency with the proposed activity and determine if a new review is warranted. *General Control Measures* In addition to Program BMPs GEN-2 and GEN-19, the following general control measure will be implemented during work as determined appropriate by the qualified personnel: • Shut down use of heavy equipment, skidding, and truck traffic when soils become saturated and unable to support the machines. *Reduced Groundcover Control Measures*				

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	• In addition to Program BMPs EC-1 through EC-5, the following reduced groundcover control measures will be implemented during work as determined appropriate by the qualified personnel if the activity would leave less than 70 percent of groundcover or native mulch/organic material on site: • Sow native grasses and other herbs on denuded areas where natural colonization or other replanting will not occur rapidly; use slash or chips to prevent erosion on such areas. • Use surface mounds, depressions, logs, rocks, trees and stumps, slash and brush, the litter layer, and native herbaceous vegetation downslope of denuded areas to reduce sedimentation and erosion as necessary to prevent erosion or slope destabilization. • Install approved, biodegradable erosion-control measures and non-filament-based geotextiles (e.g., coir, jute) when: • Conducting substantial ground-disturbing work (e.g., use of heavy equipment, pulling large vegetation, etc.) within 100 feet and upslope of currently flowing or wet wetlands, streams, lakes, and riparian areas; • Causing soil disturbance on moderate to steep (i.e., 10 percent slope and greater) slopes; and • Following the removal of invasive plants from stream banks to prevent sediment movement into watercourses and to protect bank stability. • Install certified weed-free sediment control devices as appropriate. Sediment control devices will be inspected daily during active construction by workers to ensure that the devices are in good working condition to prevent sediment transport into the waterbodies and will be repaired as needed. *Steep Slopes Control Measures*				

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	The following measures will be implemented during work conducted on steep slopes (i.e., greater than 35 percent) as determined appropriate by qualified personnel: • Avoid use of heavy equipment on slopes greater than 35 percent unless specialized equipment is used that does not impact slope stability as determined by the qualified personnel. • Prescribed burns and pile burns will be performed outside of perennial and intermittent streams and of riparian forest/ woodland. A 50-foot buffer around perennial and intermittent streams will be maintained when the burn is proposed upslope of the stream on slopes greater than 35 percent. • Avoid installation of cleared areas, including spur roads or staging areas, on steep slopes, particularly over 50 percent slope, where feasible. Where not feasible, a licensed geologist/engineer or RPF will be consulted, as required above. The licensed geologist/engineer or RPF will identify and require implementation of appropriate design and control measures, including but not limited to, those identified in Low-Volume Roads Engineering (Keller & Sherar, 2003); Handbook for Forest, Ranch, and Rural Roads (Weaver, 2015); or the latest California Forest Practice Rules. Other suitable engineering guidance includes: • Locating roads on well-drained soils and slopes where drainage moves away from the road; • Providing adequate surface drainage; • Avoiding wet and unstable areas (seeps, springs, etc.); • Using the natural topography to control or dictate the ideal location of road or cleared area (e.g., staging area); use saddles, follow ridges, use bench areas, etc.				

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
Mitigation in Section 3.9	**Mitigation Measure HAZ-1: Proper Handling and Disposal of Contaminated Soil, Sediment, and Groundwater:** Prior to initiating ground-disturbing activities, Midpen or its contractors will inspect the soil, sediment, or groundwater for the presence of possible contamination. If indicators of contamination (e.g., foul odor, staining or sheen, etc.) are found, soil and groundwater sampling will be conducted by an appropriate licensed professional and testing of samples will be completed by a California Certified laboratory. In the event that soils to be excavated are found to be contaminated, the excavated soil will be treated as hazardous materials and disposed of at an approved hazardous waste disposal facility in compliance with state and federal regulations and Midpen operational procedures. Effective dust suppression procedures will be used in construction areas to reduce airborne emissions of these contaminants and reduce the risk of exposure to workers and the public. Regulatory agencies for the State of California (Department of Toxic Substances Control [DTSC] or RWQCB) and the appropriate county will be contacted by Midpen or its contractor to plan handling, treatment, and/or disposal options. In removing potentially contaminated soil, sediment, or groundwater, workers will wear protective clothing and equipment to limit their exposure.	Prior to and during construction	District Natural Resource Specialist or their designee	DTSC; Regional Water Quality Control Board (RWQCB); appropriate County	
Mitigation in Section 3.9	**Mitigation Measure HAZ-2: Review of Proximity to Existing Known Hazardous Materials Clean-up Sites and Implementation of Safety Precautions:** Midpen and/or its contractors will evaluate the proximity of proposed Program sites that involve ground-disturbing activities to existing known hazardous material clean-up sites. This review will include examination of the planned Program activity footprint in relation to records of hazardous materials sites in the SWRCB's GeoTracker database and the DTSC's EnviroStor database. If the Program activity is located on or within 100 feet of a documented hazardous material contamination site, for which clean-up activities have not been completed or been successful,	Prior to and during construction	District Natural Resource Specialist or their designee	N/A	

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	Midpen and/or its contractors will commission a Phase I Environmental Site Assessment to more fully characterize the past land uses and potential for soil and/or groundwater contamination to occur at or in close proximity to the site. If the Phase I Environmental Site Assessment demonstrates a reasonable likelihood that contamination remains within the Program activity's area of disturbance, Midpen and/or its contractors will commission a Phase II Environmental Site Assessment, including soils testing, to characterize the extent of the contamination and develop ways to avoid the contaminated areas during Program activities. Midpen will follow all recommendations of the Phase II Environmental Site Assessment and will avoid areas of contamination, to the extent feasible. In the event that it is not feasible to avoid all areas of contamination, Midpen and its contractors will follow all applicable laws regarding management of hazardous materials and wastes. This includes proper disposal of any contaminated soil in a hazardous waste landfill, and ensuring that workers are provided with adequate personal protective equipment to prevent unsafe exposure.				
Mitigation in Section 3.13.	**Mitigation Measure NOI-1: Noise Control:** For all Program activities, Midpen will implement the following noise control practices to minimize disturbances to residential areas surrounding work sites: • The operation of heavy construction equipment will be limited to occur between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday and comply with applicable local noise requirements. • Program activities in residential areas will not occur on Saturdays, Sundays, or any holidays except during emergencies, or with advance notification of surrounding residents. Powered equipment (vehicles, heavy equipment, and hand equipment such as chainsaws) will be equipped with adequate mufflers maintained in good condition. Best available	During project construction	District Project Manager or their designee	N/A	

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	noise control techniques (e.g., mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) will be used for all equipment and trucks, as necessary. • Staging areas will be located as far as possible from noise sensitive receptors during maintenance work. • At work sites where heavy equipment will be used within 40 feet of sensitive receptors for longer than 5 days within the Program area, residents/sensitive receptors will be notified at least one week prior to performing maintenance work. At Program sites where heavy equipment will be used within 75 feet and 130 feet in Los Gatos and Cupertino, residents/sensitive receptors will be notified at least one week prior to performing maintenance work. The notification will include the anticipated schedule and contact number for a Midpen representative who can address noise complaints.				
Mitigation in Section 3.17	**Mitigation Measure TRANS-1: Emergency Responders and Access:** The following measures shall be implemented to ensure emergency access is maintained: • At least one week prior to temporary lane or full closure of a public road, Midpen shall contact the appropriate emergency response agency/agencies with jurisdiction (e.g., CalTrans, County, City) to ensure that each agency is notified of the closure and any temporary detours in advance. Midpen shall also notify adjacent neighbors along the road in advance of temporary closure. • In the event of an emergency, roads (public roads, and Midpen-owned or managed roads) or access trails blocked or obstructed by activities shall be cleared to allow emergency vehicles to pass. • During temporary lane or road closures on public roads, Midpen shall use flaggers equipped with two-way radios.	Prior to and during construction	District Project Manager or their designee	Caltrans; appropriate County or City	

Number	*Mitigation*	*Timing*	*Who will verify?*	*Department or Agency Consultation*	*Verification (Date & Initials)*
	During an emergency, flaggers shall radio to the crew to cease operations and reopen the public road to emergency vehicles. • In work areas, all vehicles and equipment shall be parked so the road is not blocked or obstructed when there is no operator present to move the vehicle.				

COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT

ATTACHMENT K

Print Form

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Rm 113, Sacramento, CA 95814

☒ County Clerk
County of: San Mateo, Santa Clara, Santa Cruz
Address: Various

From:
Public Agency: Midpeninsula Regional Open Space District
Address: 330 Distel Cir., Los Altos, CA, 94022
Contact: Aaron Hebert
Phone: 650-625-6561

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2021080129

Project Title: Midpen Open Space Maintenance and Restoration Program (Program)

Project Applicant: Midpeninsula Regional Open Space District (Midpen)

Project Location (include county): San Mateo, Santa Clara, and Santa Cruz counties

Project Description:

Midpen has developed the Program Manual to describe the various projects conducted by Midpen. Program activities include 3 general categories: (1) routine maintenance activities (e.g., culvert repair, vegetation/sediment removal, road/trail maintenance, etc.); (2) small-scale facility improvements (e.g., bridge relocations, trail re-routes etc.); and (3) restoration and enhancement activities (e.g., removal of in-stream infrastructure, native vegetation plantings, pond and stream restoration, etc.).

This is to advise that the Midpen Board of Directors (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on 09/22/2021 (date) and has made the following determinations regarding the above described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
330 Distel Circle, Los Altos, CA, 94022 and online at: https://www.openspace.org/about-us/notices

Signature (Public Agency): Brian Malone (Sep 23, 2021 08:12 PDT) Title: Assistant General Manager

Date: 9/22/2021 Date Received for filing at OPR: 9/23/2021

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011