

County of Santa Clara
Office of the County Clerk-Recorder
Business Division



County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688

File Number: ENV22153

ENVIRONMENTAL FILING

No. of Pages: 6

Total Fees: \$0.00

File Date: 04/30/2019

Expires: 05/30/2019

REGINA ALCOMENDRAS, Clerk-Recorder

By: Sandy Chanthasy, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: County of Santa Clara Department of Parks & Recreation
2. PROJECT TITLE: Coyote Canyon Natural Resources Management Plan & Interim Access Plan
3. APPLICANT NAME: County of Santa Clara Department of Parks & Recreation PHONE: 408-355-2000
4. APPLICANT ADDRESS: 298 Garden Hill Drive Los Gatos, CA 95032
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|--|-------------|----------------|
| <input type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) | \$ 3,271.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,354.75 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS | \$ 1,112.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE)
Fish & Game Code §711.4(e) | \$ 50.00 | \$ <u>0.00</u> |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- | | | |
|--|----------|----------------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED. (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | | |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input checked="" type="checkbox"/> NEGATIVE DECLARATION | \$ 50.00 | \$ <u>0.00</u> |

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

- | | | | |
|--|--|--------|------------------|
| <input type="checkbox"/> NOTICE OF PREPARATION | <input checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|--|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 0.00

*NOTE: *SAME PROJECT* MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND TWO (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID. Fish & Game Code §711.4(c)(3)

Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project when implemented will not have a significant impact on the environment.

Project Title	File
Coyote Canyon Natural Resources Management Plan & Interim Access Plan	None
Project Location	APN (s)
Coyote Canyon parkland property located between Anderson Lake County Park and Coyote Lake–Harvey Bear Ranch County Park	865-06-010, -014, -051; 865-07-013, -014, -015; 817-23-006, -009, -012; 817-24-003
Owner	Applicant
County of Santa Clara	County of Santa Clara Department of Parks and Recreation

Project Description

The Proposed Project includes the implementation of the Coyote Canyon NRM Plan & IA Plan. The purpose of the Proposed Project is to manage and protect natural resources and to provide public access into a new trail network within the Property. Under the NRM Plan, the Department would manage the 2,741-acre Property in accordance with applicable guidelines and policies including, but not limited to, the *Santa Clara County General Plan*, *Santa Clara County Parks 2018 Strategic Plan*, and the *Santa Clara Valley Habitat Plan*. During evaluation of the Property for the NRM Plan, it was determined that the Property provides highly suitable habitat for sensitive plant and wildlife species and no major changes to the existing management regime were recommended. The Department would continue to implement strategies, including managed grazing, reconnaissance surveys, and invasive plant control, to maintain and enhance conditions for natural resources on the Property. Natural resources management goals, objectives and recommendations are provided in Section Four of the IA Plan and within the NRM Plan in Appendix C.

The IA Plan proposes the conversion of existing ranch roads to recreational trails, construction of new trails, and the long-term maintenance of the trails, totaling 10.4 miles of trail within the Project area. The IA Plan also identifies existing double-track ranch roads to serve as service roads to be used by Department staff and emergency vehicles only. These service roads would be closed to the public.

The Department would complete the Proposed Project in accordance with the *Santa Clara County General Plan*, the *Santa Clara County Countywide Trails Master Plan*, the *Santa Clara County Uniform Interjurisdictional Trail Design Use and Management Guidelines*, and the *Santa Clara County Parks Trail Maintenance Manual and Best Management Practices*. Trail improvements would include drainage improvements, installation of signage and benches, and trail resurfacing. Existing ranch roads that are in poor condition or are unsuitable for conversion to trails would be regraded and reseeded with a native plant mix appropriate to the area.

Purpose of Notice

The purpose of this notice is to inform you that the County of Santa Clara, Parks & Recreation Department Staff have recommended that a Mitigated Negative Declaration be adopted for this Project. Action is tentatively scheduled on this proposed Mitigated Negative Declaration before the **County of Santa Clara Board of Supervisors** on **Tuesday, August 13, 2019** in the Board Chambers, 70 W. Hedding, San Jose, CA 95112.

It should be noted that the adoption of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately. Meeting information will be posted on the County of Santa Clara's website at www.sccgov.org under Board Agendas or contact the Office of the Clerk of the Board at (408) 299-5001.

Review Period

The public review period for this document **begins Tuesday, April 30, 2019** and **ends Thursday, May 30, 2019**. Public comments regarding the correctness, completeness, or adequacy of this Mitigated Negative Declaration are invited. Such comments should **be based on specific environmental concerns**. Written comments must be received on or before the close of the public review period and should be addressed to the **County of Santa Clara, Department of Parks and Recreation, Planning and Development Section, 298 Garden Hill Drive, Los Gatos, CA 95032, Tel (408) 355-2228, attention Cherise Orange, Associate Planner**.

Oral comments may be made at the County of Santa Clara Housing, Land Use, Environment and Transportation Committee Meeting, tentatively scheduled for Thursday, June 20, 2019 at 70 W. Hedding Street San Jose, CA 95112. Oral comments may also be made at the County of Santa Clara Board of Supervisors Meeting, which is tentatively scheduled for **Tuesday, August 13, 2019** in the Board Chambers.

The full text of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Report Plan are available for review at the following locations. When requesting to view this file, please refer to the Project title appearing at the top of this form.

- County of Santa Clara Department of Parks and Recreation
298 Garden Hill Drive Los Gatos, CA 95032
- Coyote Lake – Harvey Bear Ranch County Park
10840 Reservoir Road Gilroy, CA 95020
- Anderson Lake County Park
19245 Malaguerra Avenue Morgan Hill, CA 95037

The IS/MND is available in electronic format at the County of Santa Clara Department of Parks and Recreation website: <http://www.parkhere.org/coyotecanyonceqa>.

Responsible Agencies sent copy of this document

San Francisco Bay Regional Water Quality Control Board

California Department of Fish and Wildlife

Santa Clara Valley Habitat Agency

Basis for Mitigated Negative Declaration Recommendation

The Planning and Development Section of the Department of Parks and Recreation has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that although the proposed project could initially have a significant effect on the environment, there will not be a significant effect on the environment because of mitigation measures that have been incorporated into the project.

This finding is based on the follow considerations (See Note below):

Based on the environmental evaluation presented in the Initial Study, the Project will not cause significant adverse effects related to aesthetics, air quality, agriculture and forestry resources, energy, geology/soils, 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, or utilities. In addition, the Project does not have any significant, unavoidable adverse impacts. The Project has incorporated implementation measures to avoid, reduce, or minimize the Project's effects on biological and cultural/historical/archaeological resources.

To implement the IA Plan, the Department would construct trails through natural lands in a portion of the Property. This activity is a covered activity under the Santa Clara Valley Habitat Plan (SCVHP) and will be consistent with conditions and requirements of the SCVHP. Implementation of specified mitigation measures related to biological resources will avoid or reduce the effects of the Project on the environment and thereby avoid any significant impacts.

Mitigation measures are required for the following environmental impact areas: biological resources and cultural/historical/archaeological resources. Implementation of specified mitigation measures will avoid or reduce the effects of the Project on the environment and ensure that all impacts remain less-than-significant impacts. See the Initial Study/Mitigated Negative Declaration for a discussion of the potential impacts and those measures necessary to mitigate or avoid significant environmental impacts as a result of the implementation of the Project. These impacts and mitigation measures are identified in the Mitigation Monitoring and Reporting Plan (MMRP) and below.

MM BIO – 1

To avoid impacts to special-status plants, focused botanical surveys shall be completed for smooth lessingia and Loma Prieta hoita where new trails would be constructed. Surveys shall be completed prior to construction by a qualified biologist or qualified staff from the Department's Natural Resource Program. The surveys will be consistent with applicable requirements of the SCVHP and will include surveys during the appropriate blooming periods for each target species. Optimal survey times vary from year to year depending on temperature, rainfall, etc., and will be confirmed by the monitoring of known reference populations for the target species.

MM BIO – 2

Buffers around active nests of any protected birds will be clearly delineated or fenced by the qualified biologist or qualified staff from the Department's Natural Resource Program until the juvenile bird(s) have fledged (left the nest), unless a determination is made that proposed activities would not impact nesting success or fledgling/juvenile rearing. Limited monitoring of active nests located within the buffer distances above is recommended in order to monitor nesting activities and to prevent nest failure or abandonment.

If an active nest is detected during the survey, then an appropriate protective buffer zone will be established around each active nest by a qualified biologist or qualified Department Natural Resource Program staff. No construction activities shall occur within a viewshed buffer zone within 0.5 mile of any eagle nest during the nesting season (January 15 through August 1), or as determined by a qualified biologist or qualified Department Natural Resource Program staff. The viewshed buffer, defined as all work areas that are within 0.5 mile of the nest and that can be seen by an eagle on the nest, shall be mapped prior to construction. No construction activities shall occur within 0.25 mile of the nest during the breeding season, regardless of whether those activities can be seen from the nest.

MM CUL – 1

In the event that prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100-foot radius of the find shall halt and the Park Ranger immediately notified. The Ranger will secure the site and notify Parks project manager. The Department will consult with a qualified archaeologist to evaluate the find and to determine its significance and the Department will notify the Native American representative of the find. Prehistoric material might include obsidian and chert flaked-stone tools (e.g., Projectile points, knives, scrapers) or tool-making debris; cultural darkened soil ("midden") containing heat-affected rocks and artifacts; stone-milling equipment (e.g., mortars, pestles, handstones, milling slabs); and battered-stone tools such as hammerstones and pitted stones. If, in consultation with a qualified archaeologist and Native American representative, the find is determined to be potentially significant, the Department will comply with all Federal, State, and local laws, and Department policies, to develop a treatment plan and take any additional necessary measures.

MM CUL – 2 If human remains are encountered at the Project site during construction, there shall be no further excavation or disturbance of the site within a 200-foot radius of the location of such discovery, and any nearby area reasonably suspected to overlie adjacent remains.

The Park Ranger and Office of the Santa Clara County Medical Examiner (Coroner) shall be notified immediately and the site shall be secured. The Coroner shall determine whether the remains are Native American or that no investigation of the cause of death is required and procedures outlined in the County Ordinance Relating to Indian Burial Grounds (County of Santa Clara, 1987) and State Public Resources Code (Section 5097.98) can be implemented.

If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) within 24 hours (pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code). The Native American Heritage Commission shall immediately notify those persons it believes to be the most likely descendant (MLD). The MLD may, with permission of the land owner or his or her authorized representative, inspect the site and make recommendations to the landowner (County Parks) regarding means for treatment or disposition. The MLD shall complete inspection and make recommendations within 48 hours of being granted access to the site.

The Department will comply with provisions of Public Resources Code 5097.98 and all other applicable laws

MM CUL - 3 Prior to construction of new trails, a search and review of the archival records of the State historical resources records (Northwest Information Center) will be conducted to determine if there are any recorded or potential archaeological, cultural, or historical resources located within or adjacent to the Project site including along the proposed trail alignment. Should potential archaeological, cultural or historical resources be identified within the Project site or along the trail alignment, the Department will consult with a qualified archaeologist and may conduct a reconnaissance level/pedestrian survey.

Note: A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Mitigated Negative Declaration is adopted, or the project is approved, in accordance with the requirements of Section 21081.6 of the Public Resources Codes.

Prepared by:

Cherise Orange, Associate Planner
Santa Clara County Parks


Signature

4/29/2019
Date

Approved by:

Annie Thomson, Interim Deputy
Director of Administration
Santa Clara County Parks


Signature

4/29/19
Date