

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: ENV22339

ENVIRONMENTAL FILING

No. of Pages: 6

Total Fees: \$0.00

File Date: 08/13/2019

Expires: 09/12/2019

REGINA ALCOMENDRAS, Clerk-Recorder

By: Nina Khamphilath, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: County of Santa Clara Department of Parks and Recreation
2. PROJECT TITLE: Coyote Canyon Natural Resources Management Plan & Interim Access Plan
3. APPLICANT NAME: County of Santa Clara Department of Parks and 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. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)	\$ 3,271.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))	\$ 2,354.75	\$ <u>0.00</u>
<input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u>	\$ 1,112.00	\$ <u>0.00</u>
<input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (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 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>
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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)

(Fees Effective 01-01-2019)

Notice of Intent to Adopt a Recirculated Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code §§ 21000, 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	
<p>The Proposed Project is the implementation of a Natural Resources Management (NRM) Plan and an Interim Access (IA) Plan to incorporate the Coyote Canyon Property (Property) into the Coyote Lake–Harvey Bear Ranch County Park (Park) and to establish use of the Property as a public regional park.</p> <p>Under the NRM Plan, the County of Santa Clara Parks and Recreation Department (“Department”) would manage the 2,741-acre Property in accordance with Department guidelines and policies including, but not limited to, the <i>Santa Clara County General Plan</i>, <i>Santa Clara County Parks 2018 Strategic Plan</i>, and the <i>Santa Clara Valley Habitat Plan</i>. 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 implement strategies that include surveys and monitoring, invasive plant control, wildfire fuel management, and rangeland management to protect and enhance the natural resources of 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.</p> <p>The IA Plan proposes the conversion of existing ranch roads to recreational trails, construction of new trails, and the long-term maintenance of a 10.4-mile trail network within the Project area. The IA Plan also identifies existing ranch roads that will serve as service roads to be used for Department operations and emergency vehicles. These service roads would be closed to the public. Trail improvements identified in the Plan include drainage improvements, installation of signs and benches, and trail resurfacing. Existing ranch roads that are in poor condition or are unsuitable for conversion to trails may be decommissioned.</p>	

Public access to the Property would be consistent 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*.

Purpose of Notice

The County of Santa Clara, Parks and Recreation Department (“Department”) is recirculating the Initial Study/Mitigated Negative Declaration (IS/MND) for the Coyote Canyon Natural Resources Management Plan & Interim Access Plan (“Proposed Project”). The IS/MND for the Proposed Project was previously circulated for a 30-day public review period beginning April 30, 2019 and ending May 30, 2019 and was submitted to the California State Clearinghouse (SCH# 2019059009).

During the public review period, the San Francisco Regional Water Quality Board submitted a comment that identified additional potential permitting requirements for portions of trails that may occur in waters of the United States which fall within the jurisdiction of the U.S. Army Corps of Engineers (USACE). Although the Department is not obligated to do so, it opted to recirculate a Draft Revised IS/MND for the Proposed Project for a 30-day public review period beginning on August 13, 2019 and ending September 13, 2019 to ensure that USACE has a full opportunity to comment on aspects of the Proposed Project that may implicate waters within USACE’s jurisdiction.

Any person, agency, or entity may comment on the Draft Revised IS/MND in its entirety during this additional 30-day public review period. The County will respond to both comments received previously on the Draft IS/MND and any comments received on the Draft Revised IS/MND that is being recirculated.

The Department has also made several text edits to the IS/MND that are intended to clarify, amplify, or make minor modifications to these documents. The text edits in the First Amendment do not change any conclusions in the IS/MND or result in any new impacts.

Based on changes to the Draft Revised IS/MND, the Department has also made minor text edits to the Coyote Canyon Natural Resources Management Plan & Interim Access Plan for consistency with the Draft Revised IS/MND and to the Draft Revised Mitigation Monitoring and Reporting Program (MMRP). The Revised Coyote Canyon Natural Resources Management Plan & Interim Access Plan and the revised MMRP are being circulated along with this Draft Revised IS/MND.

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, August 13, 2019** and **ends Friday, September 13, 2019**. Public comments regarding the correctness, completeness, or adequacy of this Draft Revised 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**.

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

The Draft Coyote Canyon Natural Resources Management Plan & Interim Access Plan is available in electronic format at the County of Santa Clara Department of Parks and Recreation website: <http://www.parkhere.org/coyotecanyon>.

Agencies sent copy of this document

U.S. Army Corps of Engineers

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.

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 further detail in the Mitigation Monitoring and Reporting Plan (MMRP) and are summarized below.

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|-------------------|---|
| 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. The Proposed Project is a covered activity under the Santa Clara Valley Habitat Plan (SCVHP), and surveys will be consistent with applicable requirements of the SCVHP. |
| MM BIO – 2 | To avoid impacts to active nests of any protected birds, buffers will be clearly delineated or fenced by a qualified biologist or qualified staff from the Department's Natural Resources Program. |
| 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 Department will consult with a qualified archaeologist to evaluate the find and to determine its significance. The Department will comply with all Federal, State, local laws, and Department policies related to the protection of cultural resources. |
| 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 Department will comply with provisions of Public Resources Code 5097.98 and all other applicable laws. |

MM HYD – 1

The Proposed Project will comply with all conditions of applicable permits, as well as any additional avoidance and minimization requirements of the Santa Clara Valley Habitat Plan (SCVHP). Stream crossings will be consistent with implementation measures from Condition 4, Stream Avoidance and Minimization for In-Stream Projects, Condition 9, Prepare and Implement a Recreation Plan, and Table 6-2 of the SCVHP.

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

8/13/2019
Date

Approved by:

Annie Thomson, Deputy Director of
Planning, Development and Land
Stewardship
Santa Clara County Parks


Signature

8/13/19
Date