

County of Santa Clara

Department of Planning and Development

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San Jose, California 95110



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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 will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
PLN18-11451		142-15-008	1/12/2021
Project Name		Project Type	
New Single Family Residence at 3343 Alpine Road		Building Site Approval & Grading Approval	
Person or Agency Carrying Out Project		Address	Phone Number
County of Santa Clara		3343 Alpine Road	(408) 299 5770
Name of Applicant		Address	Phone Number
McKenzie Brooks		P.O. Box 620705 Woodside, CA 94062-0705	650-847-8612
Project Location			
<p>The proposed building site is located within the County of Santa Clara, and surrounding land uses include single family residences (across Alpine Road) and a park immediately adjacent to the west. Open space with a trail is located to the south, a swim and racket club to the north, and Stanford University to the east. The subject property is 4.2 acres, with a General Plan designation of Hillsides and a Zoning Hillsides zoning district.</p> <p>The topography of the building site is relatively flat with an approximate slope of five percent (5%). Los Trancos Creek runs along the western the property line, north to south, with the top of bank a minimum of 20-feet away from the proposed residence. An existing permitted free span bridge extends from the proposed building site to an existing driveway (located within the Town of Portola Valley), which connects to Alpine Road (maintained by the Town of Portola Valley). According to County of Santa Clara GIS data, the proposed building site contains Valley Oak Woodland habitat, is located a County Geologic Hazard Zone for Liquefaction, and a portion of the fire truck turnaround is within the FEMA Flood Zone.</p>			
Project Description			
See Attachment A for project description.			
Purpose of Notice			

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff 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, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.** The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).

It should be noted that the approval 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 on February 11, 2021.

Public Review Period: 30 days

Begins: 1/12/21

Ends: 2/11/21

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Joanna Wilk at the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770**. A file containing additional information on this project may be reviewed at the Planning Office [website](#) under the file number appearing at the top of this form. For additional information regarding this project and the Negative Declaration, please contact Joanna Wilk at (408) 299-5799 or joanna.wilk@pln.sccgov.org

The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:

- (1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
- (2) Planning & Development website www.sccgov.org/sites/dpd (under "Development Projects" > "Current Projects")

Responsible Agencies sent a copy of this document

Santa Clara County LAFCO
 San Mateo County LAFCO
 Town of Portola Valley
 Woodside Fire Protection District
 West Bay Sanitation District
 California Department of Fish and Wildlife
 U.S. Army Corp of Engineers
 U.S. Fish and Wildlife
 National Oceanic and Atmospheric Administration's National Marine Fisheries Service
 San Francisco Bay Regional Water Quality Control Board

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

See Attachment A on separate page.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:

Joanna Wilk, Associate Planner

Joanna Wilk
 Signature

1/12/21

Date

Approved by:

Leza Mikhail, Principal Planner

DocuSigned by:
Leza Mikhail
 4272684C30A646B. Signature

1/12/2021

Date

Attachment A

Notice of Intent – Adopt a Mitigated Negative Declaration Single Family Residence at 3343 Alpine Road

Project Description

The project is a Building Site Approval and Grading Approval application to construct a 6,882 square foot, two-story single-family residence located at 3343 Alpine Road (APN: 142-15-008). The subject property is 4.2 acres in size and is characterized as a long strip of land running north to south along Los Trancos Creek, which borders the western side of the parcel. To the east of the parcel is property owned by Stanford University, used as a nursery. To the north, west, and south of the parcel is Ladera Oaks Swim & Tennis Club, a baseball field, and vacant area with a trail, which are all within the Town of Portola Valley.

An existing driveway, constructed within a 30-foot wide right-of-way easement, connects the property to the nearest publicly maintained road, (Alpine Road - maintained by the Town of Portola Valley) through the neighboring property to the west. An existing 74-foot-long permitted bridge runs across Los Trancos Creek, connecting the 30-foot wide right-of-way to the proposed building site. No alterations to the existing bridge and driveway are proposed.

The proposed residence is located on the eastern side of Los Trancos Creek, and is a minimum of 20-feet from Los Trancos Creek top-of-bank, pursuant to the Santa Clara Valley Water Collaborative bank stability setback for structures built near streams. The proposed residence meets the County of Santa Clara Zoning Ordinance - Hillside Development Standards, Chapter 2.20.030 by being located a minimum of 30-feet away from all property lines.

In addition to the single-family residence, the proposed project includes a firetruck turn around constructed with aggregate base rock, and a 112-foot-long pier-stich wall located to the north of the residence. The pier-stich wall is a minimum of 14.4-feet from the Los Trancos Creek top-of-bank and is situated 2-feet below grade. The pier-stich wall location and design are recommended by the Geotechnical Engineer to protect the proposed residence from possible future alluvial slump on that particular portion of Los Trancos Creek. Pursuant to a technical memorandum prepared by fluvial geomorphologist, Chris Lyle of Stillwater Sciences, the creek bank to the north of the building site is very stable and no further incision is anticipated to occur under current conditions. Additionally, it is highly unlikely the stitch-pier wall will come into contact with waters of Los Trancos Creek.

The proposed development includes a storm drain system throughout the building site with an outfall constructed with a coir mat to the north of the proposed residence to slow and purify the runoff prior to entering the Los Trancos Creek. Pursuant to a Hydrology Report prepared by Bohey Consulting in 2020 the hydromodification of the site will not negatively impact the capacity of Los Trancos Creek, and flood flows will not be impeded or redirected.

Lastly, the development includes a proposal to connect to an existing sewer system operated by West Bay Sanitation District along Alpine Road. The subject property cannot accommodate a

traditional septic system due to a 100-foot septic system setback from Los Trancos Creek. In order to provide a sewer connection to the proposed site, the applicant must obtain approvals from both San Mateo County LAFCO and Santa Clara County LAFCO for a Minor Sphere Amendment and Annexation to West Bay Sanitation District prior to building or grading permit issuance. Additionally, to provide the site with adequate fire emergency access, a Minor Sphere Amendment and Annexation to Woodside Fire Protection District is required.

Total grading quantities for the proposed development include 443 cubic yards of cut and 192 cubic yards of fill, with a maximum cut depth of 3.8 feet. The majority of the proposed grading is to establish a fire truck turn around and to establish the pier foundation footings beneath the proposed residence. No trees are proposed for removal.

There is a Conservation Easement on the property held by the Town of Portola Valley. This easement consists of a 25-foot-wide strip of land, measured from the centerline of Los Trancos Creek, running along the length of Creek (see enclosed easement map). The Easement states approval is required from the Town Council of the Town of Portola Valley if any of the following development takes place within the easement boundaries:

- a. Removal of vegetation other than poison oak from more than twenty (20) percent of the are within said conservation easement;
- b. Removal of trees with a circumference of over twelve (12) inches measured four (4) feet above the surface of the ground;
- c. Excavating or filling or any combination thereof totaling in excess of five (5) cubic yards, providing that such excavating or filling does not result in disturbance of the surface of the ground exceeding twenty (20) percent of the area within the easement;
- d. Dumping of refuse; and
- e. Erection of barbed wire fences and/or buildings

The proposed project, as submitted on September 17, 2020 does not exceed any of the thresholds cited above.

An encroachment permit is required from the Town of Portola Valley to connect utilities (gas, electric, water and sewer) located in the Alpine Road right-of-way, to the proposed building site. The proposed development requires a Streambed Alteration Agreement with the California Department of Fish and Game (CDFW), a 401 Water Quality Certification from the California Regional Water Quality Control Board (RWQCB), and a Nationwide Permit from the U.S. Army Corp of Engineers (USACE) due to the proposed outfall with coir mat slope protection within the Los Trancos Creek top-of-bank. All of the aforementioned approvals are required prior to the building and grading permit issuance from the County of Santa Clara.

Attachment B

Notice of Intent – Adopt a Mitigated Negative Declaration
Single Family Residence at 3343 Alpine Road
MITIGATION MEASURES

BIOLOGY

- **BIO-MIT 1: Erosion and Sedimentation Control.** During construction, the project is required to employ standard construction best management practices (BMPs) to treat and minimize runoff including the following **which shall be included in the project plans prior to grading or building permit issuance.**
 - Store, handle, and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, wash water or sediment and non-stormwater discharges to storm drains and water courses. Perform clearing and earth moving activities during dry weather to the maximum extent practical.
 - Remove spoils promptly and avoid stockpiling of fill materials when rain is forecast.
 - Cover soil stockpiles and other materials with a tarp or other waterproof material during qualifying rain events.
 - Fueling, washing, and maintenance of vehicles will occur in developed habitat, away from the riparian habitat and stream channel. Equipment shall be regularly maintained to avoid fluid leaks. Any leaks will be captured in containers until equipment is moved to a repair location. Hazardous materials will be stored only within the developed habitat.
 - Containment and cleanup plans will be prepared and put in place for immediate cleanup of fluid or hazardous materials spills.
 - Vehicles and equipment may only be driven within established roads and crossings.
 - Routes and boundaries will be clearly marked and will be located outside of driplines of preserved trees.
 - Equipment staging and parking of vehicles shall occur on established access roads and flat surfaces.
 - No heavy equipment shall operate in the portion of the stream bed where flowing water is present.
 - The integrity and effectiveness of construction fencing, and erosion control measures shall be inspected on a daily basis. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective BMPs.
 - Prior to re-watering the site, all concrete installed during the course of project activities shall be allowed to fully dry and cure to maintain water quality and reduce the possibility of project failure.

- All litter and construction debris will be disposed of off-site in accordance with state and local regulations. All trash and debris within the work area will be placed in containers with secure lids before the end of work each day in order to reduce the likelihood of predators being attracted to the site by discarded food wrappers and other rubbish that may be left on-site. If containers meeting these criteria are not available, all rubbish will be removed from the project site at the end of each workday.
 - Absorbent materials designated for spill containment and clean-up activities shall be available on site for use in an accidental spill.
 - In the event of rain, all grading work is to cease immediately.
 - Inlet protection will be installed at open inlets to prevent sediment from entering the storm drain system.
 - Straw rolls will be placed along the perimeter of the project area.
 - Silt fencing shall be installed between the creek and the work areas to minimize sedimentation into Los Trancos Creek or a silt barrier can be added to the wildlife exclusion barrier to minimize the amount of fencing installed within the project footprint (see Mitigation Measure below). During construction, the fence shall be checked every day for damage or breaks before construction activities commence. Any damage to the fence will be repaired in a timely manner.
- **BIO-MIT 2: Worker Environmental Awareness Program.** All construction personnel will participate in a worker environmental awareness program. These personnel will be informed about the possible presence of all special-status species and the habitats associated with these species and that unlawful take of the animal or destruction of its habitat is a violation of FESA and other applicable laws. Prior to construction activities, a qualified biologist is required instruct all construction personnel about (1) the description and status of the species; (2) the importance of their associated habitats; and (3) a list of measures being taken to reduce impacts on these species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the construction crew and anyone else who enters the project site. **Applicant shall provide a copy of the fact sheet to the County Planning Division to verify that the Worker Environmental Awareness Program was implemented prior to construction activities.**
 - **BIO-MIT 3: Receive Agency Approval of Qualified Biologist.** The qualifications of a biological monitor(s) experienced with the California red-legged frog, San Francisco garter snake, and other special-status species that have the potential to occur in the project site shall be submitted to the USFWS and CDFW for review and written approval at least 30 calendar days prior to the start of project activities. **Provide a copy of USFWS and CDFW's approval to the County Planning Division to verify agency approval was obtained prior to the start of project activities.**
 - **BIO-MIT 4: Conduct Preconstruction Survey.** No more than 24 hours prior to the date of initial ground disturbance, a pre-construction survey for California red-legged frog, San Francisco garter snake, and other special-status species with the potential to occur in the project site shall be conducted within the impact area by the agency-approved qualified

biologist (see BIO-MIT 3). The survey shall consist of walking the limits of impact to ascertain the possible presence of the species. The qualified biologist shall investigate all potential areas that could be used by California red-legged frog and San Francisco garter snake for feeding, sheltering, movement, and other essential behaviors. **The applicant is required to provide a copy of the preconstruction survey results to the County Planning Division to verify California red-legged frog, San Francisco garter snake, and other special-status species prior to the start of construction.**

- **BIO-MIT 5: Vegetation Removal.** All vegetation that requires removal in the project site shall be completely removed by hand in case special-status species are present. The qualified biologist shall monitor the vegetation removal. **The applicant shall provide the County Planning Division with a plan indicating what vegetation requires removal via hand-digging prior to grading or building permit issuance.**
- **BIO-MIT 6: Install Wildlife Exclusion Barrier.** Prior to any ground disturbance in the project site, a temporary wildlife exclusion barrier shall be installed along the limits of disturbance. A qualified biologist will inspect the area prior to installation of the barrier. The barrier shall be designed to allow the California red-legged frog and San Francisco garter snake to leave the work area and prevent them from entering the work area. The fence shall remain in place until all development activities have been completed. This barrier shall be inspected daily and maintained and repaired as necessary to ensure that it is functional and is not a hazard to red-legged frogs and garter snakes on the outer side of the barrier. **The applicant and/or qualified biologist shall provide the Planning Division photos of the wildlife exclusion barrier prior to construction activities.**
- **BIO-MIT 7: Construction Monitoring.** A qualified biologist shall be onsite during all project activities that may result in take of any special-status species. **Said biologist is required to be approved by the County Planning Division to be onsite prior to issuance of any grading or building permits.** The agency-approved biologist shall have oversight over implementation of all the mitigation measures and will have the authority and responsibility to stop project activities if they determine any of the associated requirements are not being fulfilled.
- **BIO- MIT 8: Relocation of California Red-legged Frog.** If a California red-legged frog is found during the implementation of mitigation measures above, the qualified biologist shall consult with USFWS to determine if moving any of the individuals is appropriate. In making this determination the USFWS will consider if an appropriate relocation site exists. If the USFWS approves moving animals, the project proponent will ensure the qualified biologist is given sufficient time to move the animals from the impact area before ground disturbance is initiated. Only agency-approved biologists shall capture, handle, and move California red-legged frog. The agency-permitted biologist shall monitor any relocated frog until it is determined that it is not imperiled by predators or other dangers. **If a California red-legged frog is found, the Planning Division shall be notified immediately and any approval provided by the USFWS shall be forward to the Planning Division for record keeping purposes.**

- **BIO – MIT 9: Monitor San Francisco Garter Snake.** The agency-approved biologist shall monitor any individual of the San Francisco garter snake encountered within the impact area but allow it to leave the impact area on its own. If the agency-approved biologist determines that the snake cannot leave on its own then the USFWS and CDFW shall be consulted to determine if the snake can be captured and relocated to appropriate habitat outside of the impact area. **If a San Francisco garter snake is found, the Planning Division shall be notified immediately and any approval provided by the USFWS and CDFW shall be forward to the Planning Division for record keeping purposes.**
- **BIO-MIT 10: Daytime Restriction.** All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays for the duration of construction.
- **BIO- MIT 11: Food and Trash.** To eliminate an attraction for the predators of the California red-legged frog and San Francisco garter snake, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in solid, closed containers (trash cans) and removed at the end of each working day from the construction site.
- **BIO-MIT 12: Steep-walled Holes and Trenches.** To prevent inadvertent entrapment of the California red-legged frog, San Francisco garter snake, and other special status species, a qualified biologist and/or construction foreman/manager shall ensure that all excavated, steep-walled holes or trenches more than one foot deep are completely covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks and inspected by the qualified biologist. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals by a qualified biologist and/or construction foreman/manager. If at any time a trapped California red-legged frog, San Francisco garter snake, or other special-status species is discovered by a qualified biologist or anyone else, the steps in BIO-MIT 8 Relocation of California red-legged frog or BIO-MIT 9 Monitor San Francisco garter snake will be followed.
- **BIO-MIT 13: Uncovered Pipes.** All structures providing cavities such as pipes, all construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods shall be either securely capped prior to storage or thoroughly inspected by a qualified biologist and/or the construction foreman/manager for these animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time, a trapped California red-legged frog, San Francisco garter snake, or other special-status species is discovered by a qualified biologist or anyone else, the steps in BIO-MIT 8 Relocation of California red-legged frog or BIO-MIT 9 Monitor San Francisco garter snake shall be followed.
- **BIO-MIT 14: Prohibition of Plastic Mono-filament Netting.** To prevent trapping California red-legged frogs, San Francisco garter snakes, or other species, the use of plastic mono-filament netting (erosion control matting), rolled erosion control products

wrapped in netting, or similar material shall not be used at the project site to prevent trapping California redlegged frogs, San Francisco garter snakes, or other species.

Provide the Planning Division with photos of the project site to verify no plastic mono-filament netting is used prior to project construction.

- **BIO-MIT 15: Prevent the Spread of Amphibian Diseases.** To prevent the introduction and spread of amphibian diseases, especially if an amphibian is handled by a permitted biologist, decontamination methods developed by the Declining Amphibian Populations Task Force shall be followed at all times, available at: https://www.fws.gov/southwest/es/NewMexico/documents/SP/Declining_Amphibian_Task_Force_Fieldwork_Code_of_Practice.pdf.

Should any such findings occur, documentation shall be submitted to the County Planning Division for review and record keeping purposes.

- **BIO-MIT 16: Relocation of Western Pond Turtle and California Giant Salamander.** If a pond turtle is found during implementation of Mitigation Measures above (see section 6.3 above), an agency-approved biologist shall contact CDFW to determine if moving any of the individuals is appropriate. In making this determination CDFW shall consider if an appropriate relocation site exists. If CDFW approves moving animals, the project proponent shall ensure the agency-approved biologist is given sufficient time to move the animals from the impact area before ground disturbance is initiated. Only agency-approved biologists shall capture, handle, and move the Western pond turtle and California giant salamander. The agency-approved biologist will monitor any relocated turtle or giant salamander until it is determined that it is not imperiled by predators or other dangers. **If a Western Pond Turtle and California Giant Salamander is found, the Planning Division shall be notified immediately, and any approval provided by the CDFW shall be forward to the Planning Division for record keeping purposes.**
- **BIO-MIT 17: Pre-construction Survey for Woodrat Houses.** Within 30 days prior to the start of construction activities, a qualified biologist will map all San Francisco dusky-footed woodrat houses within a 25-foot buffer around the project footprint. Environmentally sensitive habitat fencing will be placed to protect the houses with a minimum 25-foot buffer. If a 25-foot buffer is not feasible, a smaller buffer may be allowable based on advice from a qualified biologist with knowledge of woodrat ecology and behavior, or BIO-MIT 18 may be implemented. **Provide a copy of the preconstruction survey results to the Planning Division to verify San Francisco dusky-footed woodrat were not present on the property prior to construction activities.**
- **BIO – MIT 18: Relocation of Woodrat Houses.** In the unlikely event that one or more woodrat houses are determined to be present and physical disturbance or destruction of the houses cannot be avoided, then the woodrats will be evicted from their houses and the nest material relocated outside of the disturbance area, prior to onset of activities that would disturb the house, to avoid injury or mortality of the woodrats. The reproductive season for San Francisco dusky-footed woodrats typically starts in February or March

and breeding activity usually continues to July but can extend into September. Thus, relocation efforts shall be completed in the fall to minimize the potential for impacts on young woodrats in the house. Additionally, the period between the completion of the relocation efforts and the start of construction activities shall be minimized to reduce the potential for woodrats to reconstruct houses in the project footprint prior to the start of construction activities. Relocation generally involves first choosing an alternate location for the house material based on the following criteria: 1) proximity to current nest location; 2) safe buffer distance from planned work; 3) availability of food resources; and 4) availability of cover. An alternate house structure will then be built at the chosen location. Subsequently, during the evening hours (i.e., within 1 hour prior to sunset), a qualified biologist shall slowly dismantle the existing woodrat house to allow any woodrats to flee and seek cover. All sticks from the nest will be collected and spread over the alternate structure. However, alternative relocation measures can be employed as advised by a qualified wildlife biologist in consultation with CDFW. **If a woodrat house is found, the Planning Division shall be notified immediately and any approval provided by the CDFW shall be forward to the Planning Division for record keeping purposes.**

- **BIO-MIT 19: Bat Protection.** If an occupied maternity or colony roost is detected or evidence of bat occupancy is found, CDFW shall be consulted to determine the appropriate mitigation measures, which may include exclusion prior to removal if the roost cannot be avoided, a buffer zone, seasonal restrictions on construction work, and/or construction noise reduction measures. **If a bat occupied maternity or colony roost is found, the Planning Division shall be notified immediately and any approval provided by the CDFW shall be forward to the Planning Division for record keeping purposes.**
- **BIO-MIT 20: Avoidance or Pre-Construction/Pre-Disturbance Surveys for Nesting Birds.** Construction activities shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts to nesting birds protected under the MBTA and California Fish and Game Code would be avoided. The nesting season for most birds in San Mateo and Santa Clara Counties extends from February 1 through September 15.

If it is not possible to schedule construction activities between September 15 and January 31, then preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests would be disturbed during project implementation. These surveys shall be conducted no more than five days prior to the initiation of any site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey will be performed. During this survey, the biologist will inspect all potential nesting habitats (e.g., trees, shrubs, structures, etc.) in and immediately adjacent to the impact area for nests. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys will be documented. **Provide a copy of the preconstruction survey results to the Planning**

Division to verify nesting birds were not present on the property prior to construction activities.

- **BIO-MIT 21: Nesting Bird Protection.** If an active nest is found sufficiently close to work areas to be disturbed by these activities, the biologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest (typically up to 1000 feet for raptors and up to 250 feet for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code shall be disturbed during project implementation. Within the buffer zone, no site disturbance and mobilization of heavy equipment, including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, demolition, and grading shall be permitted until the chicks have fledged. Monitoring shall be required to ensure compliance with MBTA and relevant California Fish and Game Code requirements. **Monitoring dates and findings shall be documented and provided to the Planning Division prior to construction activities.**
- **BIO-MIT 22: Avoidance of Riparian Habitat.** All riparian habitat to be avoided shall be shown on project design plans and prior to project activities these areas will be clearly delineated in the field by a CDFW approved biologist. **Provide a copy of the plans to the Planning Division prior to grading or building permit issuance.** The project shall also comply with the project BMPs to prevent increases in peak flow, erosion, or reduction in water quality for downslope waters, which will prevent stream downcutting, riparian bank erosion, or other downstream impacts (See BIO-MIT 1 above). If riparian vegetation is impacted, then BIO-MIT 24 or BIO-MIT 25 will be implemented.
- **BIO-MIT 23: Pruning of Riparian Trees.** If project activities require pruning of riparian trees or shrubs, a certified arborist shall be retained to perform any necessary pruning to minimize harm to vegetation and ensure rapid regeneration. Pruning shall be limited to the minimum area necessary. **The arborist shall provide a pruning plan to the Planning Division prior to performing the pruning to verify this mitigation measure is implemented.**
- **BIO-MIT 24: Restoration of Riparian Habitat.** Temporary impacts to riparian habitat shall be restored in place at a 1:1 ratio through re-establishment of original contours along banks, decompaction of compacted soils where necessary, and seeding with a native seed mix and native plantings, developed by a qualified restoration ecologist. The native seed mix shall contain grass and forb species that occur in the project vicinity. Temporarily impacted areas will be monitored for a minimum of two years and the criteria for success will be 75% vegetation cover or more compared to pre-project conditions and no more than 5% cover of invasive species rated as moderately or highly invasive by the California Invasive Plant Council (Cal-IPC) (excluding Cal-IPC-rated annual grasses). **The applicant shall provide the County Planning Division a Riparian Restoration plan prior to issuance of grading or building permits. Additionally, the applicant shall provide the County Planning Division photos of riparian habitats pre and post construction conditions to verify the riparian habitat is restored.**

- **BIO-MIT 25: Avoidance of Jurisdictional Waters.** All aquatic habitat to be avoided, i.e. Los Trancos Creek, shall be shown on project design plan sets prior to project activities and shall be clearly delineated in the field with stakes or fencing by a CDFW approved biologist. Provide a copy of the plans to the Planning Division. The project shall also comply with the project BMPs to prevent increases in peak flow, erosion, or reduction in water quality for downslope waters, which will prevent stream downcutting, riparian bank erosion, or other downstream impacts (See BIO-MIT 1 above). Travel and parking of vehicles and equipment shall be limited to pavement, existing roads, and previously disturbed areas. Ground disturbance and vegetation removal shall not exceed the minimum amount necessary to complete work at the site.
- **BIO-MIT 26: Seasonal Work Window.** The construction of the biofiltration basin shall be restricted to the dry season (June 15 to October 15) to minimize potential impacts on water quality resulting from erosion and sediment mobilization into the live stream channel. **The applicant shall notify the Planning Division when construction commences to verify this condition is implemented**

CULTURAL RESOURCES

- **CR-MIT 1:** Archaeological monitoring is required for all ground disturbing activities. An archaeologist meeting the Secretary of the Interior's Standards for Archaeology shall be present at the project site during any ground disturbing activities, such as machine or hand excavation, or vegetation grubbing, take place. No ground disturbing activities of any kind shall take place if the archaeologist is not present. **The applicant shall provide the County Planning Division with the archeologists resume and references for County approval prior to any ground disturbances.**
- **CR-MIT 2:** If archaeological resources from either a historic or prehistoric period are discovered (or have been suspected to have been discovered) during project construction, all ground disturbing work within a 100' radius buffer of the discovery shall cease. The archaeologist shall assess the discovery before any additional ground disturbing work within the 100-foot buffer will be allowed to continue. No further ground disturbing work shall be allowed to continue until the archaeologist has fully evaluated the find and permits work to continue. Dependent on the evaluation by the archaeologist, archaeological excavation and recordation may be required before construction can continue. **If archeological resources are found, the Planning Division shall be notified immediately and any evaluations by the archeologist shall be forward to the Planning Division for record keeping purposes.**
- **CR-MIT 3:** If the newly discovered resources are determined, or suspected to be, Native American in origin, Native American Tribes/Representatives shall be contacted and consulted as directed by the NAHC and Native American construction monitoring shall be initiated. All Native American artifacts and finds suspected to be Native American in nature are to be considered as significant tribal cultural resources until the County has

determined otherwise with the consultation of a qualified archaeologist and local tribal representative(s) as directed by the NAHC. **If Native American resources are found, the Planning Division shall be notified immediately.**

- **CR-MIT 4:** If unrecorded paleontological resources are encountered during construction, all ground disturbing activities shall cease, and the developer will avoid altering the resource in any way. No work shall be carried out within the stratigraphic context that the resource was discovered in until a qualified paleontologist has evaluated, recorded, and determined appropriate treatment of the resource consistent with protocols of the Society for Vertebrate Paleontology. **If paleontological resources are found, the Planning Division shall be notified immediately and any evaluations by the paleontologist shall be forward to the Planning Division for record keeping purposes.**
- **CR-MIT 5:** **If human remains are unearthed during construction of the proposed project, the developer shall comply with State Health and Safety Code Section 7050.5 and shall cease work and immediately contact the County Planning Division.** The County shall immediately notify the County Coroner and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD).

After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment and/or disposal of, with appropriate dignity, the human remains and any associated funerary objects. Upon the reburial of the human remains, the MLD shall file a record of the reburial with the NAHC and the project archaeologist shall file a record of the reburial with the NWIC. If the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

HYDROLOGY

- **HYD – MIT 1:** **Best Management Practices (BMPs).** The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period). **Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set prior to grading or building permit issuance.**

- **HYD – MIT 2: Flood Plain Management.** The project is in a Special Flood Hazard Area. All project improvements shall be in accordance with the County’s Floodplain Management Ordinance (SCC Code C12-800 to C12-826). **County Floodplain compliance shall be included in the Plans Set prior to grading or building permit issuance.**

- **HYD – MIT 3: Stormwater.** The applicant shall include one of the following site design measures in the project design:
 - a. direct hardscape and/or roof runoff onto vegetated areas,
 - b. collect roof runoff in cisterns or rain barrels for reuse, or
 - c. construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces.

Include one of the design measures listed about in the Plan Set prior to grading or building permit issuance. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. For additional information, please refer to the C.3 Stormwater Handbook (June 2016) available at the following website: www.scvurppp.org > Resources > reports and work products > New Development and Redevelopment >C.3 Stormwater Handbook (June 2016).