

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: 153 and 155 Marva Oaks Drive - Lot Line Adjustment

Lead Agency: Town of Woodside

Contact Name: Sarah Filipe, Associate Planner

Email: sfilipe@woodsidesidetown.org Phone Number: (650) 530-3436

Project Location: Woodside San Mateo County
City County

Project Description (Proposed actions, location, and/or consequences).

The project includes a Lot Line Adjustment (LLAJ) to make changes to the lot lines of two existing parcels of record: 153 Marva Oaks Drive (072-061-060), and 155 Marva Oaks Drive (072-061-050). The project also includes the abandonment of an exclusive easement for a tennis court on 153 Marva Oaks Drive, General Plan conformance determination to abandon one existing 15-foot-wide pedestrian and equestrian easement on 153 and 155 Marva Oaks Drive, abandonment of the 15-foot-wide pedestrian and equestrian easement, and a Variance to the Paved Area and Surface Coverage for 155 Marva Oaks Drive. Under the current and proposed configuration, each parcel could continue to be developed with one single-family residence and associated accessory structures and utilities. No site improvements are proposed as part of this application.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

See Attachment 1.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

There are no known areas of controversy.

Provide a list of the responsible or trustee agencies for the project.

None.

ATTACHMENT 1: Significant or potentially significant impacts and mitigation measures proposed to reduce the effects to a less than significant level.

CULTURAL RESOURCES: No development is proposed at this time, however, if development is proposed in the future, the following mitigation measures shall be followed.

Mitigation Measure CULTURAL-1 (Archeological Resource): If archaeological resources are encountered during excavation or construction, construction personnel should be instructed to immediately suspend all activity in the immediate vicinity of the suspected resources, and the Town and a licensed archaeologist should be contacted to evaluate the situation. A licensed archaeologist should be retained to inspect the discovery and make any necessary recommendations to evaluate the find under current CEQA guidelines prior to the submittal of a resource mitigation plan and monitoring program to the Town for review and approval prior to the continuation of any on-site construction activity. A restrictive covenant or some other equivalent shall be recorded with the Final Parcel Map ensuring compliance of future development with this measure.

Mitigation Measure CULTURAL-2 (Human Remains): In the event a human burial or skeletal element is identified during excavation or construction, work in that location should stop immediately until the find can be properly treated. The Town and the San Mateo County Coroner's office should be notified. If deemed prehistoric, the Coroner's office would notify the Native American Heritage Commission who would identify a "Most Likely Descendant (MLD)."

The archeological consultant and MLD, in conjunction with the project sponsor, should formulate an appropriate treatment plan for the find, which might include, but not be limited to, respectful scientific recording and removal, being left in place, or removal and reburial on site, or elsewhere. Associated grave goods are to be treated in the same manner. A restrictive covenant or some other equivalent shall be recorded with the Final Parcel Map ensuring compliance of future development with this measure.

TRIBAL CULTURAL RESOURCES: No development is proposed at this time, however, if development is proposed in the future, the following mitigation measures shall be followed.

Mitigation Measure TRIBAL CULTURAL-1 (Ground Disturbance): Planning for any potential future construction shall include avoidance of any encountered resources and protection of the cultural and natural context. In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

Mitigation Measure TRIBAL CULTURAL-2 (Disposition of Recovered Cultural Items): Any resource encountered shall require stopping of construction to consult with any Native American tribe culturally affiliated with the area for recommendations to appropriately care for the discovered

resources. Any resource encountered shall be treated with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to:

- Protecting the cultural character and integrity of the resource;
- Protecting the traditional use of the resource; and,
- Protecting the confidentiality of the resource.

Mitigation Measure TRIBAL CULTURAL-3 (Inadvertently Discovered Native American Human Remains): Any Native American human remains and associated grave artifacts shall be repatriated in consultation with any Native American tribe culturally affiliated with the area. The process outlined below shall be followed to be consistent California Health and Safety Code §7050.5 and Public Resources Code §5097.98:

Specifically, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has been determined and that the remains are not subject to the provisions of Section 27491 of the Government Code or another related provision of law concerning investigation of the circumstances, manner or cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative (Health and Safety Code Section 7050.5).

The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC).

- (a) Whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, pursuant to Health and Safety Code Section 7050.5(c), it shall immediately notify those persons it believes to be most likely descended from the deceased Native American (Most Likely Descendant (MLD)). The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner, or the person responsible for the excavation work, means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code Section 5097.98).
- (b) Upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred,

as prescribed in this section, with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

1. The descendants' preferences for treatment may include the following:
 - A. The nondestructive removal and analysis of human remains, and items associated with Native American human remains.
 - B. Preservation of Native American human remains and associated items in place.
 - C. Relinquishment of Native American human remains and associated items to the descendants for treatment.
 - D. Other culturally appropriate treatment.
 2. The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the project area, providing a basis for additional treatment measures.
- (c) For purposes of this section, "conferral" or "discuss and confer" means the meaningful and timely discussion and careful consideration of the views of each party, in a manner that is cognizant of all parties' cultural values, and where feasible, seeking agreement. Each party shall recognize the other's needs and concerns for confidentiality of information provided to the other.
- (d) Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness. Any items associated with human remains that are placed or buried with the Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.
- (e) Whenever the NAHC is unable to identify a descendent, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendations of the descendants and the mediation provided for (in subdivision (k) of Section 5097.94) fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with the Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner should do one or more of the following:
1. Record the site with the NAHC or the appropriate information Center.
 2. Utilize an open-space or conservation zoning designation or easement.
 3. Record a document with the County in which the property is located. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal

description of the property, the name of the owner of the property, and the owner's acknowledged signature, in addition to any other information required by this section. The document shall be indexed as a notice under the name of the owner.

(f) Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with the descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of the discovery may be ascertained from a review of the site utilizing cultural and archeological standards. Where the parties are unable to agree on the appropriate treatment measures, the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to subdivision (e).

(g) Measures taken to address human remains found would be exempt from review under the California Environmental Quality Act (CEQA).