

# SANTA TERESA COUNTY PARK

HISTORIC AREA SITE PLAN

Final INITIAL STUDY and  
MITIGATED NEGATIVE  
DECLARATION

SCH# 2009082008

*December 15, 2009*

Bellinger Foster Steinmetz  
Landscape Architecture





**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CLARA  
MAKING CERTAIN FINDINGS, AND ADOPTING A MITIGATED NEGATIVE DECLARATION  
AND MITIGATION MONITORING AND REPORTING PLAN  
FOR  
THE SANTA TERESA COUNTY PARK HISTORIC AREA SITE PLAN**

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**WHEREAS**, the County of Santa Clara desires to approve a Site Plan for Santa Teresa County Park Historic Area ("Project"), attached hereto as **Exhibit A**, developed through a public input and review process begun in October 2007, to serve as a site plan for future improvements and development of undeveloped portions of the Santa Teresa County Park Historic Area; and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA"), an Initial Study and Mitigated Negative Declaration (collectively, "Mitigated Negative Declaration") attached hereto as Exhibit B, was prepared for the Project and was circulated for public comment between July 29, 2009 and August 30, 2009 and for an additional public comment period between November 2, 2009 and November 13, 2009; and

**WHEREAS**, public comments, minor revisions and clarifications were addressed in the Mitigated Negative Declaration (MND); and

**WHEREAS**, pursuant to the CEQA, a Mitigation Monitoring and Reporting Plan (MMRP) was prepared for the Project and included in the Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Plan Table is attached hereto as exhibit C; and

**WHEREAS**, the Mitigated Negative Declaration identified potentially significant impacts in the areas of Biological Resources and Historical/ Archeological Resources, which impacts will be avoided or mitigated by the MMRP to less than significant levels; and

**WHEREAS**, the revised Mitigated Negative Declaration, comments and responses, and MMRP together constitute the Final MND for the Site Plan; and

**WHEREAS**, at its regular meeting of December 15, 2009, the Board of Supervisors considered the Project, the Mitigated Negative Declaration, comments received, and the MMRP prepared for the Project prior to approving the Project; and

**THEREFORE**, THE BOARD OF SUPERVISORS HEREBY makes the following findings with respect to CEQA:

- (1) That the Final Mitigated Negative Declaration was prepared in accordance with all legal requirements of CEQA, including all public notice and comment period requirements; and
- (2) That the Board of Supervisors has considered the whole record before it, including the Final Mitigated Negative Declaration and all comments received; and
- (3) That the Final Mitigated Negative Declaration identifies all potentially significant environmental impacts of the Project, specifically, potentially significant impacts to Biological

Resources and Historical/ Archeological Resources, which impacts can and will be avoided or mitigated to less than significant levels through adoption and implementation of the mitigation measures proposed as part of the Project and included in the MMRP; and

(4) That the additions and revisions to the text of the draft MND clarified and expanded upon the impact analyses and mitigation measures, and were not a substantial revision requiring recirculation of the Final MND; and

(5) That the Final MND reflects the County's independent judgment and analysis.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Santa Clara that

1. The administrative record is located in the Office of the Clerk of the Board of Supervisors, at 70 W. Hedding Street, 10<sup>th</sup> Floor, East Wing, San Jose, California 95110; and in the County Park and Recreation Department Office at 298 Garden Hill Drive, Los Gatos, CA 95032; and
2. That the Final MND for the Project is adopted, the MMRP is adopted and the Project is hereby approved.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on December 15, 2009 by the following vote:

**AYES:** CORTESE, GAGE, KNISS, SHIRAKAWA, YEAGER

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

**ATTEST:**

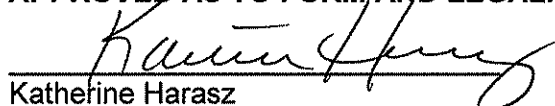


Maria Marinos, Clerk  
Board of Supervisors



Liz Kniss, President,  
Board of Supervisors

**APPROVED AS TO FORM AND LEGALITY:**



Katherine Harasz  
Deputy County Counsel

**Exhibits to this Resolution:**

**Exhibit A** - Santa Teresa County Park Historic Area Site Plan

**Exhibit B** - Mitigated Negative Declaration for Santa Teresa County Park Historic Area Site Plan

**Exhibit C** - Mitigation Monitoring and Reporting Plan Table for Santa Teresa County Park Historic Area Site Plan

**Adopted**



# Santa Teresa County Park

## Historic Area Site Plan

### Final Initial Study and Mitigated Negative Declaration

SCH# 2009082008

December 15, 2009

*Prepared by:*

County of Santa Clara  
Parks and Recreation Department  
298 Garden Hill Drive  
Los Gatos CA 95032

Bellinger Foster Steinmetz  
Landscape Architecture  
425 Pacific St. Suite 201  
Monterey CA 93940





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## Acronyms and Abbreviations

|                               |  |
|-------------------------------|--|
| BAAQMD                        | Bay Area Air Quality Management District   |
| BMP                           | Best Management Practices  |
| CARB                          | California Air Resources Board   |
| CDFG                          | California Department of Fish and Game   |
| CEQA                          | California Environmental Quality Act   |
| County Parks Department       | Santa Clara County Parks and Recreation Department                                       |
| Countywide Trails Master Plan | Santa Clara County Countywide Trails Master Plan Update<br>(November, 1995)              |
| GHG Emissions                 | Greenhouse gas emissions   |
| EIR                           | Environmental Impact Report  |
| Historic Area                 | Santa Teresa County Park Historic Area   |
| IS/MND                        | Initial Study / Mitigated Negative Declaration   |
| MMRP                          | Mitigation Monitoring and Reporting Plan   |
| NPDES                         | Nonpoint Discharge Elimination System  |
| SCVWD                         | Santa Clara Valley Water District  |
| Strategic Plan                | Strategic Plan for the Santa Clara County Parks and Recreation<br>System (August, 2003)  |
| Trail Guidelines              | Uniform Interjurisdictional Trail Design, Use and Management<br>Guidelines (April, 1999) |
| USACE                         | United States Army Corp of Engineers   |
| USFWS                         | United States Fish and Wildlife Service  |

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# I. INTRODUCTION

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## A. INTRODUCTION AND REGULATORY GUIDANCE

All projects are subject to the California Environmental Quality Act (CEQA). The basic purpose of CEQA is to inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities, identify ways that environmental damage can be avoided or significantly reduced, prevent significant, avoidable damage to the environment by requiring changes in the project through the use of alternatives or mitigation measures, and disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved [§15002(a)].

The County of Santa Clara (the County), the lead agency under CEQA, must evaluate the environmental impacts of a project when considering whether to approve a project. An Initial Study is conducted to determine if a project may have a significant effect on the environment (CEQA Guidelines §15063(a)). If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines the impacts are to a less-than-significant level, a Negative Declaration may be prepared instead of an EIR (CEQA Guidelines §15070(b)).

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by the Santa Clara County Parks and Recreation Department (County Parks Department) and Bellinger Foster Steinmetz Landscape Architecture. The purpose of this document is to evaluate the potential environmental effects of the proposed Santa Teresa County Park Historic Area Site Plan (Site Plan) project in San Jose, California. This document is a public document and serves as an informational document to be used in the local planning and decision making process; it does not recommend approval or denial of the project.

This IS/MND document evaluates at a project level the potential environmental impacts of improvements proposed in the Site Plan including trails connecting functional and interpretive areas within the project site, a trail connection to developed portions of the Historic Area, a staging area/parking lot, site access, street improvements along Curie Drive and San Ignacio Avenue, interpretive and display areas and facilities, vegetated areas/plantings, restored oak woodlands and native grasslands, and elements that depict the water theme. The proposed visitor center including the courtyard, courtyard walls, trellises, and gardens were evaluated at a program level and will require additional CEQA analysis prior to implementation/construction.

The Site Plan does not propose any alterations or changes to the historic structures, which consist of the Jacoba Bernal house and garage and the Pedro Bernal house. However, changes are proposed to some of the outbuildings/auxiliary buildings including the “L” shaped barn (see Historical/Archaeological section of the IS) and were analyzed at a project level. The Site Plan also identifies planned improvements to areas around the Jacoba Bernal house, including relocation of the driveway, fencing along the park entry and Curie Drive, street improvements along Curie Drive, and a new adobe wall and trellis to separate the historic house from public use, and provide screening and privacy from the planned visitor center.

Some of the background information and findings found in this IS/MND are based on the Existing Setting and Constraints Report, prepared by David J. Powers & Associates, April 2008 which includes

the Biotic Constraints Report, Archaeological Literature Review, Historic Resources Constraints Analysis, and Transportation Constraints Analyses. The Existing Setting and Constraints Report is available from the County as a separate, supporting document to this IS/MND.

The Site Plan does not address other aspects of park development and use beyond the project area (see Map 3 - Historic Area and Project Site Map). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public resources Code sections 21000 *et. seq.*, and the State CEQA Guidelines, California Code of Regulations (CCR), Title 14, sections 15000 *et. seq.*

## **B. LEAD AGENCY**

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines § 15051 (b)(1), “the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” The lead agency for the proposed Project is Santa Clara County. The contact person for the County Parks Department is:

Antoinette Romeo, Planner III / Project Manager  
Santa Clara County Parks and Recreation Department  
298 Garden Hill Drive  
Los Gatos, CA 95032  
(408) 355-2235  
[Antoinette.Romeo@prk.sccgov.org](mailto:Antoinette.Romeo@prk.sccgov.org)

## **C. PURPOSE AND DOCUMENT ORGANIZATION**

The purpose of this document is to evaluate the potential environmental effects of the Santa Teresa County Park Historic Area Site Plan Project.

This document is organized as follows:

- **Chapter I – Introduction**  
This chapter provides an introduction to the project and describes the purpose and organization of this document.
- **Chapter II – Project Description**  
This chapter describes the project location, project area, and site description, objectives, characteristics and related projects. This chapter also contains descriptions of Environmental Measures, Best Management Practices (BMPs) and other mitigations incorporated into the project.
- **Chapter III – Environmental Checklist**  
This chapter contains the Environmental Checklist (Initial Study) that identifies the potential environmental impacts (by environmental issue) and a brief discussion of the significance of each potential impact resulting from implementation of the proposed project.

- **Chapter IV – References**

This chapter identifies the references and sources used in the preparation of this IS/MND.

- **Chapter V – Mitigation Monitoring and Reporting Plan Table**

This chapter summarizes in a table format all identified mitigation measures, and responsibilities for monitoring and reporting which are contained in the text of the IS.

## II. PROJECT DESCRIPTION

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### A. PROJECT LOCATION AND SURROUNDING LAND USES

Santa Teresa County Park is located at the southern end of the Santa Teresa Hills in South San Jose (see Map 1 – Regional Setting Map, and Map 2 – Vicinity Map). This 1,688-acre park offers a variety of recreational activities including golf, picnicking areas, historic sites, and trails for hiking, horseback riding, and bicycling.

The project site is located within the Santa Teresa County Park Historic Area (Historic Area), an approximately 18.5 acre site within the northern portion of the 1,688-acre Santa Teresa County Park. The project consists of a site plan for the undeveloped portion of the Historic Area (see Map 3 - Historic Area and Project Site Map). The Site Plan is a concept document which identifies proposed improvements including trails connecting functional and interpretive areas within the project site, a trail connection to the developed portions of the Historic Area, site access, interpretive and display areas, vegetated areas/plantings, restored oak woodlands and native grasslands, a visitor center, and water theme elements.

Water, specifically the Santa Teresa Spring, has played a pivotal and important role in the settlement and habitation of the area and provides the unifying theme for the Site Plan design.

The program elements for the design development of the site plan include:

- interpretive themes, site circulation, signage, event/display areas, structures and existing features;
- areas of restored native grasslands and oak woodlands, that not only provide interpretive possibilities/value but also separate the interpretive elements and provide a natural buffer from the neighboring residences;
- a parking area for 40 cars with a paved entry road, permeable/semi-permeable parking areas and bioswales.
- water themed elements shown throughout the site as a unifying theme running through the various interpretive zones which include a dry creek bed, seasonal water detention areas or swales, and aesthetic water features such as a well and troughs;
- connecting pathways/trails that allow for movement from one interpretive period to another and a connecting trail to the developed portion of the Historic Area namely Santa Teresa Spring and Bernal-Gulnac-Joice Ranch;
- approximately 3,000 square foot, single-story visitor center that is located in proximity to existing structures, containing staff offices, display/interpretive areas, work room. Designed and built with green building practices, the visitor center area would be reflective of the Californio Rancho period and includes a courtyard, adobe wall, trellises and other shade structures, plantings to provide shade, such as oak trees or ornamental fruit trees, and other plantings such as an herb vegetable garden and ornamental plants typical of the rancho period;
- removal of the "short-leg" portion of the L-shaped barn which is an outbuilding of the Jacoba Bernal house and was determined to be a later addition (circa 1960's), not historic to the 19<sup>th</sup> century structure (see Historical / Archaeological resources section in the IS). Removal of portions of the structure would be done in accordance will all relevant Cal/OSHA requirements.



## **B. HISTORIC DISTRICT AND HISTORIC AREA**

The 1993 Santa Clara County Heritage Resource Inventory Update identified a portion of the project area as part of the Rancho Santa Teresa Historic District (Historic District) in Santa Teresa County Park. The Historic District was accepted, but not formally approved by the Santa Clara County Board of Supervisors, and as such, no historic overlay zoning districts have been created. The Historic District has no defined and recorded boundaries but is made up of contributing structures and elements representing various historical periods. Earlier documents, such as the Santa Teresa County Park Rancho Santa Teresa Historic District Interpretive Plan November 1999, refer to the area as a “Historic District”, however newer documents use the “Historic Area” designation, which is defined as the approximately 18.5 acre area located along the northern portion of Santa Teresa County Park (see Map 3 Historic Area and Project Site map). The Historic Area designation is the designation on which the Site Plan and IS/MND is based.

The Santa Clara County Parks and Recreation Commission approved the naming of a portion of Santa Teresa County Park as “Santa Teresa County Park Historic Area,” for its rich historic and archaeological resources in May 2001. The Historic Area consists of the developed Bernal-Gulnac-Joice Ranch site which is located at the end of Manila Drive and Camino Verde Drive, the developed Santa Teresa Spring along Manila Drive and the undeveloped more recently-acquired parcels , which are surrounded by San Ignacio Avenue, Curie Drive and Manila Drive. Completion of this project will fulfill development of the remainder of the Historic Area and provide public access to the undeveloped portions of the Park’s Historic Area.

## **C AGENCY PLANS AND PROGRAMS**

This plan incorporates by reference the applicable plans, policies, programs, and guidelines of the Santa Clara County Parks and Recreation Department as found in the following:

### **Strategic Plan for the Santa Clara County Parks and Recreation System**

The Strategic Plan for the Santa Clara County Parks and Recreation System (Strategic Plan), approved by the Board of Supervisors on August 5, 2003, states that County Parks upholds a dual mission of protecting and preserving the natural and historic resources of the County Park system and of providing recreation opportunities and facilities for public use.

#### **The Mission of the Santa Clara County Parks and Recreation Department:**

“To provide, protect and preserve regional parklands for the enjoyment, education and inspiration of this and future generations.”

**The Vision of the Santa Clara County Parks and Recreation Department:**

*“We create a growing and diverse system of regional parks, trails, and open spaces of Countywide Significance that connects people with the natural environment, offers visitor experiences that renew the human spirit, and balances recreation opportunities with resource protection.”*

The Strategic Plan also identifies future action items relative to the County Parks Department’s Interpretive Program, whose purpose is to foster awareness and appreciation of the County’s cultural and historical resources. Two priority actions noted in the Strategic Plan are:

- to identify park areas within the County park system which can become focused interpretive park areas; and
- to develop new interpretive facilities and/or amenities.

Completing the Site Plan’s planned improvements to the undeveloped portion of the Santa Teresa County Park Historic Area is and will be consistent with these action items.

**Santa Clara County Trails Master Plan Update, 1995 (the Trails Master Plan)  
and  
Uniform Inter-jurisdictional Trail Design, Use, and Management Guidelines,  
County of Santa Clara, 1999 (Trails Guidelines)**

The County Board of Supervisors adopted the *Countywide Trails Master Plan* in 1995, and approved the *Trail Guidelines* in 1999. The Trails Master Plan identifies trail routes of Countywide significance and guidelines for implementing those routes. The Trails Guidelines plan provides trail development and management guidelines and complement those found in the Trails Master Plan.

Both of these documents establish the County Parks Departments best management practices for trail siting, trail construction, and trail maintenance.

**Santa Clara County General Plan, 1995**

The Parks and Recreation element of the General Plan provides general policies about the conservation of resources and development of regional park facilities and park expansion.

**Santa Clara Valley Habitat Conservation Plan / Natural Community Conservation Plan**

The Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) is being developed by a regional partnership between the following agencies: County of Santa Clara; Cities of San Jose, Gilroy and Morgan Hill; Santa Clara Valley Transportation Authority; Santa Clara Valley Water District (SCVWD); California Department of Fish and Game; United States Fish and Wildlife Service; and the National Marine Fisheries Service. The HCP/NCCP will provide the partner agencies long-term, development related coverage under Section 10 of the Endangered Species Act.

The expected completion date of the Final HCP/NCCP is the end of 2010. Santa Teresa County Park Historic Area Site Plan project is located within the HCP/NCCP planning area and as such will be considered an interim project under the agreement of the HCP/NCCP partners.

### **Santa Teresa County Park Master Plan**

As discussed previously, the project site is part of the larger 1,688 acre Santa Teresa County Park. The County Parks began acquiring portions of the Historic Area in 1986, and in April 1992, the County Board of Supervisors approved the Santa Teresa County Park Master Plan. Between 1999 and 2001, the County Parks Department completed development of planned improvements in the Historic Area identified as future interpretive and educational areas in the Santa Teresa County Park Master Plan, namely the Santa Teresa Spring and Bernal-Gulnac-Joice Ranch sites. The undeveloped properties which make up the project site were purchased after the completion of the Park Master Plan. The Master Plan also identified future acquisitions necessary to complete the Historic Area and by 2002, the entire project site had been purchased by the County Parks Department and incorporated into Santa Teresa County Park. The Master Plan identified a future trail alignment (i.e., the Coyote-Alamitos Canal Trail) consisting of two trails connecting the Bernal-Joice-Gulnac Ranch with the Norred Ranch area. The Master Plan alignment identified the use of the Coyote-Alamitos Canal, a Santa Clara Valley Water District (SCVWD) facility which forms the project site's southern boundary (see Figure 2). However, the SCVWD does not allow public use of the canal (including the access road running along the edge of the canal) for recreational purposes. Therefore, in order to provide a trail alignment in the same vicinity, the Norred trail was constructed in Fall 2006. This multi-use trail was built at a higher elevation in the hillsides above the canal and connects the Joice and Mine Trails. In addition, a portion of the project site (i.e., the Pyzak and Bonetti properties that total 3.63 acres) was identified in the Master Plan for possible future acquisition by the County Parks Department for park uses and to complete the Historic Area. The Master Plan stated that the Pyzak property could be used for additional parking for the Joice Bernal Ranch.<sup>1</sup>

### **Santa Teresa County Park Rancho Santa Teresa Historic District Interpretive Plan**

In 1999, as part of the overall Interpretive Systems Plan, the Santa Teresa County Park Rancho Santa Teresa Historic District Interpretive Plan (Interpretive Plan)<sup>2</sup> was developed for areas of Santa Teresa County Park, which includes the project site. Interpretation of the structures and elements located in the project site were noted in the Interpretive Plan but not expanded upon because County Parks Department had not yet acquired the properties. With the purchase of the final piece of property, the County Parks Department determined that a site plan should be undertaken to complete the development of the Historic Area and to ensure consistent implementation of the 1999 Santa Clara County Parks Interpretive Systems Plan and the Interpretive Plan. Water, specifically the Santa Teresa Spring, has played a pivotal and important role in the settlement and habitation of the area and provides the unifying theme for the Site Plan design. One of the objectives of the interpretive plan is to have visitors gain a general overview of the historic and prehistoric use of the site.

<sup>1</sup> Santa Clara County. Santa Teresa County Park Final Master Plan Report. April 1992. Pgs. 82, 84, 65, and 100.

<sup>2</sup> Rancho Santa Teresa Historic District Interpretive Plan, 1 November 1999, John Veverka & Associates.

The interpretive plan identified the following uses for the site:

- the northeastern corner of the project site could be used as a parking area for visitors and a location for an interpretive kiosk and panels, a changeable bulletin board, and trail head staging area;
- the western most area of the project site could be an interpretive site for farming;
- the Pedro A. Bernal House could be used as a visitor contact area, staff office with interpretive exhibits, staging area for docent or volunteer programs or tours, staff residence or other related uses;
- the Jacoba Bernal Fisher House could be part of a historical walking tour;
- the former site of the Ignacio Bernal House could be developed for public view (e.g., building foundation markers could be set to note the location of the home site and milk house) and interpretive media such as panels, tours, booklets, and visitor center could be utilized;
- the large valley oak tree (i.e., possible bear tree) could be accompanied with an interpretive panel that described the bear-bull fights; and
- the eastern portion of the site could be the site of a visitor center, interpretation and display of Native American artifacts, or a reconstructed Ohlone village.

#### **D. PROJECT OBJECTIVES**

The project consists of a site plan, which identifies future planned improvements for the Santa Teresa County Park Historic Area. The Site Plan will guide the completion of future development of the Santa Teresa County Park Historic Area based on the goals and objectives generated by the Department with public input from the community, County Parks and Recreation Commission, County Historical Heritage Commission and other stakeholders. The goals and objectives noted below are intended to guide the site development process.

The intent and objective of the Historic Area Site Plan is to incorporate interpretive themes, history, and elements of the Native American (Ohlone), Settlement (transition period between the Ohlone and settlers who came to Alta California from Mexico), and Californio Rancho periods integrating these with the existing Historic Area sites (Santa Teresa Spring and Bernal-Gulnac-Joice Ranch). These interpretive themes, history and elements, all of which were identified in the 1999 Rancho Santa Teresa Historic District Interpretive Plan, are incorporated into the site plan design.

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## Santa Teresa County Park Historic Area Site Plan Goals and Objectives

**Purpose:** Develop a Preferred Alternative Site Plan for the Native American and Californio Rancho Portions of the Rancho Santa Teresa County Park Historic Area

### *Themes*

1. **Use the overall theme of “water” to guide design and to reveal the following to park visitors.**
  - The spring as the “source” of attracting people to this area.
  - The relationship of settlement and the availability of water. Reflect the importance of the spring (water) to the people who once lived at the site.
  - The use and importance of water in Ohlone and Californio Rancho periods. Demonstrate the role that water played in the evolution of site uses.
  - Integrate interpretive themes and elements of the Native American, Settlement and Californio Rancho periods based on the existing “Santa Teresa County Park Rancho Santa Teresa Historic District Interpretive Plan” (Nov 1, 1999).
  
2. **A secondary theme is the cultural and ethnic diversity that contributed to the history of California during the Settlement and Californio Rancho periods.**
  - The site as part of the Juan Bautista de Anza National Historic Trail.
  - The various ethnic groups that were represented on the Anza Expedition and settled in California.

### *History*

3. **Design for and interpret three time periods: Ohlone, Settlement and Californio Rancho.**
  - Interpretation and spaces should allow for hands-on exploration and experiences of the time periods. Park visitors should get a sense of what it would have been like to have lived and worked in the interpreted time periods.
  - Coordinate and integrate new design elements with the existing developed portions of the Historic Area, Santa Teresa Spring and American Ranch. The design approach for new design elements should be consistent with the existing American Ranch site. Visiting the existing (American Ranch) and new interpreted sites should provide a continuum of “walking through time.”
  - The design should provide an overview of the pre-historic and historic uses of the site, way of life and processes.

### *Environment*

4. **Design to reflect, preserve and enhance existing site environmental and cultural resources.**

- Integrate existing structures and potential new structures into historic themes and desired functions/intended uses, while protecting site resources (adobe style of structure desired).

### ***Function***

- 5. Provide facilities for a multitude of educational and functional site needs.**
  - Design for pedestrian and vehicular movement, car and bus staging, and trail connectivity to existing park sites and trails as well as neighborhood/regional trails.
  - Provide facilities for educational needs.
  - Provide facilities for staff office space and educational materials storage.
  - Provide necessary conveniences for public use.
  - Provide for maintenance storage needs.
  - Make park as safe and vandal proof as possible.
  - Prevent/resolve conflicts between park land uses and residential neighborhood needs.

### ***Regulatory***

- 6. Ensure design complies with established requirements and guidelines.**
  - Incorporate ADA requirements into design where feasible.
  - Meet goals defined in the Santa Teresa County Park Master Plan (April 1992).
  - Be consistent with Santa Clara County General Plan 1995-2010 policies, approved December 20, 1994).
  - Comply with City of San Jose development standards and General Plan.
  - Be consistent with the County Parks Strategic Plan.
  - Coordinate with SCVWD (canal ownership).
  - Be consistent with County Park Ordinances (use policies, trail designations and use, fee ordinance, etc.)

### ***Process***

- 7. Solicit input from a wide range of park users and interest groups.**
  - Incorporate general public and interest group input into site design process.
  - Park character, historic interpretation and functional elements should reflect the input of the community where appropriate and be consistent with established County Parks standards, goals and policies.

## **Public Involvement**

Since ~~October~~ April of 2007, the County Parks Department facilitated a public involvement process for the development of this site plan, which included regular meetings with a Project Team comprised of staff representatives from County Parks, including Administration, Planning, Customer and Business Services, Operations, Maintenance, Construction Services, Interpretive Program; County Planning; and a representative from the National Park Service Juan Bautista de Anza National Historic Trail Program. The process also included outreach to the community, Friends of Santa Teresa County Park, Santa

Teresa Foothills Neighborhood Association, County Parks and Recreation Commission, County Historical Heritage Commission, and other stakeholders.

The County Parks Department received public input on the Draft Site Plan from the following meetings:

- County Parks and Recreation Commission (June 4, 2008, August 12, 2008, and October 1, 2008)
- County Historical Heritage Commission (August 21, 2008 and February 19, 2009)
- Community Meetings #1 and #2 (May 8, 2008 and October 16, 2008)

## **E. EXISTING CONDITIONS / ENVIRONMENTAL SETTING**

The project site is predominantly flat but slopes upward to the south towards the Santa Teresa Hills. It is largely undeveloped with open disturbed grasslands and landscaped areas. The southern portion of the project site includes an elevated hillside of undeveloped disturbed grassland. The eastern portion of the site is developed with a one-story historic Spanish Colonial house and garage (the Jacoba Bernal Fisher House and Garage), a one-story historic French Eclectic style house (the Pedro A. Bernal House) which is built on a slight slope; auxiliary structures, out-building sheds; the L-shaped barn, and a U-shaped barn.

There is a mix of mature and young trees on the site. Most of the trees are located along the southern boundary of the project site, adjacent to a Santa Clara Valley Water District canal (the Coyote-Alamitos Canal). These trees consist of young and mature coast live oaks. A large valley oak tree is located on the northern portion of the site.<sup>3</sup>

There is a contiguous fence along the northern and eastern boundary of the project site consisting of barbed wire, chain-link, and wooden fences. The project site is surrounded by two-lane roadways (i.e., Manila Drive, Curie Drive, and San Ignacio Avenue) north and east of the project site, single-family houses north and west of the project site, a middle school (Bernal Intermediate School) east of the project site, and parkland (i.e., Santa Teresa County Park) south and west of the project site (refer to Figure 1 Aerial Photograph with Surrounding Land Uses). The Coyote-Alamitos Canal runs along the southern boundary of the project site and continues through the County Park. A SCVWD drainage pipe that siphons water from the Coyote-Alamitos Canal to the storm drain facilities in Manila Drive is located on the western portion of the project site. The developed portions of the Historic Area lie to the west of the project site including Santa Teresa Spring which forms the western boundary of the site.

## **F. PLANNED USES**

### **Planned Site Improvements (For the items listed below, this document serves as a project-level CEQA review.)**

The Site Plan and site plan design elements will guide future development of the site (*See Santa Teresa Historic Area Site Plan design and Final Site Plan Design Elements in Appendix A*). Proposed improvements contained in the Site Plan include:

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<sup>3</sup> As discussed in more detail in **Section 2.5 Cultural Resources**, a large valley oak tree on the project site was identified in 1931 as a bear tree. Bear trees were trees used in the past to tether captured bears prior to bear-bull fights. The large valley oak tree identified in Figure 1 *Aerial Photograph with Surrounding Land Uses* could be a bear tree.

- trails connecting functional and interpretive areas within the project site
- trail connection to the existing Santa Teresa Spring Trail which leads to the developed portions of the Historic Area, namely Santa Teresa Spring and Bernal-Gulnac-Joice Ranch
- a staging area/parking lot for approximately 40 cars.
- bus drop-off/parking area to accommodate two (2) buses
- site access including a new driveway to access the historic Jacoba Bernal house, and an entry adjacent to Manila Way and the City of San Jose's Albertson Parkway
- fencing
- signage ( interpretive, directional, and regulatory)
- interpretive and display areas and structures including shade structures, interpretive areas which depict Ohlone zone
- vegetated areas/plantings
- street improvements on San Ignacio Boulevard and Curie Drive
- underground power lines on site where feasible
- restored oak woodlands
- restored native grasslands
- water theme elements
- removal of the "short-leg" portion of the L-shaped barn which is an outbuilding of the Jacoba Bernal house
- related infrastructure improvements, such as storm drainage and irrigation; and
- removal of other structures and out-buildings not considered historically significant

Prior to the implementation of long-range planned roadway improvements, the County Parks Department will identify, evaluate and develop a new shared-use pathway within the perimeter of the Historic Area to provide an additional recreational experience along Curie Drive.

**Long-Range Planned Improvements (For the items listed below, this documents serves as a program-level CEQA review, with further project-level CEQA review needed in the future.**

#### **Future Historic Building Treatment for Jacoba Bernal House and Garage**

The Site Plan does not propose any alterations or changes to the Jacoba Bernal house and garage or to the Pedro Bernal house.

#### **Potential Future Trail Connection from Historic Area to Park**

Additional CEQA review will be required for any potential future trail connection (near the Pedro Bernal house) to the existing Norred Trail, which is contingent on approval from the Santa Clara Valley Water District for a future public crossing at the Coyote Alamitos Canal and the maintenance road which is owned by the District and not part of the park's trail system.

#### **Future Visitor Center**

Additional project-level CEQA review and analysis will be required for the future construction of the planned Visitor Center. The proposed visitor center will be a single story structure approximately 3000 square feet in size designed as a contemporary interpretation of a rancho style house containing staff offices and material storage, display/interpretive areas, public restrooms, and a multi-purpose room which could be used as a classroom or workroom.



Improvements to the visitor center area to include a courtyard bordered by adobe style walls, trellises, plants and trees indicative of the rancho period, and aesthetic water features such as a well and troughs.

**Future New Shared Use Perimeter Pathway**

The County Parks Department will consider a future new decomposed granite shared-use pathway to accommodate hikers, dog walkers and bicyclists within the perimeter of the Historic Area. Additional environmental review and site analysis will be required to comply with CEQA prior to development.

**G. ENVIRONMENTAL MEASURES - BEST MANAGEMENT PRACTICES (BMPs)**

Environmental measures are methods, measures, or practices incorporated into the project that avoid, reduce, or minimize a project's adverse effects on various environmental resources.

The County Board of Supervisors adopted the *Countywide Trails Master Plan* in 1995, and approved the *Trail Guidelines* in 1999. Both of these documents establish the County Parks Departments best management practices for trail siting, trail construction, and trail maintenance that will be used to avoid or reduce impacts to natural resources and to sensitive receptors. Inclusion of all of these as conditions of the project would ensure that potential environmental impacts would be kept to less than significant levels.

In addition, the following BMPs have been incorporated into the project to ensure that project-related effects are minimized or avoided. Successful implementation of these design guidelines and BMPs by County Park staff would ensure the minimization of air quality impacts related to construction dust, and minimization of erosion and siltation.

Air Quality BMP's

The following best management practices would be implemented at all construction sites to minimize PM<sub>10</sub> emissions during construction.

- 1) Sweep daily if visible soil material is carried out onto adjacent public streets, paved park access roads, parking areas, and staging areas at construction sites.
- 2) Water all active construction areas at least twice daily.
- 3) Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least 2 feet of freeboard.
- 4) Apply water three times daily, or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- 5) Enclose, cover, water twice daily, or apply nontoxic soil binders to exposed stockpiles (e.g., dirt and sand)

Trail BMPs

The following design guidelines would be followed during detailed design of the trails so that the trails avoid sensitive resources and minimize erosion.

- 1) All trails should be designed in accordance with the *Countywide Trails Master Plan Design and Management Guidelines*.

The following BMPs would be incorporated during the construction and operational phase as appropriate:

- 1) Close more erodible trails during wet-weather and storm events per the County Parks Department's trail closure policy and procedures.
- 2) Maintain the trail corridor by trimming encroaching vegetation; a bush leaning into a trail can lead users to travel outside the trail to avoid brushing against the bush, which would eventually widen the trail over time.
- 3) If a trail area is too sandy, adding clay can help the tread be more cohesive.
- 4) Where deemed beneficial by County Parks Department Staff, reapplication of an appropriate surface layer will be used on top of the new trailbed to help reduce erosion.
- 5) As trails approach one another they should rise gently to the junction with other trails, which will reduce water collection at the junction, and moderate the speed of trail users.

#### Erosion Control Measures / BMPs

- 1) In order to reduce erosion and maintenance problems during construction, disturbance to the soil surface should be kept to a minimum.
- 2) Keep "tread watersheds" small. A tread watershed is the amount of area that drains to a specific spot off of a trail (Parker, 2004). Increasing the frequency of rolling dips is an easy way to reduce the area of each tread watershed. Reducing tread width of the trail is another way to reduce the tread watershed. Compacted trail surfaces produce more surface runoff than the uncompacted soil next to the trail; narrow trails would produce less concentrated runoff than wide trails (with all other factors being equal).

To minimize the mobilization of sediment to nearby storm drains, the following erosion- and sediment-control measures would be included in a Stormwater Pollution Prevention Plan (SWPPP) to be included in the construction specifications. These measures are based on standard County measures and standard dust-reduction measures.

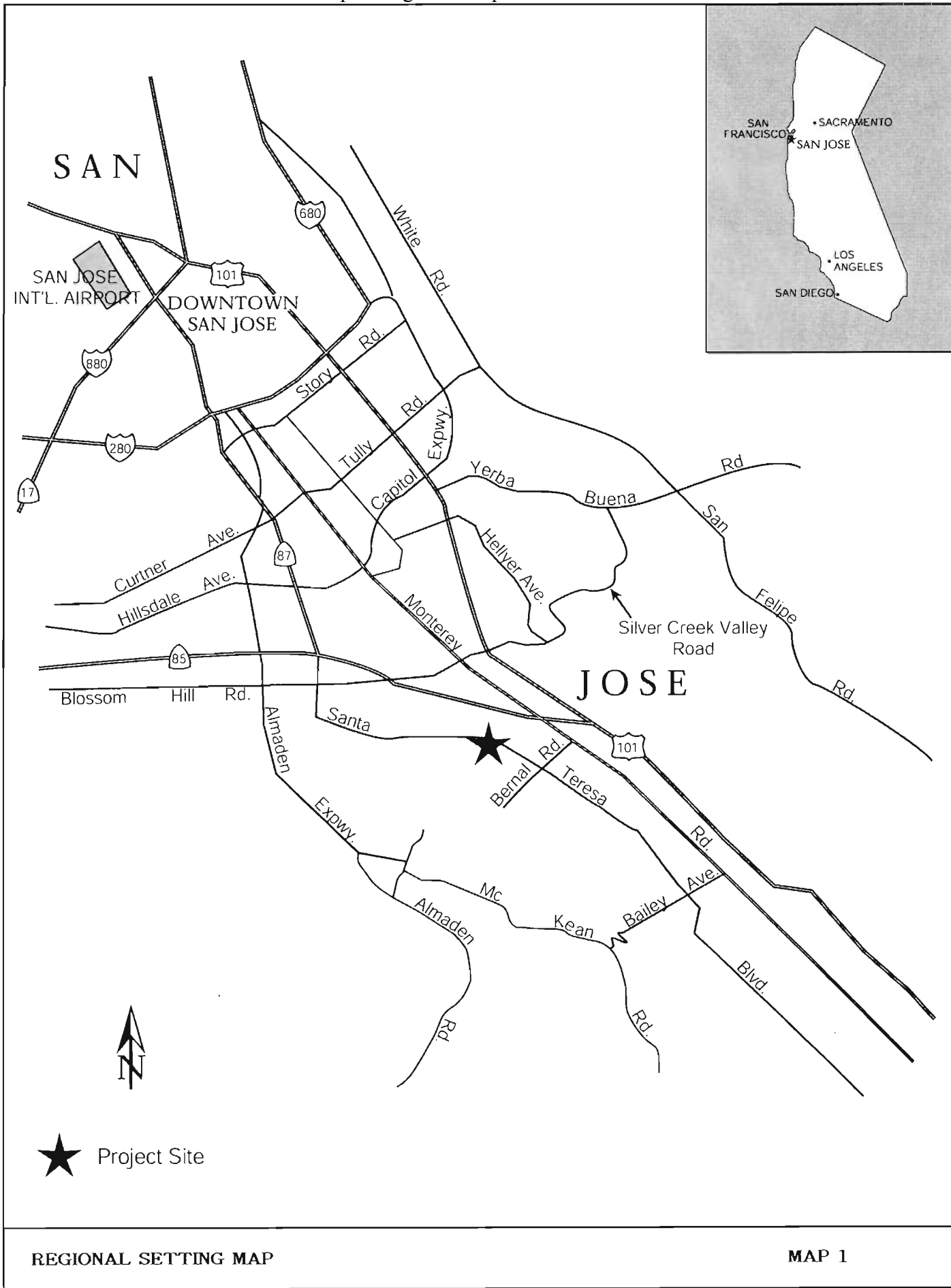
- 1) Enclose and cover exposed stockpiles of dirt or other loose, granular construction materials that could contribute sediment to waterways including storm drains.
- 2) Contain soil and filter runoff from distributed areas by vegetated filters, silt fencing, straw wattles, plastic sheeting, catch basins, or other means necessary to prevent the escape of sediment from the disturbed areas.

- 3) Prohibit the placement of earth or organic material where it may be directly carried into a stream, swale, ditch, marsh, pond, or body of standing water.
- 4) Prohibit the following types of materials from being rinsed or washed into streets, shoulder areas, or ditches: concrete, solvents and adhesives, fuels, dirt, gasoline, asphalt, and concrete saw slurry.
- 5) Conduct dewatering activities according to the provisions of the SWPPP. Prohibit placement of dewatered materials in storm drains leading to such bodies without implementation of proper construction water quality control measures.
- 6) The County Parks Department and/or its contractors should implement a monitoring program to verify effectiveness of the best management practices implemented as part of the SWPPP. The monitoring program would begin at the outset of construction activities and terminate upon completion of the project.

#### Measures to Minimize Effects of Construction-Related Noise

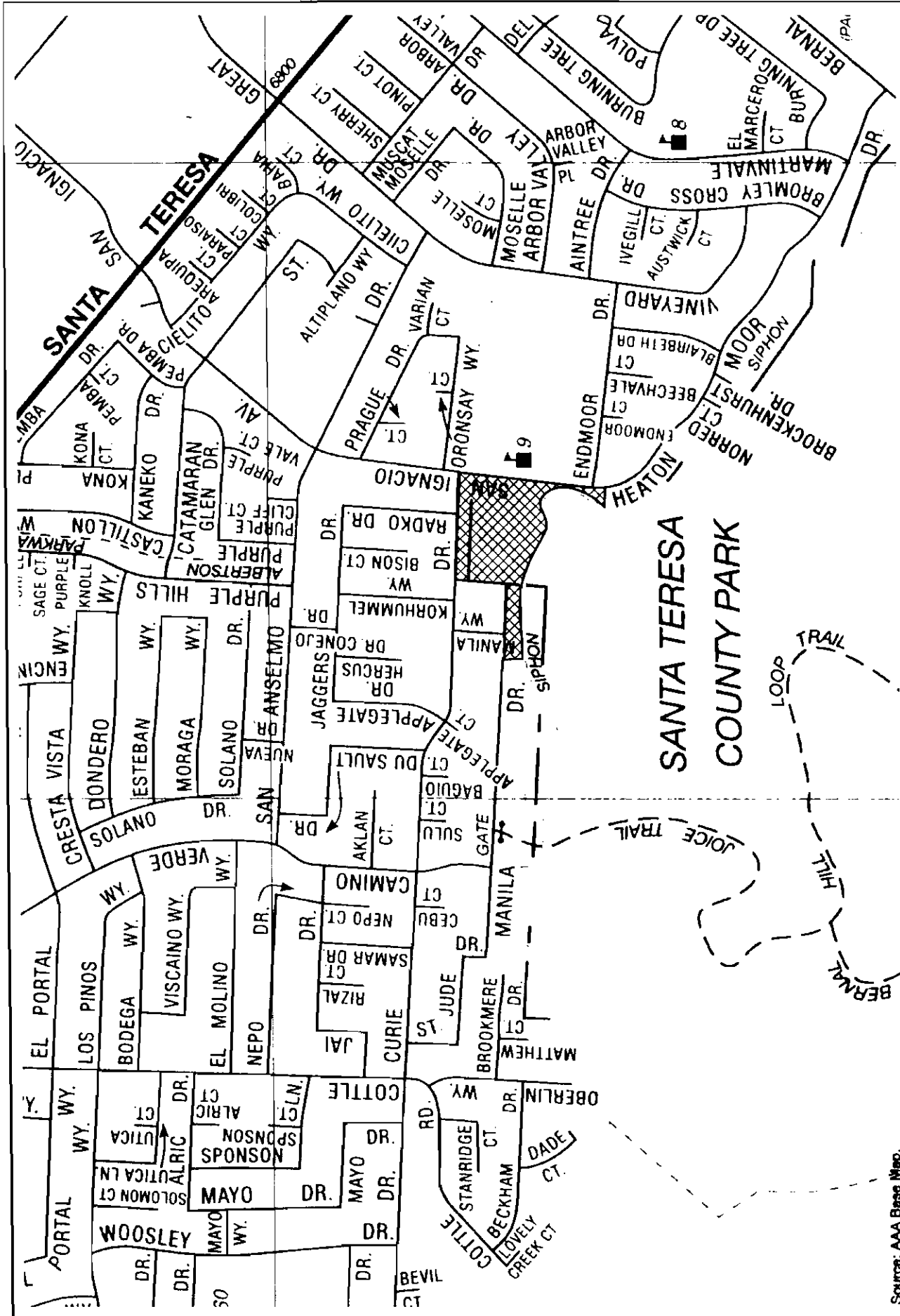
- 1) The normal working day for any construction activities that occur will be between 7:00 a.m. and 5:00 p.m. Construction will not be allowed on Saturdays, Sundays, and holidays.
- 2) Construction equipment will have appropriate mufflers, intake silencers, and noise control features and will be properly maintained and equipped to meet state standards.
- 3) Vehicles and other gas- or diesel-powered equipment will be prohibited from unnecessary warming up, idling, and engine revving.
- 4) Stationary equipment (e.g., generators) will not be located adjacent to any existing residences unless enclosed in a noise-attenuating structure.

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★ Project Site

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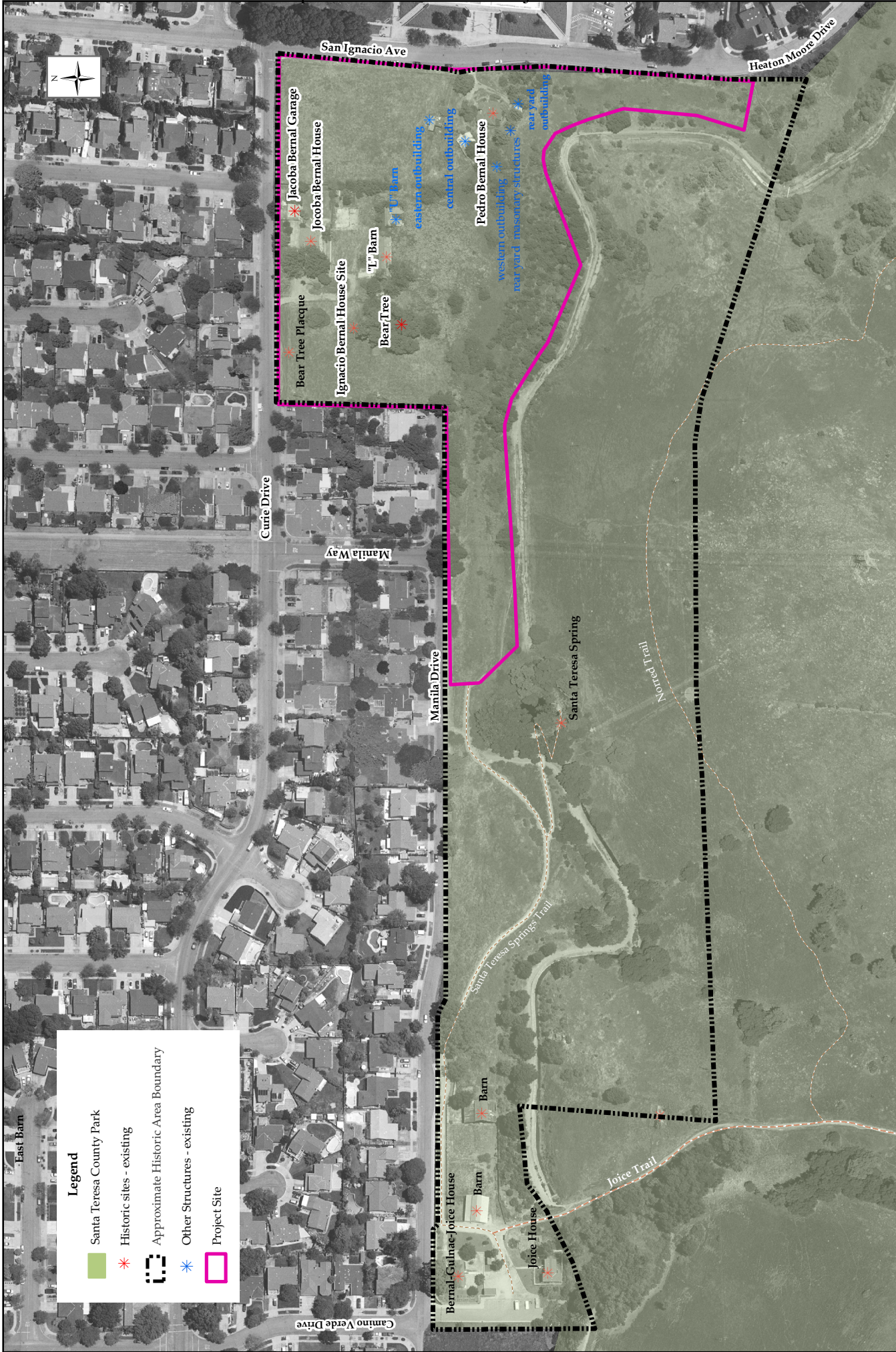
Source: AAA Base Map.

VICINITY MAP

MAP 2

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**Santa Teresa County Park - Historic Area & Historic Area Site Plan Project Site**

Note: Historic Area boundary is approximate. Though not depicted, boundary excludes easements.

Date: July 22, 2008



Created By: A.Romeo



This map generated by the County of Santa Clara Department of Parks and Recreation. The GIS files were compiled from various sources. While deemed reliable, the Department assumes no liability.

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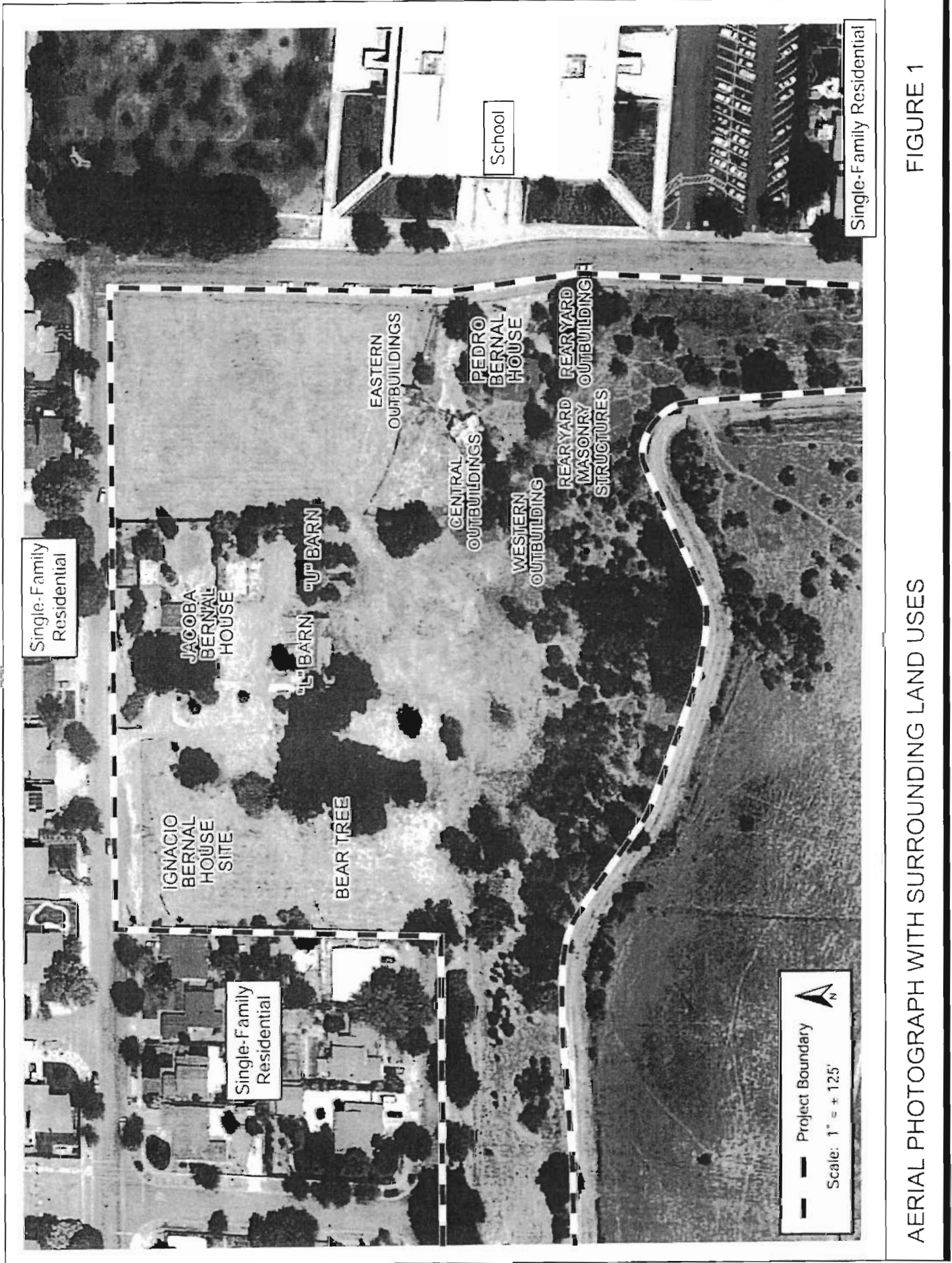


FIGURE 1

AERIAL PHOTOGRAPH WITH SURROUNDING LAND USES

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### III INITIAL STUDY

## Environmental Evaluation Checklist for Santa Clara County

**Project Title:** Santa Teresa County Park Historic Area Site Plan      **Date:** July 30 2009

**File Number:** None      **APN(s):** 704-11-009, 704-11-010, 704-11-013, and a portion of 704-11-016

**500" Map #:** 143      **Zoning:** General Use A-1      **Gen. Plan Designation:** Hillsides (HS), Regional Parkland, Existing

**Project Type:** Historic Area Site Plan      **USA (if any):** San Jose

**Applicant's Name & Address:** Santa Clara County Parks and Recreation Department  
298 Garden Hill Drive, Los Gatos, CA 95032

**Telephone:** (408) 355-2200

**Project Location (address or description):** Santa Teresa County Park, 551 Manila Drive, San Jose, CA 95119 (See Map 1 Regional Map & Map 2 Vicinity Map)

**Project Description:** See Chapter II of this document.

**Environmental Setting / Surrounding Land Uses:** See Chapter II of this document.

**Other Public Agencies whose Approval Is Required:** None.

However, the City of San Jose Department of Transportation would review the design and construction documents for the planned street improvements on San Ignacio Avenue and Curie Drive and bus stop areas on Curie Drive. Any potential future trail connection (near the Pedro Bernal house) to the existing Norred Trail would require approval from the Santa Clara Valley Water District for development of a future crossing of the Coyote Alamos Canal and the maintenance road which is owned by the District.

The environmental factors checked below may be potentially affected by this project. See sheets attached to the Initial Study for a discussion of these environmental factors and any possible mitigation which may be proposed.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Land Use / General Plan                         | <input checked="" type="checkbox"/> Biological Resources     | <input checked="" type="checkbox"/> Aesthetic                   |
| <input checked="" type="checkbox"/> Geologic                             | <input checked="" type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Energy                                 |
| <input checked="" type="checkbox"/> Resources / Parks                    | <input type="checkbox"/> Population / Housing                | <input checked="" type="checkbox"/> Historical / Archaeological |
| <input checked="" type="checkbox"/> Sewage / Water Quality               | <input checked="" type="checkbox"/> Safety / Health          | <input checked="" type="checkbox"/> Public Services / Utilities |
| <input checked="" type="checkbox"/> Water Supply / Drainage/<br>Flooding | <input checked="" type="checkbox"/> Air Quality              | <input checked="" type="checkbox"/> Noise                       |
| <input type="checkbox"/> Mandatory Findings of Significance              |  |   |



| <b>WILL THE PROJECT:</b><br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> . | IMPACT                              |                                     |  |                                     |                          | SOURCES                 |
|---|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|-------------------------|
|   | NO                                  | YES                                 |  |                                     |                          |                         |
|   |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |                         |
| <b>A. LAND USE / GENERAL PLAN</b>   |                                     |                                     |  |                                     |                          |                         |
| 1. Conflict with general plan designation or zoning?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 6a,7,9a,10a             |
| 2. Conflict with applicable plans or policies adopted by agencies with jurisdiction over the project?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | [            ]          |
| 3. Conflict with special policies?  |                                     |                                     |  |                                     |                          |                         |
| a. San Martin and/or South County   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 6a,b,10a,44,45          |
| b. Los Gatos Specific Plan or Lexington Watershed   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 6a,10a,13,14            |
| c. East Foothills Policy Area   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 6a,10a                  |
| d. New Almaden Hist. Area/Guadalupe Watershed   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 6a,7,10a                |
| e. Stanford   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 6a,15,16                |
| f. San Jose   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 8,10a                   |
| 4. Be incompatible with existing land use in the vicinity?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,12b               |
| 5. Disrupt or divide the physical arrangement of an established community?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,4                     |
| <b>B. GEOLOGIC</b>  |                                     |                                     |  |                                     |                          |                         |
| 1. Be located in an area designated as having a potential for major geological hazard?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 9b,10c,11a<br>12a,17,18 |
| 2. Be located on, or adjacent to a known earthquake fault?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 9c,10c,11a              |
| 3. Be located in a Geologic Study Zone?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 9c,11a                  |
| 4. Be located in an area of soil instability (subsidence, liquefaction, landslide, shrink/swell potential, soil creep or severe erosion)?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 9c,12a,12d,20,<br>21    |

| WILL THE PROJECT:<br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> .” | IMPACT                              |                                     |  |                                     |                          | SOURCES     |
|---|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|-------------|
|   | NO                                  | YES                                 |  |                                     |                          |             |
|   |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |             |
| 5. Cause substantial erosion or siltation?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3       |
| 6. Cause substantial compaction or over-covering of soil either on-site or off-site?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3       |
| 7. Cause substantial change in topography or unstable soil conditions from excavation, grading, or fill?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,11c   |
| 8. Involve construction of a building, road or septic system on a slope of:   |                                     |                                     |  |                                     |                          |             |
| a. 30% or greater?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,10j,11c |
| b. 20% to 30%?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,10j,11c |
| c. 10% to 20%?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,10j,11c |
| <b>C. RESOURCES/PARKS</b>   |                                     |                                     |  |                                     |                          |             |
| 1. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,19    |
| 2. Result in substantial depletion of any non-renewable natural resource?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3         |
| 3. Convert 10 or more acres of prime agricultural land (Class I to II) to non-agricultural use or impair the agricultural productivity of nearby prime land?                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,20,21     |
| 4. Involve lands protected by the Williamson Act (agricultural preserve) or an Open Space Easement?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,9a        |
| 5. Affect any existing agricultural operations?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2           |
| 6. Be on, within, or near a public or private park, wildlife reserve, or trail (includes those proposed for the future), or affect existing recreational opportunities?                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,4,9d,10h  |
| 7. Result in loss of open space rated as high priority for acquisition in the “Preservation 20/20” report.  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 38          |
| 8. Increase demand for parks or other recreational facilities?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,5         |

| <b>WILL THE PROJECT:</b><br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> . | IMPACT                              |                                     |  |                                     |                          | SOURCES                 |
|---|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|-------------------------|
|   | NO                                  | YES                                 |  |                                     |                          |                         |
|   |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |                         |
| <b>D. SEWAGE/WATER QUALITY</b>  |                                     |                                     |  |                                     |                          |                         |
| 1. Result in a septic field being constructed on soil with severe septic drain field limitations or where a high water table extends close to the natural land surface?                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 10e,11b,12d,20,21,22,24 |
| 2. Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity?                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,4                 |
| 3. Result in extensions of a sewer trunk line with capacity to serve new development?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3                       |
| 4. Require a NPDES permit for construction [Does it disturb one (1) acre or more?]  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3                       |
| 5. Result in significant changes to receiving waters quality during or following construction?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 46,47                   |
| 6. <i>Degrade surface or ground water quality or public water supply? (Including marine, fresh and wetland waters.)</i>   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,11b,21,46           |
| 7. Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe Watershed)?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 4,10a,13,23             |
| 8. Result in use of well water previously contaminated by nitrates, mercury, asbestos, etc. existing in the groundwater supply?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 10e,23                  |
| 9. Is the project a tributary to an already impaired water body? If so will the project result in an increase in any existing pollutants?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 46,47                   |

| WILL THE PROJECT:<br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> .”                       | IMPACT                              |                                     |  |                                     |                          | SOURCES               |
|---|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|-----------------------|
|   | NO                                  | YES                                 |  |                                     |                          |                       |
|   |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |                       |
| <b>E. WATER SUPPLY/DRAINAGE/FLOODING</b>  |                                     |                                     |  |                                     |                          |                       |
| 1. Interfere substantially with ground water recharge or reduce the amount of groundwater otherwise available for public water supplies?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,10e,11b             |
| 2. Substantially change the direction, rate of flow, or quantity, or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,46                |
| 3. Change absorption rates, drainage patterns, or the rate and amount of surface runoff? (Note policy re flood retention in water course and restoration of riparian vegetation for West Branch of the Llagas.) | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,28,45               |
| 4. Substantially alter existing drainage patterns in a manner which would result in substantial erosion or siltation on or off site?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 46                    |
| 5. Involve a surface water body, natural drainage channel, streambed or water course such as to alter the amount, location, course, or flow of its waters?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,11c,28,45         |
| 6. Result in an increase in pollutant discharges to receiving waters?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 46                    |
| 7. Expose people or property to water related hazards such as flooding?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 9c,12c                |
| <b>F. BIOLOGICAL RESOURCES</b>  |                                     |                                     |  |                                     |                          |                       |
| 1. <i>Affect fish, wildlife, reptiles, or plant life, by [a] change in diversity or numbers or [b] introduction of new species or [c] restrictions to migration or movement or [d] reducing habitat?</i>        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,4,10b, 11d,e    |
| 2. <i>Result in impact to an endangered, threatened or rare species or their habitat (including but not limited to plants, fish, insects, animals, and birds)?</i>  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            | <input type="checkbox"/> | 10b,11d,e, 10k, & 12d |
| 3. <i>Impact a local natural community, such as a fresh water marsh, oak forest or salt water tide land?</i>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,10b,11d,e       |

| WILL THE PROJECT:<br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> .”                    | IMPACT                              |                                     |  |                                     |                          | SOURCES              |
|--|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|----------------------|
|  | NO                                  | YES                                 |  |                                     |                          |                      |
|  |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |                      |
| 4. <i>Impact a watercourse, aquatic, wetland, or riparian area or habitat? (Subdivision includes or construction within 150 feet.)</i>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3,12b,39,45, 46    |
| 5. Adversely impact unique or heritage trees or a large number of trees over 12" in diameter?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,3,25, 48         |
| 6. Conflict with any local policies or ordinances protecting biological resources? Tree Preservation Ordinance [Section C16]?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,48               |
| 7. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,4                  |
| <b>G. TRANSPORTATION</b>   |                                     |                                     |  |                                     |                          |                      |
| 1. Cause a substantial increase in traffic or traffic congestion in relation to the existing traffic load and capacity of the street system? (Exceed LOS level ‘D’ in vicinity-GP policy C-TR 12, C-TR(i)6.) | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 4,6a,26,27,28, 29,43 |
| 2. Generate 100 or more peak hour trips? [If yes, a CMA transportation impact analysis must be prepared]   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3                  |
| 3. Increase traffic hazards to pedestrians, bicyclists and vehicles?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,4                  |
| 4. Not provide safe access, obstruct access to nearby uses or fail to provide for future street right of way?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,12e                |
| 5. Cause increases in demand for existing on or off-street parking because of inadequate project parking?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,30               |
| 6. Conflict with adopted policies supporting alternative transportation (e.g. transit, bicycles, walking)?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,6a                 |
| <b>H. POPULATION/HOUSING</b>   |                                     |                                     |  |                                     |                          |                      |
| 1. Reduce the supply of low-income housing or  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 3,4                  |

| WILL THE PROJECT:<br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> .” | IMPACT |                 |  |                                     |            | SOURCES     |
|---|--------|-----------------|--|-------------------------------------|------------|-------------|
|   | NO     | YES             |  |                                     |            |             |
|   |        | Not Significant | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative |             |
| displace people or businesses?  |        |                 |  |                                     |            |             |
| 2. Induce substantial growth in an area, either directly or indirectly?   | ■      | □               | □  | □                                   | □          | 2,3,4       |
| <b>I. SAFETY / HEALTH</b>   |        |                 |  |                                     |            |             |
| 1. Involve risk of explosion or release of hazardous substances (including pesticides, herbicides, toxic substances, oil, chemicals or radioactive materials)?                            | □      | ■               | □  | □                                   | □          | 1,3,4,5     |
| 2. If yes to #1, be within 1/4 mile of a school [public notice]   | □      | ■               | □  | □                                   | □          | 40          |
| 3. Be located within 200' of a 230KV or above electrical transmission line  | ■      | □               | □  | □                                   | □          | 2,4         |
| 4. Create any health hazard?  | ■      | □               | □  | □                                   | □          | 1,3,4,5     |
| 5. Expose people to existing sources of potential health hazards?   | □      | ■               | □  | □                                   | □          | 2,3,4       |
| 6. Be located in an ALUC Safety Zone?   | ■      | □               | □  | □                                   | □          | 31          |
| 7. Increase fire hazard in an area already involving extreme fire hazard?   | ■      | □               | □  | □                                   | □          | 10g         |
| 8. Be located on a cul-de-sacs over 800 ft. in length and require secondary access which will be difficult to obtain?   | ■      | □               | □  | □                                   | □          | 1,3,4,32,33 |
| 9. Employ technology which could adversely affect safety in case of a breakdown?  | ■      | □               | □  | □                                   | □          | 1,3,5       |
| 10. Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?  | □      | ■               | □  | □                                   | □          | 3           |
| 11. Provide breeding grounds for vectors?   | □      | ■               | □  | □                                   | □          | 1,3,5       |
| <b>J. AIR QUALITY</b>   |        |                 |  |                                     |            |             |
| 1. Violate any ambient air quality standard, contribute to an existing or projected air quality violation, or expose sensitive receptors to pollutant concentrations?                     | □      | ■               | □  | □                                   | □          | 5,34        |

| WILL THE PROJECT:<br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> .”                          | IMPACT                              |                                     |  |                                     |                          | SOURCES        |
|--|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|----------------|
|  | NO                                  | YES                                 |  |                                     |                          |                |
|  |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |                |
| 2. Create objectionable dust or odors?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5          |
| 3. Alter air movement, moisture, or temperature, or cause any change in climate?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3,4          |
| 4. Would the project increase greenhouse gas emissions that hinder or delay the State’s ability to meet the reduction target (25% reduction by 2020) contained in CA Global Warming Solutions Act of 2006 (AB 32)? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 5              |
| <b>K. NOISE</b>  |                                     |                                     |  |                                     |                          |                |
| 1. Increase substantially the ambient noise levels for adjoining areas during and/or after construction?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5,6a       |
| 2. Expose people to high noise or vibration levels generated by the project or from the surrounding area?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,2,4,3,5,31   |
| <b>L. AESTHETIC</b>  |                                     |                                     |  |                                     |                          |                |
| 1. If subject to ASA, be generally in non-compliance with the Guidelines for Architecture and Site Approval?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 35,36          |
| 2. Create an aesthetically offensive site open to public view?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3,37         |
| 3. Visually intrude into an area having natural scenic qualities, be adjacent to a designated Scenic Highway or within a Scenic Corridor?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3,4,7,10f,37 |
| 4. Obstruct scenic views from existing residential areas, public lands, public water body or roads?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3            |
| 5. Be located on or near a ridgeline visible from the valley floor?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,10f,11c,37   |
| 6. Adversely affect the architectural appearance of an established neighborhood?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3            |
| 7. Generate new light or glare?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3            |

| WILL THE PROJECT:<br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> .”  | IMPACT                              |                                     |  |                                     |                          | SOURCES     |
|--|-------------------------------------|-------------------------------------|--|-------------------------------------|--------------------------|-------------|
|  | NO                                  | YES                                 |  |                                     |                          |             |
|  |                                     | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |             |
| <b>M. ENERGY</b>   |                                     |                                     |  |                                     |                          |             |
| 1. Use non-renewable resources in large quantities or in a wasteful manner?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| 2. Involve the removal of vegetation capable of providing summer shade to a building or significantly affect solar access to adjacent property?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 2,3         |
| <b>N. HISTORICAL / ARCHAEOLOGICAL</b>  |                                     |                                     |  |                                     |                          |             |
| 1. Disturb potential archaeological or paleontological resources?  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            | <input type="checkbox"/> | 3,10d,41,42 |
| 2. Disturb a historic resource or cause a physical change which would affect unique ethnic cultural values or restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            | <input type="checkbox"/> | 3,25,42     |
| 3. Be located in a Historic District (e.g., New Almaden Historic Area)?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 7,10a       |
| <b>O. PUBLIC SERVICES AND UTILITIES</b>  |                                     |                                     |  |                                     |                          |             |
| 1. Induce substantial growth or concentration of population? (Growth inducing?)  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| 2. Employ equipment which could interfere with existing communications or broadcast systems?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| 3. Have an effect upon or increase the need for or alter services in any of the following areas:   |                                     |                                     |  |                                     |                          |             |
| a. Fire Protection   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| b. Police Protection   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| c. School facilities   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| d. Maintenance of public facilities, including roads   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| e. Other government services   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| 4. Increase the need for new systems or supplies, or cause substantial alterations to the following utilities:   |                                     |                                     |  |                                     |                          |             |
| a. Electricity or Natural gas  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |
| b. Local or regional water treatment or distribution facilities  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5       |



| <b>WILL THE PROJECT:</b><br><br>“Questions relating to the California Department of Fish & Game “de minimus impact finding” for the Certificate of Fee Exemption are listed in <i>italics</i> . | IMPACT                   |                                     |  |                                     |                          | SOURCES |
|---|--------------------------|-------------------------------------|--|-------------------------------------|--------------------------|---------|
|   | NO                       | YES                                 |  |                                     |                          |         |
|   |                          | Not Significant                     | Significant Unless Mitigation Incorporated | Significant. No apparent Mitigation | Cumulative               |         |
| c. Local or regional water supplies   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5   |
| d. Sewage disposal  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5   |
| e. Storm water drainage   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5   |
| f. Solid waste or litter [Would a recycling facility be appropriate?]   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>                   | <input type="checkbox"/>            | <input type="checkbox"/> | 1,3,5   |

| <b>WILL THE PROJECT:</b>   | <b>NO</b>                           | <b>YES</b>                          |
|--|-------------------------------------|-------------------------------------|
| <b>P. MANDATORY FINDINGS OF SIGNIFICANCE</b>   |                                     |                                     |
| a. 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, 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?    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Have environmental impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects.)   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>DISCUSSION OF ENVIRONMENTAL EVALUATION</b>  |                                     |                                     |
| Discuss on attached sheet(s) all "yes" answers and any "no" answers that are potentially controversial or require clarification. (Must be TYPED). Describe any potential impacts and discuss possible mitigations. For source, refer to attached "Initial Study Source List". When a source is used that is not listed on the form or an individual is contacted, that source and/or individual should be cited in the discussion.                       |                                     |                                     |
| <b>DETERMINATION</b> 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 recommended.   |                                     | <input type="checkbox"/>            |
| 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 the mitigation measures described on the attached are included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be recommended.  |                                     | <input checked="" type="checkbox"/> |
| I find the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is recommended.  |                                     | <input type="checkbox"/>            |
| The project may have significant effect(s) on the environment, but they were analyzed in a prior document pursuant to applicable legal standards and such effects were addressed by mitigation measures based on the earlier analysis. For these effects that are less than significant with mitigation incorporated, the mitigation measures from the prior document are described to the extent they address site-specific conditions for the project. |                                     | <input type="checkbox"/>            |
| Signature: _____ Date: _____   |                                     |                                     |
| Print name & title: <u>Antoinette Romeo, Planner III</u> Date: _____   |                                     |                                     |

## INITIAL STUDY SOURCE LIST

1. Environmental Information Form
2. Field Inspection
3. Project Plans
4. Planner's Knowledge of Area
5. Experience With Other Project of This Size and Nature
- 6a. County General Plan
- 6b. The South County Joint Area Plan
7. County Zoning Regulations (Ordinance)
8. Second Amendment to Agreement [with San Jose] for Allocation of Tax Increment Funds
9. MAPS (various scales)
  - a. County Zoning (500' or 1,000')
  - b. ABAG "On Shaky Ground"-Santa Clara County Map Set (2 miles)
  - c. Barclay's Santa Clara County Locaide Street Atlas (2631')
  - d. County Regional Parks, Trails and Scenic Highways Map (10,000')
10. 5000' or one mile Scale MAPS
  - a. County General Plan Land Use
  - b. Natural Habitat Areas
  - c. Relative Seismic Stability
  - d. Archaeological Resources
  - e. Water Resources & Water Problems
  - f. Viewshed and Scenic Road
  - g. Fire Hazard
  - h. Parks and Public Open Space
  - i. Heritage Resources
  - j. Slope Constraint
  - k. Serpentine soils
11. 2000' Scale MAPS
  - a. State of California, Special Studies Zones [Revised Official Map]
  - b. Water Problem/Resource
  - c. USGS Topo Quad (7-1/2 minutes)
  - d. Dept. of Fish & Game, Natural Diversity Data Base Map Overlays & Textual Reports
  - e. Natural Resources [Key to map found in: Natural Resource Sensitivity Areas-Locality Data, Harvey & Stanley Associates-Contact County staff]
12. 1000' Scale MAPS/Air Photos
  - a. Geologic Hazards
  - b. Color Air Photos (MPSI)
  - c. Santa Clara valley Water District-Maps of Flood Control Facilities & Limits of 1% Flooding
  - d. Soils Overlay Air Photos
  - e. "Future Width Line" map set
13. County Lexington Basin Ordinance Relating to Sewage Disposal
14. Los Gatos Hillside Specific Area Plan
15. Stanford University Master Use Permit and Environmental Impact Report [EIR]
16. Stanford Protocol and Land Use Policy Agreement
17. County Geologist
18. Site Specific Geologic Report
19. State Department of Mines and Geology, Special Report #146
20. USDA, SCS, "Soils of Santa Clara County"

21. USDA, SCS, "Soil Survey of Eastern Santa Clara County"
  22. County Environmental Health/Septic Tank Sewage Disposal System - Bulletin "A"
  23. San Martin Water Quality Study
  24. County Environmental Health Department Tests and Reports
  25. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
  26. Official County Road Book
  27. County Transportation Agency
  28. County Standards and Policies Manual (Vol. I - Land Development)
  29. Public Works Departments of Individual Cities
  30. County Off-street Parking Standards
  31. ALUC Land Use Plan for Areas Surrounding Airports [1992 version]
  32. County Fire Marshal
  33. California Department of Forestry
  34. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development-Guidelines for Assessing Impacts of Projects & Plans"
  35. Architectural and Site Approval Committee Secretary
  36. County Guidelines for Architecture and Site Approval
  37. County Development Guidelines for Design Review
  38. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 (Chapter IV)
  39. Riparian Inventory of Santa Clara County, Greenbelt Coalition, November 1988.
  40. Section 21151.4 of California Public Resources Code.
  41. Site Specific Archaeological Reconnaissance Report
  42. State Archaeological Clearinghouse, Sonoma State University
  43. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1985
  44. Design Guidelines for Non-residential Development in San Martin.
  45. Southwest San Martin Area Interim Development Guidelines
  46. 2001 NPDES Storm Water Discharge Permit
  47. 2002 Clean Water Act Section 303(d)
  48. Santa Clara County Tree Preservation Ordinance Section C16,
-

## A. LAND USE/GENERAL PLAN

### *Regulatory Framework*

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant land use impact if it would:

- Substantially or adversely change the type or intensity of existing or planned land use in the area;
- Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height;
- Conflict with established residential, recreational, educational, religious, or scientific uses of an area;
- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use;
- Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere; or
- Result in substantial shading of existing residences and/or a public park or open space area.

### *Setting*

See Chapter II, Project Description, Project Location and Surrounding Land Uses and Existing Conditions/Environmental Setting sections of this document.

#### **General Plan and Zoning Ordinance**

The project site is part of the Santa Teresa County Park. In the County's General Plan land use diagram, the Santa Teresa County Park is designated *Existing Regional Park* and *Hillsides*. The *Existing Regional Park* designation applies to park lands of the County, cities, State of California, and United States government agencies which serve a region-wide population. The *Hillsides* land use designation applies to mountainous lands and foothills unsuitable and/or unplanned for annexation and urban development. Lands so designated shall be preserved largely in natural resource related and open space uses in order to a) support and enhance rural character; b) protect and promote wise management of natural resources; c) avoid risks associated with the natural hazards characteristic of those areas; and d) protect the quality of reservoir watersheds critical to the region's water supply.

The Santa Teresa County Park is zoned *General Use*. The purpose of the *General Use* district, also known as the A1 district, is to provide a flexible base zoning district that allows general residential and agricultural uses, and provides opportunities through the use permit process for other uses and developments that are appropriate for a particular location, consistent with the objectives, goals and policies of the general plan.

Approximately 14-acres, including the nine-acre project site, was recently (May 2007) annexed into the City of San José as part of the County Island Annexation Program. Under the County Island Annexation Program, once annexed, the City of San José assumes responsibility to provide certain services, such as police and fire protection, to areas previously receiving these services from the County. Although the project site is now within the city limits, it remains County owned property. County owned property that is under county use (i.e., not leased to a private entity) is exempt from City entitlements, such as planning and building ordinances and regulations, and permitting requirements. Limited review by the City of San José may be required, however, for safety services (e.g., police and fire services) if the City will serve the proposed improvement/development, or where a utility connection will be made to a city utility such as a sewer connection.

### **Santa Teresa County Park Master Plan**

See Chapter II, Project Description, section C Agency Plans and Programs

#### **Discussion:**

#### **A. LAND USE / GENERAL PLAN**

*Will the project:*

##### **1. Conflict with general plan designation or zoning?**

**No Impact.** The Site Plan project consists of design elements which identify proposed improvements within an existing County Park. The proposed developments do not conflict with any applicable general plan designation or zoning.

##### **2. Conflict with applicable plans or policies adopted by agencies with jurisdiction over the project?**

**No Impact.** The Site Plan project consists of design elements which identify proposed improvements within an existing County Park. These activities do not conflict with any applicable land use plan, policy, or regulation.

##### **3. Conflict with special policies?**

###### **a. San Martin and/or South County**

**No Impact.** The project is not located in San Martin or the South County.

###### **b. Los Gatos Specific Plan or Lexington Watershed**

**No Impact.** The project is not located in an area covered by the Los Gatos Specific Plan. The project is not in the Lexington watershed.

**c. East Foothills Policy Area**

**No Impact.** The project is not located in the East Foothills Policy Area.

**d. New Almaden Hist. Area/Guadalupe Watershed**

**No Impact.** The project is not located in the New Almaden Historical Area. The project will not conflict with special policies for the Guadalupe Watershed.

**e. Stanford**

**No Impact.** The project is not located on Stanford-owned land.

**f. San Jose**

**No Impact.** The project does not conflict with City of San Jose special policies. Although the project site is within San Jose's city limits, it remains County-owned property.

**4. Be incompatible with existing land use in the vicinity?**

**No Impact.** The project is a site plan and involves proposed park improvements within an existing County park. The project site is bounded by residential development, regional parkland (Santa Teresa County Park) and a public school (Bernal Intermediate School). The site plan integrates with existing developed portions of the Historic Area which is located within Santa Teresa County Park. The proposed improvements, therefore, do not represent a change in land use.

**5. Disrupt or divide the physical arrangement of an established community?**

**No Impact.** The project is a site plan within an existing County park. The proposed improvements would not disrupt or divide the physical arrangement of an established community. The site plan integrates with the existing developed portions of the Historic Area and Santa Teresa County Park to provide additional community access and benefit to a County park resource.

**B. GEOLOGIC***Regulatory Framework - Geology and Soils***California Environmental Quality Act**

Under CEQA, a project is determined to have a significant geology and soils impact if it would:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 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,
  - Strong seismic ground shaking,
  - Seismic-related ground failure, including liquefaction, and/or
  - Landslides.
- Result in substantial soil erosion or the loss of topsoil;

- 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;
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

### *Setting*

The following discussion is based on information in the Santa Clara County Santa Teresa Park Master Plan Final Environmental Impact Report (April 1992), and the County's Geographic Information System (GIS) data.

### **Geology and Soils**

The project site is part of Santa Teresa County Park, which is located in the Santa Teresa Hills. The northern portion of the project site is generally flat and the southern portion slopes upward to the south (towards the hills). The Santa Teresa Hills are made up of highly varied bedrock of the Upper Jurassic and Lower Cretaceous Franciscan Assemblage and of sandstones and shales of Lake Cretaceous and Middle Eocene age. The rock units at the project site are overlain by alluvium, serpentine, and melange.<sup>4</sup>

The site soils include Campbell silty clay loam (Ca), Vallecitos loam (VaE2), and Yolo loam (YaA). The soils on-site are moderately to highly expansive.<sup>5</sup> The soils on-site may expand and contract as a result of seasonal or man-made soil moisture conditions.

### **Seismicity and Seismic Hazards**

The San Francisco Bay Area is one of the most seismically active regions in the United States. Santa Clara County is classified as Zone 4, the most seismically active zone. An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. The degree of shaking is dependent on the magnitude of the event, the distance to its zone of rupture, and local geologic conditions.

There are no known faults located on the project site and it is not located in an Alquist-Priolo Earthquake Fault Zone.<sup>6</sup> The project site, however, is located within the seismically active San Francisco Bay Area. It is classified as Zone 4, the most seismically active zone in the United States.

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<sup>4</sup> The Franciscan Assemblage represents an ancient fault zone where the North American continent thrusts over that portion of the earth's crust that lies beneath the Pacific Ocean. During the course of this over thrusting movement, which is believed to have continued over a period of many tens of millions of years, masses of rock of all sizes and available types were brought together in unrelated and disoriented assortments, which have been referred to as melange.

<sup>5</sup> Sources: 1) Santa Clara County, Department of Public Works. Soil Map. Sheet 37. 1965. 2) United States Department of Agriculture, Soil Conservation Service. Soils of Santa Clara County. June 1968.

<sup>6</sup> Santa Clara County. Santa Clara County Geologic Hazard Zones. Map. Sheet 37. 26 February 2002. Available at: [http://www.sccgov.org/SCC/docs/Planning,%20Office%20of%20\(DEP\)/attachments/58201037.pdf](http://www.sccgov.org/SCC/docs/Planning,%20Office%20of%20(DEP)/attachments/58201037.pdf).



The three major fault lines in the region are: the San Andreas, Calaveras, and Hayward fault lines. The San Andreas fault is located approximately nine miles southwest of the site, the Hayward fault is located approximately five miles northeast of the site, and the Calaveras fault is located approximately 6.5 miles northeast of the project site. The potentially active Shannon Fault passes through the southern portion of Santa Teresa Park, approximately one mile south of the project site. Two inactive faults (defined as a fault which has not shown evidence of movement within the last 10,000 years), the Coyote Peak Fault and an unnamed Santa Teresa Hill fault, pass through the southern portion of the Park, approximately one mile and 0.4 mile south of the project site respectively.<sup>7</sup>

Potential seismic hazards resulting from a nearby moderate to major earthquake may include ground shaking, liquefaction, and lateral spreading. Liquefaction is the result of seismic activity and is characterized as the transformation of loose, water-saturated soils from a solid state to a liquid-like state after ground shaking. There are many variables that contribute to liquefaction including the age of the soil, soil type, soil cohesion, soil density, and ground water level. The soils on the site are considered to have a high potential for liquefaction and a moderately high potential for lateral spreading.<sup>8</sup> A specific geotechnical investigation for a northern portion of the project site found that the liquefaction potential of near-surface soils on this portion of the project site was low.<sup>9</sup>

The project site is predominantly flat but slopes upward to the south, primarily along the southern boundary of the site near the Pedro Bernal house. The project site has slopes that range from zero to approximately 42%. According to the Santa Teresa Park Master Plan Environmental Impact Report, the western portion of the site having that has zero to five percent slope and the southern portions directly below the Coyote-Alamitos Canal having slopes up to approximately 42%, particularly near the Pedro Bernal house.

According to the Santa Teresa Park Master Plan Environmental Impact Report, The western portion of the site was determined to have a stable slope<sup>10</sup> while the southern portion of the site identified as having a moderate to high landslide susceptibility.<sup>11</sup>

### **Discussion:**

#### **B. GEOLOGIC**

*Will the Project:*

- 1. Be located in an area designated as having a potential for major geological hazard?**
- 2. Be located on, or adjacent to a known earthquake fault?**

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<sup>7</sup> Cooper Clark and Associates. Geotechnical Investigation City of San José's Sphere of Influence for the City of San José. Fault Traces Map. July 1974.

<sup>8</sup> Cooper Clark and Associates. Geotechnical Investigation City of San José's Sphere of Influence for the City of San José. Ground Failure Potential Map. July 1974.

<sup>9</sup> City of San José. Draft Environmental Impact Report on the Curie Estates. January 1993. Page 64.

<sup>10</sup> Santa Clara County, Department of Parks and Recreation. Santa Teresa Park Master Plan Environmental Impact Report. April 1992. Figure 7, Page 72.

<sup>11</sup> Cooper Clark and Associates. Geotechnical Investigation City of San José's Sphere of Influence for the City of San José. Landslide Susceptibility Map. July 1974.

**Response to 1), and 2):**

**Not Significant.** The project site is not located in an area designated as having a potential for major geological hazard. There are no known faults located on or adjacent to the project site. However, the project site is located in a seismically active region (San Francisco Bay Area, classified as Zone 4). An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. In addition, the project site includes moderately to highly expansive soils. The soils on-site may expand and contract as a result of seasonal or man-made soil moisture conditions, and expansive soils could damage future infrastructure improvements and development.

There is risk to human safety for individuals present during a large earthquake. However, since it is impossible to anticipate a seismic event, there are no precautions that can be taken to avoid or reduce impacts of seismic events for park staff or visitors. There is a risk of structural damage to proposed infrastructure improvements and facilities that could constitute a potential for significant impact. However, the proposed development, including trails and structures, would be designed and constructed in accordance with all relevant provisions of the current Uniform Building Code/California Building Code (UBC/CBC) standards and best management practices contained in *Santa Clara County Countywide Trails Master Plan Update* and *Uniform Interjurisdictional Trail Design, Use, and Management Trail Guidelines* (see Chapter II Environmental Measures - BMPs section). With these provisions in place, risks would be minimized to the extent feasible and environmental impacts are considered less than significant.

**3. Be located in a Geologic Study Zone?**

**No impact.** The project site is not located in a geologic study zone. The project site is not located in an Alquist-Priolo Earthquake Fault Zone.

**4. Be located in an area of soil instability (subsidence, liquefaction, landslide, shrink/swell potential, soil creep or severe erosion)?**

**Not Significant.** The project site has moderate to highly expansive soils which have a high potential for liquefaction and a moderately high potential for lateral spreading. The site's liquefaction, lateral spreading, and landslide susceptibility potential could result in damages to structures and infrastructure proposed in the site plan.

Structures proposed in the site plan would be designed and constructed in accordance with all relevant provisions of the current Uniform Building Code/California Building Code (UBC/CBC) standards. In addition, all project elements would conform to and be developed under guidance of the BMPs including those contained in *Santa Clara County Countywide Trails Master Plan Update* and *Uniform Interjurisdictional Trail Design, Use, and Management Guidelines* to ensure that none of the proposed improvements would cause instability of the project site or result in landslide, lateral spreading, subsidence, liquefaction or collapse. Implementation of these provisions would ensure that potential environmental impacts would be kept at less than significant levels.

The steep slopes are predominantly located in the southern portion of the site near the Pedro Bernal house; these were identified as having a moderate to high landslide susceptibility. No structures or infrastructure are proposed in the southern portion of the site. Therefore, impacts from landslides are considered less than significant.

### 5. Cause substantial erosion or siltation?

**Not Significant.** Areas proposed for development are relatively flat, however, implementation of proposed improvements, including construction activities and grading could result in soil erosion. Implementation of erosion control methods, and BMPs, (see Chapter II Environmental Measures - BMPs section) and adherence to provisions contained in NPDES permit would ensure that these impacts would be less than significant. The project site does not contain creeks, streams, or tributaries that would be affected by erosion or siltation.

### 6. Cause substantial compaction or over-covering of soil either on-site or off-site?

**Not Significant.** Implementation of the Site Plan improvements, such as development of the staging area and trails, would not result in substantial compaction or over-covering of soil. Therefore this impact is considered less than significant. In addition, the visitor center is evaluated at a program level in this IS/MND. Potential impacts as a result of development and construction of the visitor center would be assessed and evaluated in a separate CEQA document.

### 7. Cause substantial change in topography or unstable soil conditions from excavation, grading, or fill?

**Not Significant.** Implementation of the Site Plan does not propose any excavation, grading or fill that could result in a substantial changes in the project site's topography or create any unstable soil conditions. In addition, development of facilities proposed in the Site Plan would be constructed in accordance with all relevant provisions of the current Uniform Building Code/California Building Code (UBC/CBC) standards, and developed in accordance with NPDES permit requirements. Therefore, this impact is considered less than significant.

### 8. Involve construction of a building, road or septic system on a slope of:

- a. 30% or greater?
- b. 20% to 30%?
- c. 10% to 20%?

**No Impact.** The Site Plan does not propose construction of facilities on any slopes within the Historic Area.

## C. RESOURCES/PARKS

### *Regulatory Framework - Mineral Resources*

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant impact on mineral resources if it would:

- 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; or
- 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.

### *Setting*

Mineral resources of significance found and extracted in Santa Clara County include construction aggregate deposits (e.g., cement, sand, gravel, crushed rock, clay, and limestone) and, to a lesser extent, salts derived from evaporation ponds at the edge of San Francisco Bay. There are a number of mineral resource deposits in Santa Clara County which are of regional or state-wide significance.

The project site is not within any designated mineral deposit area of regional significance. In addition, mineral exploration is not performed on the project site and the site does not contain any known mineral resources.

### ***Regulatory Framework - Agricultural Resources***

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant impact on agricultural resources if it would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract; or
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

According to the Santa Clara County Important Farmland 2006 map, the project site is designated as *Grazing Land*, *Other Land*, and *Urban and Built-up Land*.<sup>12</sup> *Grazing Land* is land on which the existing vegetation is suitable for grazing livestock. *Other Land* is land not included in any other mapping category and can include low density rural developments, brush, and timber. *Urban and Built-up Land* is land occupied by structures with a building density of at least one unit per 1.5 acres, or approximately six units to a 10-acre parcel.

The project site is located at the edge of and surrounded by an urban area of San José. The project site is not used for agricultural purposes and there are no adjacent properties used for agricultural purposes.

### ***Regulatory Framework - Recreation***

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant recreation impact if it would:

- 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; or
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

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<sup>12</sup> California Department of Conservation, Division of Land Resource Protection. [Santa Clara County Important Farmland 2006](#). Map. August 2007.

**Discussion:**

**C. RESOURCES/PARKS**

*Will the Project:*

**1. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?**

**No Impact.** The project site is not within any designated mineral deposit area of regional significance and does not contain any known mineral resources. Mineral exploration is not performed on the project site. The Site Plan does not propose any mining activities.

**2. Result in substantial depletion of any non-renewable natural resource?**

**No Impact.** The project does not propose any activities that would result in the substantial depletion of any non-renewable resources.

**3. Convert 10 or more acres of prime agricultural land (Class I to II) to non-agricultural use or impair the agricultural productivity of nearby prime land?**

**No Impact.** The project site is located at the edge of and surrounded by an urban area of San José. The project site and surrounding land is not designated or used for agricultural purposes. Therefore, the Site Plan would not result in the conversion of any prime farmland to non-agricultural use or impair the agricultural productivity of nearby prime farmland.

**4. Involve lands protected by the Williamson Act (agricultural preserve) or an Open Space Easement?**

**No Impact.** There are no lands protected by the Williamson Act or an Open Space Easement within the Historic Area. The project site is not the subject of a Williamson Act contract.

**5. Affect any existing agricultural operations?**

**No Impact.** The project site and surrounding land is not used for agricultural purposes.

**6. Be on, within, or near a public or private park, wildlife reserve, or trail (includes those proposed for the future), or affect existing recreational opportunities?**

**Not Significant.** The project site is part of the approximately 18.5 acres Santa Teresa County Park Historic Area which is within Santa Teresa County Park. The 1,688 acre Santa Teresa County Park has a variety of recreational activities, including golf, picnic and barbeque areas, and multi-use trails. Park trails can be accessed from the Bernal-Gulnac-Joice Ranch site and from the Norred area of the park which are approximately 1,500 feet and 1,800 feet respectively from the project site.

The intent of the Site Plan is to incorporate interpretive themes, history, and elements of the Ohlone, Settlement, and Californio Rancho periods into a design integrating these elements with the existing Historic Area sites, namely Santa Teresa Spring and Bernal-Gulnac-Joice Ranch. Implementation of improvements proposed in the Site Plan, including a staging area, trails connecting interpretive areas, and a trail connection to existing portions of the historic area, will

expand recreational and interpretive opportunities in the park resulting in a significant beneficial impact.

**7. Result in loss of open space rated as high priority for acquisition in the "Preservation 20/20" report.**

**No Impact.** Implementation of the Site Plan within Santa Teresa County Park would not result in a loss of open space.

**8. Increase demand for parks or other recreational facilities?**

**Not Significant.** Implementation of the planned improvements in the Site Plan will expand recreational and interpretive opportunities and vegetative restoration areas within Santa Teresa County Park resulting in a significant beneficial impact. The Site Plan represents completion of the development of the Historic Area in an existing County park. The project would not induce growth and therefore would not increase demand for parks or other recreational activities. Environmental impacts are considered less than significant.

**D. SEWAGE/WATER QUALITY and  
E. WATERSUPPLY/DRAINAGE/FLOODING**

*Regulatory Framework - Hydrology and Water Quality*

**National Pollution Discharge  
Elimination System Permit (NPDES)**

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) was developed in accordance with the requirements of the revised 1995 version of the San Francisco Bay Basin Water Quality Control Plan, for the purpose of reducing water pollution associated with urban storm water runoff. This program was also designed to fulfill the requirements of Section 304(1) of the Federal Clean Water Act, which mandated that the Environmental Protection Agency develop National Pollutant Discharge Elimination System (NPDES) Permit application requirements for various storm water discharges, including those from municipal storm drain systems and construction sites. The provisions of the SCVURPPP NPDES permit require each of the co-permittees to implement measures/Best Management Practices (BMPs) to reduce stormwater pollution from new development or redevelopment projects to the maximum extent practicable. The County of Santa Clara is a co-permittee in the SCVURPPP NPDES permit.

Additional water quality control measures were approved in October 2001 when the San Francisco Bay Regional Water Quality Control Board (RWQCB) adopted an amendment to the NPDES permit for Santa Clara County (permit number CAS 029718), Provision C.3. As of August 15, 2006, this amendment requires all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 10,000 square feet or more, to be designed with BMPs that reduce storm water pollution to the maximum extent practicable through source control measures and storm water treatment measures and to include hydraulically-sized TCMs.

**California Environmental Quality Act**

Under CEQA, a project is determined to have a significant hydrology and water quality impact if it would:

- Violate any water quality standards or waste discharge requirements;
- Substantially degrade or deplete groundwater resources or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- Provide substantial additional sources of polluted runoff or otherwise substantially degrade surface or groundwater quality;
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows;
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or
- Expose people or structures to inundation by seiche, tsunami, or mudflow.

### ***Regulatory Framework - Drainage and Flooding***

The nearest waterway to the project site is Canoas Creek, approximately one mile northwest of the site. The Coyote-Alamitos Canal is located along the southern boundary of the project site (see Figure 1.0-4). The Canal was constructed in the 1950's to carry water from Coyote Creek to the Guadalupe Creek for release to water recharge facilities. Use of the canal was discontinued in 1979.<sup>13</sup> While the canal is no longer used to transport water, it collects runoff and silt/soils from the surrounding hillsides, thereby reducing the amount of surface runoff originating on the hillsides from entering the project site and surrounding residential areas.

Most of the project site consists of pervious surfaces. Impervious surfaces on the project site consist of the Jacoba Bernal house, Pedro A. Bernal house, and auxiliary structures. Runoff from the site flows into storm drains located in Curie Drive, Manila Drive, and San Ignacio Avenue.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is located within Zone D. Zone D is defined as areas of undetermined, but possible flood hazards.<sup>14</sup> The project site is not located within a 100-year flood zone.

### **Discussion:**

<sup>13</sup> Santa Clara County. Santa Teresa Park Master Plan Final Environmental Impact Report. April 1992. Page 79.

<sup>14</sup> Federal Emergency Management Agency. Flood Insurance Rate Map, Santa Clara County, California. Map. Panel 410 of 850. Community-Panel Number 060337 0410D. 2 August 1982.

## D. SEWAGE/WATER QUALITY

*Will the project:*

1. **Result in a septic field being constructed on soil with severe septic drain field limitations or where a high water table extends close to the natural land surface?**
2. **Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity?**

### **Response to 1) and 2):**

**No Impact.** Facilities proposed in the Site Plan would not require construction of a septic field. Approximately 14-acres, including the project site, were annexed into the City of San José as part of the County Island Annexation Program in May 2007. Under the County Island Annexation Program, once annexed, the City of San José assumes responsibility to provide certain services, such as utility connection, to areas previously receiving these services from the County.

### **3. Result in extensions of a sewer trunk line with capacity to serve new development?**

**No Impact.** The Site Plan does not propose facilities that would require an extension of a sewer trunk line. The proposed visitor center would require a connection to City of San José sanitary sewer system and would be subject to applicable regulations, and permits. Construction of the visitor center will require separate CEQA evaluation.

### **4. Require a NPDES permit for construction [Does it disturb one (1) acre or more?]**

**Not Significant.** Implementation/development of projects identified in the Site Plan would be subject to applicable regulations, including the regulations (e.g., County NPDES permit requirements and BMPs) listed above. Implementation of projects identified in the site plan would disturb more than 1 acre and require a NPDES permit. As part of the permitting process, a SWPPP and grading plan would be prepared. Adherence to provisions contained in NPDES permit and to the BMP in Chapter II Environmental Measures - BMP section of this document would ensure that environmental impacts would be less than significant.

### **5. Result in significant changes to receiving waters quality during or following construction?**

**No Impact.** The nearest waterway to the project site is Canoas Creek, approximately one mile northwest of the site. Existing residential development and paved streets lie between the park and creek. Therefore, implementation of projects identified in the Site Plan would not result in significant impacts to water quality or violate waste discharge requirements in any receiving body of water.

### **6. Degrade surface or ground water quality or public water supply? (Including marine, fresh and wetland waters.)**

**Not Significant.** Most of the project site, with the exception of the developed areas (existing houses), consists of pervious surfaces. The Site Plan proposes to use pervious or semi-pervious surface materials to construct the projects identified in the Site Plan, including trails, display areas, staging area and visitor center courtyard. In addition, the staging area proposes a central detention vegetated swale median and proposes the use of porous paving where feasible. The Site Plan proposes to restore oak woodlands and restore areas of native grasslands, which is considered a beneficial impact.



Implementation, construction (e.g., demolition, and grading) and post-construction activities (e.g., oil and grease left by vehicles parked on-site), of projects identified in the Site Plan may impact surface runoff water quality. However, adherence to provisions contained in NPDES permit including preparation of a SWPPP and implementation of the *Countywide Trails Master Plan*, the *Trail Guidelines*, and the BMPs as listed in Chapter II Environmental Measures - BMPs section of this document would ensure that environmental impacts would be less than significant. Implementation of the Site Plan would not impact public water supply.

**7. Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe Watershed)?**

**No Impact.** The project site is not located in an area of special water quality concern.

**8. Result in use of well water previously contaminated by nitrates, mercury, asbestos, etc. existing in the groundwater supply?**

**No Impact.** There are no wells within the project site; therefore, implementation of projects identified in the Site Plan would not use well water for the water supply.

**9. Is the project a tributary to an already impaired water body? If so will the project result in an increase in any existing pollutants?**

**No Impact.** The project site is not on a tributary to an impaired water body.

**Discussion:**

**E. WATER SUPPLY/DRAINAGE/FLOODING**

*Will the project:*

**1. Interfere substantially with ground water recharge or reduce the amount of groundwater otherwise available for public water supplies?**

**No Impact.** The Site Plan would not interfere substantially with ground water recharge or reduce the amount of groundwater. Projects proposed in the Site Plan would not increase the amount of impermeable surfaces sufficient to alter ground water recharge or reduce the amount of ground water (see Water Quality #6 above).

**2. Substantially change the direction, rate of flow, or quantity, or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?**

**No Impact.** The Site Plan would not interfere with groundwater and therefore result in no impact to groundwater resources.

**3. Change absorption rates, drainage patterns, or the rate and amount of surface runoff?** (Note policy re flood retention in water course and restoration of riparian vegetation for West Branch of the Llagas.)

**Not Significant.** Implementation of projects proposed in the Site Plan do not include significant increases in impervious surfaces that would alter absorption rates, or the rate or amount of surface runoff. Most of the project site, with the exception of the developed areas (existing

houses), consists of pervious surfaces. Site runoff is conveyed into existing storm drains located in Curie Drive, Manila Drive, and San Ignacio Avenue.

The Site Plan proposes the use pervious or semi-pervious surface materials for development projects, including trails, display areas, and visitor center courtyard. In addition, the staging area proposes the use porous paving where feasible and includes a central detention swale median.

Construction (*e.g., demolition, and grading*), of projects identified in the Site Plan may impact surface runoff water quality. However, adherence to provisions contained in NPDES permit including preparation of a SWPPP and implementation of BMPs as listed in the Environmental Measures- BMP section of this document would ensure that environmental impacts would be less than significant.

The Site Plan also proposes to restore oak woodlands and restore areas of native grasslands which is considered a beneficial impact.

#### **4. Substantially alter existing drainage patterns in a manner which would result in substantial erosion or siltation on or off site?**

**Not Significant.** The project site, with the exception of the developed areas in the eastern portion, consists of pervious surfaces consisting of open, level ground that includes disturbed grasslands and landscaped areas (see Chapter II Existing Conditions / Environmental Setting). The project site is predominantly flat (zero to five % slope) with an elevated hillside of undeveloped disturbed grassland located along the southern boundary. There is a mix of mature and young trees located throughout the project site, with most of the trees located along the southern boundary.

Site Plan improvements are proposed primarily in the flat areas of the project site, no development is proposed on the hillside or elevated slopes. The Site Plan also proposes to restore oak woodlands and areas of native grasslands which would reduce erosion and siltation, and is considered a beneficial impact. The Site Plan proposes to use pervious or semi-pervious surface materials for construction of the projects, including trails, display areas, and visitor center courtyard. In addition, the staging area proposes a central detention swale median and use of porous paving materials where feasible.

Future development and/or improvements on the site could alter the drainage pattern of the site and increase the amount of surface runoff, however, as a result of the proposed improvements noted above, these are not expected to result in substantial erosion or siltation on or off site. In addition, adherence to provisions contained in NPDES permit including preparation of a SWPPP and implementation of erosion control methods, *Countywide Trails Master Plan*, the *Trail Guidelines*, and the BMPs, (see Chapter II Environmental Measures – BMP section of this document), would ensure that these impacts would be less than significant.

#### **5. Involve a surface water body, natural drainage channel, streambed or water course such as to alter the amount, location, course, or flow of its waters?**

**No Impact.** Implementation of the Site Plan would not involve altering any water course. The project site does not contain any surface water body, creeks, streams, water course or natural drainage channels.

#### **6. Result in an increase in pollutant discharges to receiving waters?**

**No Impact.** The project area is surrounded by residential communities, a school, and paved streets. Storm drains are located in Curie Drive, Manila Drive, and San Ignacio Avenue collect runoff from on and off the site.

Implementation of the Site Plan would not involve increasing any pollutant discharges to receiving waters. Projects proposed in the Site Plan include vegetated buffer areas such as restored native grasslands and oak woodlands, bio-swales, a central detention vegetated swale in the staging area/parking lot, and use of pervious surface materials where feasible, would reduce runoff from the site. In addition, adherence to provisions contained in NPDES permit including preparation of a SWPPP would ensure that impacts would be less than significant.

**7. Expose people or property to water related hazards such as flooding?**

**No Impact.** The project site is not located within a 100-year flood zone; therefore, projects proposed in the Site Plan would not expose people or property to water related hazards. The project site is not subject to flooding due to dam failure, seiches, or tsunamis.

**F. BIOLOGICAL RESOURCES**

The following discussion is based on a biotic constraints report completed by H.T. Harvey & Associates in December 2007 (revised in April 2008). This report is contained in the Existing Setting and Constraints Report, prepared by David J. Powers & Associates, April 2008. The purpose of the biotic constraints report is to identify possible special-status plants and species on the project site and possible constraints to future development.

*Regulatory Framework*

**Regulated Habitats**

Jurisdictional waters include rivers, creeks, and drainages that have a defined bed and bank that, at the very least, carry ephemeral flows. Jurisdictional waters also include lakes, ponds, reservoirs, and wetlands. Such waters may be subject to the regulatory authority of the U.S. Army Corps of Engineers (USACE) and CDFG.

**Special-Status Species**

A summary of applicable special-status species regulations are provided below. Refer to the biotic constraints report for more detail about each regulation.

Threatened and Endangered Species

State and federal “endangered species” legislation has provided the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Species listed as threatened or endangered under provisions of the state and federal Endangered Species Acts (ESAs), candidate species for such listing, state species of special

concern, and some plants listed as endangered by the California Native Plant Society (CNPS) are collectively referred to as “species of special status.”

### Migratory Birds

State and federal laws also protect most bird species. The Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., sec. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

### Birds of Prey

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code, Section 3503.5, (1992), which states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFG.

## **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant impact on biological resources if it would:

- 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;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- 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; or
- Conflict with any local ordinances protecting biological resources, such as a tree preservation ordinance.

## **Santa Clara County Tree Preservation Ordinance**

The County of Santa Clara recognizes the substantial economic, environmental and aesthetic importance of its tree population and that the preservation of certain trees on private and public property is necessary to establish and maintain the optimum amount of tree cover in the County. The County’s Tree Preservation and Removal Ordinance serves to protect trees, including heritage trees.

The Santa Clara County Tree Preservation and Removal Policy states a protected tree consists of: 1) any tree present on property owned or leased by the county that is twelve (12) inches or more in diameter (circumference of 37.7 inches or more ) measured at four and one-half feet above the ground, or which exceeds twenty (20) feet in height; 2) any multi-trunk trees totaling 24 inches or more in diameter (75.4 inches in circumference or more) measured at four and one-half feet above the ground; and 3) any tree designated as heritage by the County Board of Supervisors.

The Tree Preservation and Removal Policy, except in the case of heritage trees, provides certain exceptions to requiring a permit for cutting, removal, destruction, or pruning of a tree. One such exemption includes trees removed or pruned as part of the County's maintenance and resource management programs under established policies and procedures of the County Parks Department.

### **Biotic Habitats**

The following discussion of existing conditions at the project site is based on:

- Santa Teresa County Park Historic Area Site Plan – Existing Setting and Constraints Report, prepared by David J. Powers & Associates, April 2008
- Biotic constraints report, *H.T. Harvey & Associates* December 2007, revised January 2008 (contained in Existing Setting and Constraints Report, April 2008)
- Search of the California Natural Diversity Database (CNDDB 2006) for the USGS Santa Teresa Hills 7.5 minute topographic quadrangle, and
- List of candidate and federally listed species occurring in Santa Clara County from the U.S. Fish and Wildlife Service's (USFWS) web site
- California Native Plant Society's (CNPS) *Inventory of Rare and Endangered Plants of California* (2001)
- Existing published literature

### Regulated Habitats

A reconnaissance-level field survey was completed by *H.T. Harvey & Associates* in November 2007 (see Biotic Constraints Report) for areas on the project site that may fall under the jurisdiction of USACE and/or CDFG. The results of the survey concluded that the project site does not support regulated wetland habitats that would fall under the jurisdiction of the USACE and/or CDFG.

### Biotic Habitats

Four biotic habitats were identified within the project area: annual grassland, coyote brush scrub, coast live oak woodland, and developed/landscaped area. These biotic habitats are described below.

#### ***Annual Grassland***

##### ***Vegetation.***

The majority of the project site (approximately 5.31 acres) is comprised of low-quality, annual grassland habitat, much of which is disturbed by periodic disking for weed control and fire

prevention. Disking on-site has occurred continuously prior to and since being acquired by the County. The dominant annual grasses and forbs observed on the site include wild oat, (*Avena* spp.), Italian ryegrass (*Lolium multiflorum*), ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), poison hemlock (*Conium maculatum*), black mustard (*Brassica nigra*), horehound (*Marrubium vulgare*), and purple star-thistle (*Centaruea calcitrapa*). The northern sections of the annual grassland habitat adjacent to the east side of the Jacoba Bernal house and along the west side of the large valley oak tree known as the “Bear Tree,” and former site of the Ignacio Bernal House, support low quality grassland habitat. The annual grassland located south of the Pedro A. Bernal house adjacent to the west side of San Ignacio Avenue, supports higher quality (relatively undisturbed) grassland. Additional small patches of annual grassland habitat occur on marginal serpentine soils within coyote brush scrub habitat, which is described below.

Dwarf plantain (*Plantago erecta*), which is the preferred host plant for the Bay checkerspot butterfly, typically occurs on serpentine soils, however, the plant was not detected in the annual grassland habitat south of the Pedro A. Bernal house adjacent to the west side of San Ignacio Avenue. Additionally, no listed plant species that would normally occur within serpentine habitat were found during a vegetation survey conducted April 14, 2008.

#### *Serpentine Soils*

Serpentine soils (Vallejos and Montara series soils) occur south of the Pedro Bernal House adjacent to the west side of San Ignacio Avenue. However, it is highly likely that the serpentine soils did not originally extend this far down slope into the site, and the movement of the alluvial soils and boulders moved serpentine soils (and serpentine boulders) farther down slope. The hillside is determined to be unstable. In addition, installation of the canal (which occurred circa 1953) could have resulted in the deposition of serpentine soils and boulders north of the canal, and these then moved further down slope into the project site. The canal now acts as a barrier to further soil movement from the hillsides above the canal.

#### *Wildlife.*

Most wildlife species found in this grassland are common and widespread species. Bird species likely to occur here include House Finch (*Carpodacus mexicanus*), Western Meadowlark (*Sturnella neglecta*), Red-winged Blackbird (*Agelaius phoeniceus*), American Goldfinch (*Carduelis tristis*), and Mourning Dove (*Zenaida macroura*). Loggerhead Shrikes (*Lanius ludovicianus*), a special-status species, may forage in this habitat. Several species of raptors, such as the Red-shouldered Hawk (*Buteo lineatus*), and Red-tailed Hawk (*Buteo jamaicensis*), may use the grassland habitats within the project area to forage for small mammals such as the California vole (*Microtus californicus*) and deer mouse (*Peromyscus maniculatus*). Other mammals occurring in this habitat type include black-tailed deer (*Odocoileus hemionus*), the California ground squirrel (*Spermophilus beecheyi*) and Botta’s pocket gopher (*Thomomys bottae*). Ground squirrels and pocket gophers create burrows which are often used by other species including burrowing owls. Burrowing owls (*Athya cunicularia hypugea*) prefer grassland with low vegetation cover and density. The western toad (*Bufo boreas*), pacific treefrog (*Hyla regilla*), and gopher snake (*Pituophis catenifer*) are also expected to forage here.

The Bay checkerspot butterfly is federally listed as threatened. Bay checkerspot butterflies occur on shallow, serpentine, or similar soils, which support their larval food plants and nectar sources for adults. The primary larval host plant is the California (dwarf) plantain (*Plantago erecta*), Larvae feed on the leaves of the plantain, as well as owl's clover (*Castilleja densiflorus* and *C. exserta*).

Bay checkerspot butterfly populations have declined due to habitat loss caused by non-native plant species replacing native food sources and by urban and suburban development (USFWS 1998). The distribution of the bay checkerspot butterfly varies spatially and temporally (i.e., sites that are unoccupied one year may be occupied the next) and the number of total individuals and populations fluctuates greatly year-to-year (USFWS 1998).

### ***Coyote Brush Scrub***

#### ***Vegetation.***

A total of approximately 0.98 acres of the project site consists of coyote brush scrub. Several large patches of moderate quality coyote brush scrub habitat occurs on the hillside below the Coyote-Alamitos Canal in the south central section of the project site. This habitat type is dominated by a tall (between three to five feet), dense cover of coyote brush that forms a woody shrub thicket along most of the hillside. Associated shrub species include poison oak (*Toxicodendron diversilobum*), California sage (*Artemisia californica*), blue elderberry (*Sambucus mexicana*) and blackberry (*Rubus* sp.). A number of small native and non-native volunteer trees were also identified in this habitat type including coast live oak, black walnut (*Juglans hindsii*), almond (*Prunus dulcis*), and eucalyptus (*Eucalyptus* spp.). Marginal serpentine soils underlie most of the hillside on the site, and numerous large and partially buried serpentine boulders were observed in this area (see discussion about serpentine soils in *Annual Grassland* section). The hillside soils are somewhat shallow, and comparatively less developed than the serpentine soils supporting grassland habitat south of the Pedro A. Bernal House. Patches of coyote brush scrub were also mapped on-site in this grassland. Additional scattered patches of coyote brush scrub occur on non-serpentine soils in the north and west sections of the site, respectively.

#### ***Wildlife.***

Scrub habitat provides resources and shelter for various wildlife species. Birds such as the Wrentit (*Chamaea fasciata*), Spotted Towhee (*Pipilo erythrophthalmus*), and California Thrasher (*Toxostoma redivivum*), often conceal themselves among the dense growth of shrubs in this habitat as they forage. Common bird species, such as the California towhee (*Pipilo crissalis*), American Robin (*Turdus migratorius*) and house finch are also likely to forage within this scrub habitat. Common small mammal species, such as Botta's pocket gopher and deer mouse, may forage or burrow here. Additionally, two active nests of the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a special-status species) were detected during the November 2007 site visit. Gray foxes (*Urocyon cinereoargenteus*) and coyotes (*Canis latrans*) may forage on rodents and brush rabbits expected to occur in this habitat.

### ***Coast Live Oak Woodland***

#### ***Vegetation***

A single patch of coast live oak woodland (approximately 0.12 acres in size) dominated by a row of young, adult coast live oak trees is located at the top of the hillside adjacent to the north side of the Coyote-Alamitos Canal. The majority of this habitat type occurs off the project site along the maintenance road that parallels the canal.

#### ***Wildlife***

The large oak trees provide nesting habitat for various bird species, such as the Cooper's hawk (*Accipiter cooperi*) and possibly the White-tailed Kite (*Elanus leucurus*), and bat species, such as the big brown bat (*Eptesicus fuscus*). Acorns are an important food resource for many birds and mammals including the Yellow-billed Magpie (*Pica nuttalli*), Western Scrub Jay (*Aphelocoma californica*), and western grey squirrel (*Sciurus griseus*). Reptiles and salamanders that may live in the dead leaves below these trees include the western fence lizard (*Sceloporus occidentalis*), western skink (*Eumeces skiltonianus*), coast range newt (*Taricha torosa torosa*), and the ensatina (*Ensatina eschscholtzii*).

### ***Developed/Landscaped***

These land cover types provide habitat only for species tolerant of frequent human disturbance.

### ***Vegetation***

The developed area consists of approximately 2.51 acres of the project site and includes the houses and structures associated with the Jacoba Bernal House and garage, the former site of the Ignacio Bernal House, and the Pedro A. Bernal House. Native and non-native trees occur around the periphery of the developed areas including the very large and old valley oak tree (*Quercus lobata*) known as the "Bear Tree." The trees associated with these structures were mapped within this habitat. Native and non-native trees identified include valley oak, coast live oak, tree of heaven, (*Ailanthus altissima*), black locust (*Robinia pseudoacacia*), eucalyptus, and olive (*Olea europaea*).

### ***Wildlife***

The abandoned buildings provide potential roosting habitat for the pallid bat and hoary bat, which are both special-status species. No bats were detected during the November 2007 site visit, but there was substantial evidence of use by other urban-associated mammal species such as the native California ground squirrel and other non-native species including the eastern grey squirrel, black rat, and house mouse. The area is frequented by black-tailed deer (*Odocoileus hemionus*). Various bird species may nest on or within the abandoned buildings including black phoebe, barn swallow, house finch, and non-native house sparrow. Small reptiles, such as western fence lizard and southern alligator lizard, are also likely to occur on the developed habitat on the project site.

## **Special-Status Species**

Information concerning the known distribution of threatened, endangered, or other special-status species that may occur in the area was collected from several sources including the California Department of Fish and Game (CDFG) Natural Diversity Data Base (CNDDDB 2007), the list of candidate and federally listed species occurring in Santa Clara County from the U.S. Fish and Wildlife Service (USFWS) website, the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Plants of California*, and the *Jepson Manual* which supplied information regarding the distribution and habitats of vascular plants in the project area.

In addition, reconnaissance-level field surveys were completed by *H.T. Harvey & Associates* for habitats capable of supporting special-status plant and animal species. Many of the special-status plant and animal species that occur in Santa Clara County exist in habitats not present on the site including conifer forests, chaparral, and riparian habitats. Several special-status animals are



considered absent from the site due to a lack of suitable habitat or known records including the tri-colored blackbird, yellow warbler, and American badger. Numerous other special-status species may occur on the project site occasionally for foraging, but are not expected to breed on-site or occur regularly including the federally threatened California red-legged frog, federally threatened California tiger salamander, western pond turtle, American peregrine falcon, golden eagle, merlin, prairie falcon, white-tailed kite, Vaux's swift, grasshopper sparrow, California horned lark, and loggerhead shrike.

### *Special-Status Plant Species*

Five special-status plant species were determined to have the potential to occur on the project site: the Metcalf Canyon jewelflower, Santa Clara Valley dudleya, most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita. A summary of these five special-status plant species, including a description of the suitable habitat is provided in Table 1.

**Table 1: Special-status Plant Species, Their Status, and Potential Occurrence in the Santa Teresa County Park Historic Area.**

| NAME  | *STATUS       | HABITAT  | POTENTIAL FOR OCCURRENCE ON-SITE  |
|---|---------------|--|---|
| Metcalf Canyon Jewelflower<br>( <i>Streptanthus albidus</i> ssp. <i>albidus</i> )     | FE, CNPS 1B.1 | Occurs in valley and foothill grasslands underlain with serpentine soils at elevations of 148 – 2625 ft (45 – 800 m).  | <u>Marginal potential</u> suitable habitat occurs in annual grasslands on serpentine soils in the southeast section of the site south of the Pedro Bernal House.                |
| Santa Clara Valley dudleya<br>( <i>Dudleya setchellii</i> )                           | FE, CNPS 1B.1 | Occurs in cismontane woodland and valley and foothill grassland habitat on serpentine rock outcrops at elevations of 197 – 1198 ft (60-365 m).                                       | <u>Marginal potential</u> suitable habitat occurs on the serpentine boulders within the coyote brush scrub in the southeast section of the site west of the Pedro Bernal House. |
| Most beautiful jewel-flower<br>( <i>Streptanthus albidus</i> ssp. <i>peramoenus</i> ) | CNPS 1B.2     | Occurs in chaparral, cismontane woodland, and valley and foothill grassland habitats within serpentinite at elevations of 395 – 3281 ft (120-1000 m).                                | <u>Marginal potential</u> suitable habitat occurs in annual grasslands on serpentine soils in the southeast section of the site south of the Pedro Bernal House.                |
| Smooth lessingia<br>( <i>Lessingia macradenia</i> var. <i>glabrata</i> )              | CNPS 1B.1     | Occurs in chaparral and cismontane woodland habitats with serpentinite soils, often along roadsides at elevations of 395 – 1378 ft (120-420 m).                                      | <u>Marginal potential</u> suitable habitat occurs in annual grasslands on serpentine soils in the southeast section of the site south of the Pedro Bernal House.                |
| Loma Prieta hoita ( <i>Hoita strobilina</i> )   | CNPS 1B.1     | Occurs in chaparral, cismontane woodland, valley and foothill grasslands and riparian woodland habitats. Loma Prieta hoita typically is grows in mesic areas with serpentinite soils | <u>Marginal potential</u> suitable habitat occurs in annual grasslands on serpentine soils in the southeast section of the site south of the Pedro Bernal House.                |
|   |               |  |   |

### *Special-Status Wildlife Species*

Special-status animal species for which marginal habitat may be present but are unlikely to occur on the project site include the Bay checkerspot butterfly, and western burrowing owl. Numerous other special-status species may occur on the project site occasionally for foraging, but are not expected to breed on-site or occur regularly including the California red-legged frog, California tiger salamander, western pond turtle, white-tailed kite, California horned lark, and loggerhead shrike.

The Bay checkerspot butterfly is a Federally listed threatened species protected by the Endangered Species Act (ESA). Bay checkerspot butterflies occur on shallow, serpentine, or similar soils, which support their larval food plants and nectar sources for adults. The primary host plant is the California (dwarf) plantain (*Plantago erecta*). To determine whether the preferred host plant (dwarf plantain) is present on the site, a single survey between March and May is recommended. In a survey conducted in April 2008, no host plants were detected

Special-status animal species for which suitable habitat is present or that are expected to occur regularly in the project area include the Cooper's hawk, pallid bat, hoary bat, and San Francisco dusky-footed woodrat.

A summary of special-status wildlife species, including a description of the suitable habitat is provided in Table 2.

| <b>Table 2: Special-status Wildlife Species, Their Status, and Potential Occurrence in the Santa Teresa Historic Area.</b> |                   |  |  |
|--|-------------------|--|--|
| <b>NAME</b>  | <b>*STATUS</b>    | <b>HABITAT</b>   | <b>POTENTIAL FOR OCCURRENCE ON-SITE</b>  |
| Bay checkerspot butterfly<br>( <i>Euphydryas editha bayensis</i> )   | FT                | Serpentine grasslands in the San Francisco Bay area where primary larval host plant ( <i>Plantago erecta</i> ) is present in high densities. | No host plants detected during November 2007 surveys. If host plants are present on site they likely occur in small numbers and low densities which likely precludes successful breeding due to inadequate food sources.                               |
| Burrowing Owl<br>( <i>Athene cunicularia</i> )   | CSSC              | Nests and forages in grasslands and ruderal habitats.  | Suitable breeding habitat or ground squirrel burrows are present on-site. However, there are no records on the project site or within the immediate vicinity (CNDDDB 2007) and no individuals were detected during <i>November 2007</i> site visits.   |
| California red-legged frog<br>( <i>Rana aurora draytonii</i> )   | FT, CSSC          | Streams, freshwater pools, and ponds with emergent or overhanging vegetation.  | No suitable breeding habitat on-site. Low probability that any individuals will occur on the site.   |
| California tiger salamander<br>( <i>Ambystoma californiense</i> )  | FT, CSSC          | Breeds in seasonal pools or stock ponds, occurs in burrows in annual grasslands or open woodlands most of the year.                          | No suitable breeding habitat on-site. Low probability that any individuals will occur on the site.   |
| Western pond turtle<br>( <i>Actinemys marmorata</i> )  | CSSC              | Permanent or nearly permanent water in a variety of habitats.  | No suitable breeding habitat on-site, but perennial spring immediately adjacent to the site may provide suitable breeding habitat. No individuals detected during November 2007 site visit and no records within the immediate vicinity (CNDDDB 2007). |
| White-tailed Kite<br>( <i>Elanus leucurus</i> )  | SP                | Nests in tall shrubs and trees, forages in grasslands, marshes, and ruderal habitats.  | Marginal nesting habitat on-site due to close proximity to urban development; suitable foraging habitat present.   |
| California Horned Lark<br>( <i>Eremophila alpestris actia</i> )  | CSSC<br>(nesting) | Nests in short-grass prairies, annual grasslands, coastal plains, open fields.   | Marginal habitat on-site due to limited grassland, but adjacent to larger expanses of grassland. May occur as an occasional forager.   |
| Loggerhead Shrike<br>( <i>Lanius ludovicianus</i> )  | CSSC<br>(nesting) | Nests in tall shrubs and dense trees, forages in grasslands, marshes, and ruderal habitats.  | Project site provides marginal nesting and foraging habitat due to sparse shrubs and proximity to urban  |

| <b>Table 2: Special-status Wildlife Species, Their Status, and Potential Occurrence in the Santa Teresa Historic Area.</b> |                           |  |  |
|--|---------------------------|--|--|
| <b>NAME</b>  | <b>*STATUS</b>            | <b>HABITAT</b>   | <b>POTENTIAL FOR OCCURRENCE ON-SITE</b>  |
|  |                           |  | development. Low probability of breeding; may occur as an occasional forager.  |
| Cooper's Hawk<br>( <i>Accipiter cooperi</i> )  | CSSC<br>(nesting)<br>(PR) | Nests in oak woodlands and other wooded habitats; forages in a variety of habitats.  | Trees on-site provide potential nesting sites, although no nests or individuals were observed. Up to 1 or 2 pairs expected to breed and regularly use the site.                              |
| Pallid bat<br>( <i>Antrozous pallidus</i> )  | CSSC                      | Forages over many habitats; roosts in buildings, large oaks or redwoods, rocky outcrops and rocky crevices in mines and caves. | Project site provides potential foraging habitat; buildings on-site offer potential roosting habitat, but no roosts detected on-site in November 2007. Reasonable probability of occurrence. |
| Hoary Bat<br>( <i>Lasiurus cinereus</i> )  | CSSC                      | Open habitats or habitat mosaics with access to trees for cover and open areas or habitat edged for feeding.                   | Project site provides potential foraging habitat; buildings on-site offer potential roosting habitat, but no roosts detected on-site in November 2007. Reasonable probability of occurrence. |
| San Francisco Dusky-footed Woodrat<br>( <i>Neotoma fuscipes annectens</i> )  | CSSC                      | Found in forests, brushlands, and riparian habitat with hardwoods.   | Active nests observed on the site during November 2007 survey. Expected to breed on-site and occur regularly.  |

### SPECIAL STATUS SPECIES CODE DESIGNATIONS

- FE = Federally listed Endangered  
 FT = Federally listed Threatened  
 SE = State listed Endangered  
 CSSC = California Species of Special Concern  
 SP = State Fully Protected Species  
 PR = Species currently designated as special-status on the October 2007 Special Animals List published by CDFG but proposed for removal  
 PA = Species without current the designation of special-status on the October 2007 Special Animals List by CDFG, but proposed for addition

#### \*CNPS LISTS:

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

#### CNPS THREAT CODE EXTENSIONS:

- .1 – Seriously endangered in California  
 .2 – Fairly endangered in California  
 .3 – Not very endangered in California

**Discussion:****F. BIOLOGICAL RESOURCES**

*Will the Project:*

**1. Affect fish, wildlife, reptiles, or plant life, by [a] change in diversity or numbers or [b] introduction of new species or [c] restrictions to migration or movement or [d] reducing habitat?**

**Not Significant.** Implementation of the site plan will not affect wildlife, reptiles or plant life by a change in diversity or numbers or introduce new species. Implementation of the site plan will not restrict species movement or substantially reduce habitat.

**2. Result in impact to an endangered, threatened or rare species or their habitat (including but not limited to plants, fish, insects, animals, and birds)?**

**Significant unless Mitigation Incorporated.** There is potential for special status species to occur in the project site.

Annual grasslands on serpentine soil and coyote brush scrub may support five special-status plant species including the Metcalf Canyon jewel flower, Santa Clara Valley dudleya, most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita. As summarized in Table 1, there is marginal potential suitable habitat on-site to support these species. Metcalf Canyon jewelflower and Santa Clara Valley dudleya are federally listed plant species. Most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita are not listed species, they are designated as CNPS 1B species (plants considered by CNPS to be rare, threatened, or endangered in California, and elsewhere). It is recommended that presence/absence surveys for these special-status plant species be conducted during peak blooming periods (late spring and late summer). During surveys conducted in April 2008, the plants listed above were not detected and therefore are considered absent at this time.

However, to verify the presence/absence of these special status plants prior to construction Mitigation Measure BIO-1 would be implemented. Mitigation Measure BIO-1 would be implemented to detect the presence of special status plant species in habitats likely to support the species, e.g. serpentine soils habitats. Impacts to these species should they be detected would be reduced to less than significant with the implementation of Mitigation Measure BIO-1. Any future impacts should these plants be detected would thus be reduced to a less than significant level.

**Mitigation Measure BIO-1 Survey for Special-Status Plants:**

A survey for all special-status plants, which could occur in areas where development is proposed in habitats likely to support the species will be carried out during appropriate blooming period prior to construction. This measure includes surveying for the three CNPS-listed plants (most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita). If special-status plants are found in an area where trails or other infrastructure are to be built, the trail(s) will be rerouted to avoid these plants. If re-routing proves to be infeasible, the County Parks Department would consult with the appropriate regulatory agencies to determine if the special status plants could be relocated.

**Implementation:** Qualified County Natural Resource Staff or Qualified Consulting Biologist. County Parks Staff to schedule plant surveys. Qualified

|                    |   |
|--------------------|---|
|                    | County Natural Resource Staff or Qualified consulting biologist will submit report. |
| <b>Timing:</b>     | Prior to construction of the project.   |
| <b>Monitoring:</b> | County Parks Staff  |

*Bay Checkerspot Butterfly:*

The Bay checkerspot butterfly is the only listed species that could occur on-site (see annual grasslands section above). To determine whether the preferred host plant (dwarf plantain) is present on the site, a single survey between March and May is recommended. No host plants were detected during a survey conducted in April 2008. Therefore, suitable habitat is considered absent at this time and the Bay checkerspot butterfly is not likely to be present on-site. In addition, no development is proposed in the southeast section of the site in areas of annual grasslands having serpentine soils. Thus there would be no impact and no mitigation is required. Should future development occur in serpentine soil habitats, however, additional CEQA analysis, including surveys for the host plants, would be needed.

*California Red-Legged Frogs and Tiger Salamander:*

California red-legged frogs and California tiger salamanders are not expected to breed on-site or occur regularly are unlikely to occur on the site as the project area lacks suitable habitat, therefore there are no impacts to these species.

*Burrowing Owls:*

Grassland with low vegetation cover and density that support ground squirrels and pocket gophers provide potential habitat for the Western burrowing owl (*Athene cunicularia hypugae*) which utilize the burrows created by these mammals. Although mammal burrows do occur on the project site, preferred habitat is not present, specifically, the site either has tall vegetation cover or has been frequently disked to reduce the vegetation cover for fire prevention. Disking usually collapses mammals burrows making them unavailable for owl occupation. In addition, no owls have been detected while the area was under private ownership, during surveys conducted for the Draft EIR for a proposed residential development or since the project site has been part of Santa Teresa County Park. Therefore, Western burrowing owls are unlikely to occur on the project site, and thus no impact is anticipated as a result of implementation of the Site Plan.

*Nesting Migratory Birds:*

Removal of vegetation for developments identified in the Site Plan, including construction of trails and display/interpretive areas, during the migratory bird nesting season (April 15–July 31) could result in the loss of migratory bird nests, eggs, or individuals.

**Implementation of Mitigation Measure BIO-2 would reduce this impact to less than significant.**

In addition, the site plan proposes to restore oak woodlands and native grasslands, and plant additional trees, shrubs and vegetation thereby enhancing or providing additional habitat for bird species including raptors. This is considered a beneficial impact.

*Nesting Raptors:*

Cooper’s hawks are known to occur within Santa Teresa County Park which provides nesting sites and foraging habitat. Although no nests or individuals were observed during site surveys, trees on-site provide potential nesting sites and foraging habitat for raptors. If construction activities associated with implementation of the Site Plan are carried out during the nesting period, nesting raptors could be impacted. The typical nesting period for raptors in this part of California is February 1–July 31.

**Implementation of Mitigation Measure BIO-2 would reduce this impact to less than significant.**

In addition, the site plan proposes to restore oak woodlands and native grasslands, and plant additional trees, shrubs and vegetation thereby enhancing or providing additional habitat for bird species including raptors. This is considered a beneficial impact.

**Mitigation Measure BIO-2 Nesting Migratory Birds and Nesting Raptors:**

*Nesting Migratory Birds:* All vegetation clearing, including trimming of shrubs or trees will take place outside the migratory bird nesting season (March 1 - July 31). If vegetation removal must occur during the nesting season, a survey for nesting migratory birds will occur within five days prior to the start of clearing or construction activities. Every attempt will be made to ensure completion of the vegetation clearing and trimming activities within the five-day period. If more than five days elapse between the initial nest search and the beginning of construction activities, another nest survey will be conducted. If any active nest(s) are detected, all vegetation clearing activities will be suspended and a 50-foot radius buffer established. All vegetation clearing activities within 50-feet of the active nest(s) will take place after the nest(s) are no longer active and chicks have fledged. CDFG generally accepts a 50-foot radius buffer around passerine and non-passerine land bird nests; however the County natural resource staff shall have flexibility to reduce or expand the buffer depending on the specific circumstances.

*Nesting Raptors:* All vegetation clearing, including trimming of shrubs or trees, and/or construction activities, will take place outside the raptor-nesting season (February 1- July 31). If such activities must occur during the raptor-nesting season, all suitable raptor-nesting habitat within 500 feet of the impacted area will be surveyed for active raptor nests. If an active raptor nest is located within 500 feet of the construction area, a no-activity buffer of 250 feet will be erected around the nest while it is active to protect the nesting raptors. Every attempt will be made to protect trees and nests that contain active raptor nests. CDFG generally accepts up to a 250-foot buffer radius for raptors, however, the County natural resource staff, in consultation with CDFG, may have flexibility to reduce or expand the buffer depending on the specific circumstances such as for nests not within the line of sight of construction activity.

**Implementation:** Qualified County Natural Resource Staff or Qualified Consulting Biologist. Consulting biologist or County natural resource staff to submit a letter/report of survey results.

**Timing:** Prior to and during the construction phase of the project

**Monitoring:** County Parks Staff

*Bats:*

The project site provides potential foraging habitat and roosting habitat (buildings on-site) for two species of bats (Pallid bat and Hoary bat) which are listed as California Species of Special Concern. Pallid bat (*Antrozous pallidus*) forages over many habitats and roosts in buildings, large oaks or redwoods, rocky outcrops and rocky crevices in mines and caves. Hoary bat (*La siurus cinereus*) forages in open habitats or habitat mosaics with access to trees for cover and open areas or habitat edged for feeding. Although no roosts were detected on-site in November 2007, there is reasonable probability of occurrence of these species in the project area. Implementation of projects identified in the Site Plan, including the removal of existing abandoned buildings and sheds, could result in the loss of individuals and an overall reduction in the local bat population. Implementation of Mitigation Measure BIO-3 would reduce this impact to less than significant.

**Mitigation Measure BIO-3 Bats:**

Perform preconstruction surveys for potential bat roosts in abandoned buildings and in large trees prior to construction activities or demolition of buildings. If work is to take place during months when bats may be breeding (April through August) or hibernating (November through March), a bat survey shall be conducted. Surveys shall be conducted in late April or early May, when bats are establishing maternity roosts but before the females give birth. If roosting bats are detected establish a minimum 100 foot buffer and avoid disturbances until after the breeding period has ended but prior to the hibernation period (September through October). If it is not feasible to halt activities within the buffer, than under the supervision of a biological monitor, permit the encroachment on the 100 foot buffer. If the monitor observes bats leaving the roost site during construction activities, then all work near the roost site will be halted and the appropriate buffer reinstated. Buildings being used by bats will not be demolished until it has been determined (by qualified County Natural Resource staff or qualified biologist) that bats are no longer using the site or until demolition can be carried out without harming any bats.

|                        |   |
|------------------------|---|
| <b>Implementation:</b> | Qualified County Natural Resource Staff or Qualified Consulting Biologist. Consulting biologist or County natural resource staff to submit a letter/report of survey results. |
| <b>Timing:</b>         | Prior to and during the construction phase of the project   |
| <b>Monitoring:</b>     | County Parks Staff  |

*San Francisco Dusky-footed woodrat (woodrat):*

The San Francisco dusky-footed woodrat, a CDFG species of special concern, is a sub species of the common dusky footed woodrat species (*N. fuscipes*) and is known to occur in hardwood forests and chaparral throughout the Bay Area. Dusky-footed woodrats feed on a wide variety of plants, ranging from fungi to oaks. They build large, distinctive stick houses that can measure up to 8 feet in diameter. Nests are constructed out of leaves, shredded grass, and other material. The San Francisco dusky-footed woodrat is widely distributed in Santa Clara County and expected to occur on-site. Active nests were observed on the site during November 2007 survey. Construction and construction related activity have the potential to disturb the houses of the woodrat, potentially causing abandonment or destroying the houses all together. This would be considered a significant but temporary impact. Impacts to these species would be reduced to less than significant with the implementation of Mitigation Measure BIO-4.



### **Mitigation Measure BIO-4 San Francisco Dusky-footed Woodrat:**

The following avoidance/minimization measures for San Francisco dusky-footed woodrat will be implemented:

#### 1. Preconstruction Surveys

Known woodrat houses shall be flagged and avoided during construction activities. Conduct preconstruction surveys and if a dusky-footed woodrat house is detected, and assuming the house is of the San Francisco dusky-footed woodrat sub-species, the County will complete one of the following avoidance/minimization measures. These measures are listed in order of priority, where the first measure is the preferred measure to be implemented as it provides the least amount of impact to the woodrat. If the first measure cannot be implemented due to extenuating site conditions, the second shall be implemented and so forth down the list.

- a. The development (e.g. display/interpretive area, structure, or trail alignment) will be rerouted/re-sited to avoid the woodrat house by at least 50 feet, if it is a structure a greater distance is recommended.
- b. If the development is a trail which cannot be sited at least 50 feet from the house, it will be sited as far away from the nest as possible but not closer than 5 feet from the house. Safety and/or silt fencing (for houses downslope) will be erected around all houses within 25 feet of the construction activities to avoid impacts during construction.
- c. If the project footprint must go directly through or within 5 feet of a house, CDFG should be consulted with one of the two following options:
  1. If the house appears inactive (e.g. no scat or fresh leaves and twigs), approval will be sought from CDFG to dismantle the house and replace the lost resource by building an artificial house. One artificial house should be built for every one existing inactive house that is dismantled.
  2. If the house appears active, approval will be sought from CDFG to 1) trap the occupant(s) of the house, 2) dismantle the house, 3) construct a new artificial house with the materials from the dismantled house, and 4) release the occupant into the new artificial house. The new house should be placed no more than 20 feet from its original location and as far from the project footprint as necessary to be protected from construction activities. If the house is to be moved downslope of the project footprint, extra precautions should be taken, such as a debris barrier, to stop falling/sliding materials from impacting the new house. Houses should only be moved in the early morning during the non-breeding season (October through February). If trapping has occurred for three consecutive nights and no woodrats have been captured, the house should be dismantled and a new house constructed.

2. Employees and Contractor Education Program. An employee education program will be conducted prior to the initiation of project activities. The program will consist of a brief presentation by persons knowledgeable in federally listed and state special status species biology and legislative protection to explain concerns to contractors and their employees. The program would include the following: a description of woodrat and their habitat needs; an explanation of the status of woodrat and its protection under state and federal laws; and a list of measures being taken to reduce impacts to woodrat during project activities. Crews will be instructed that if a woodrat house is found in the project footprint, it is to be left alone and all

operations should cease. Notify Project site lead and County Parks Department staff (if site lead is a contractor) or notify Parks Natural Resource Program Supervisor (NRPS) if Project Lead is parks staff.

3. **Daily Monitoring.** During the construction phase of the project, a qualified biologist, County natural resource staff, or a trained, on-site monitor will check the site in the morning every day before construction activities begin for the presence of woodrat or other wildlife present within the work area. If woodrat is found, the monitor shall have the authority to halt construction in the immediate area and immediately notify appropriate County Parks Department staff (Natural Resource Program Supervisor or designated staff). If the monitor is County Parks' natural resource staff, or qualified biologist, they will have the authority to notify the appropriate regulatory agency for guidance on procedure. Subsequent recommendations made by the USFWS or CDFG shall be followed. The monitor would not handle or try to relocate any special-status species.

|                        |   |
|------------------------|---|
| <b>Implementation:</b> | Qualified County Natural Resource Staff or Qualified Consulting Biologist, project supervisor and project crew members. a) consulting biologist or county natural resource staff to submit a letter/report of survey results; b) project crew to sign a sheet for receipt of woodrat training, sign-in sheet to be held by project supervisor; c) biological monitor (qualified consulting biologist, County natural resource staff, or a trained on-site monitor) to report daily to project supervisor. |
| <b>Timing:</b>         | Prior to construction and during construction as specified above.   |
| <b>Monitoring:</b>     | County Parks Staff  |

**3. *Impact a local natural community, such as a fresh water marsh, oak forest or salt water tide land?***

**Not Significant.** The project site is largely undeveloped consisting of open, level ground that includes disturbed annual grasslands, coast live oak woodland, coyote brush scrub, and developed land with landscaped areas. A single patch of coast live oak woodland (approximately 0.12 acres in size) dominated by a row of young, adult coast live oak trees is located at the top of the hillside adjacent to the north side of the Coyote-Alamitos Canal. The majority of this habitat type occurs off the project site along the maintenance road that parallels the canal. Several large patches of moderate quality coyote brush scrub habitat occurs on the hillside below the Coyote-Alamitos Canal in the south central section of the project site. The annual grassland is interspersed with trees, the predominant one being a large valley oak known as the "Bear Tree". As the majority of the site is composed of disturbed annual grassland, implementation of the Site Plan will not impact a local natural community. In addition, the Site Plan proposes restoration of oak woodlands and native grasslands which would be a beneficial impact.

**4. *Impact a watercourse, aquatic, wetland, or riparian area or habitat (subdivision includes or construction is within 150 feet)?***

**No Impact.** There are no watercourses, aquatic, wetland or riparian areas or habitat within the project site or that would be impacted by implementation of the Site Plan. Additionally, a field survey (November 2007) concluded that the project site does not support regulated wetland habitats that would fall under the jurisdiction of the USACE and/or CDFG.

**Response to 5 and 6: Adversely impact unique or heritage trees or a large number of trees over 12" in diameter?**

**Not Significant.** Trees over 12 inches in diameter and trees designated as heritage trees are considered protected trees (see Santa Clara County Tree Preservation Ordinance in the regulatory guidance section). Based on the County's heritage tree inventory, there are no designated heritage trees located in the project site. For trees that have potential historic value (e.g. bear tree) but are not listed as heritage trees, see Section N, Historical/Archaeological.

The Site Plan does not propose the removal of any native trees or a large number of trees over 12" in diameter. However, trees may be pruned or removed as part of parks maintenance and/or resource management activities. Removal of non-native invasive trees such as tree of heaven and black locust may also occur and would be considered an ecological enhancement of the site. Conformance to the Santa Clara County Tree Preservation and Removal policies will ensure that no significant impacts occur.

The Site Plan proposes restoration of oak woodlands and planting of additional trees which would be a beneficial impact.

**7. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?**

**Not Significant.** The project site is located in the Santa Clara County Habitat Conservation Plan/Natural Community Conservation Plan area, and thus no impact is anticipated as a result of implementation of the Site Plan.

## **G. TRANSPORTATION**

### ***Regulatory Framework***

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant transportation impact if it would:

- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or the City of San José for designated roads or highway;
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in locations that results in substantial safety risks;
- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., from equipment);
- Result in inadequate emergency access;
- Result in inadequate parking capacity; or
- Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

## Roadway Network

### *Regional Roadways*

Regional connections to the project site are via State Route 85 (SR 85) and US Highway 101 (US 101). SR 85 is a major freeway connector in the south bay area, running from US 101 near Mountain View in the north to the project area in the south, where it reconnects to US 101. US 101 is a major freeway connecting San Francisco and the Bay Area to southern California. These freeways have connections to the project area via Cottle Road, Great Oaks Boulevard, and Bernal Road.

### *Local Access*

The neighborhood containing the project site, which is located within the Santa Teresa County Park, is bounded by Cottle Road to the west, Santa Teresa Boulevard to the north, Bernal Road to the east.

Cottle Road runs from a residential cul-de-sac at the foot of the County Park to its intersection with Endicott Boulevard two miles north of the project site, near Blossom Hill Road and Monterey Highway. The Cottle Road and Curie Drive intersection is ~~signalized~~ a four-way stop.

Santa Teresa Boulevard runs from SR 87 in the west approximately 7.5 miles to Bailey Avenue in the south, where it transitions to a two-lane road before becoming Hale Avenue near Richmond Avenue. Traffic signals are present in the vicinity of the project site at Santa Teresa Boulevard's intersections with Cottle Road, San Ignacio Avenue, Great Oaks Boulevard, Martinvale Lane, and Bernal Road.

Bernal Road begins at the County Park and extends to a partial interchange with US 101, and extends further to the north and becomes Silicon Valley Boulevard.

San Ignacio Avenue begins as the continuation of Heaton Moor Drive. Heaton Moor Drive is a residential street that runs from Bernal Road northwest approximately one-half mile to Endmoor Drive. San Ignacio Avenue continues northward to Santa Teresa Boulevard, where it crosses into the Edenvale industrial/office area. San Ignacio Avenue between Great Oaks Boulevard and Bernal Road is also known as Cobb Road. At Bernal Road, San Ignacio Avenue/Cobb Road becomes the residential street Via Serena. Traffic was counted on San Ignacio Avenue between Prague Drive and Oronsay Way near the project site on January 15 and 16, 2008. Daily traffic volumes were an average of 1,770 combined north- and southbound trips. The volumes on San Ignacio Avenue are typical of neighborhood streets.

Curie Drive borders the site to the north. Curie Drive is a residential street that runs east-west from Snell Avenue in the west, past Cottle Road to San Ignacio Avenue. Traffic on Curie Drive was counted in front of the site on January 15 and 16, 2008. Daily traffic volumes were an average of 1,736 combined east- and westbound trips. The volumes on Curie Drive are typical of neighborhood streets.

Manila Drive borders the site to the north. Manila Drive is an east-west residential street that extends from Saint Julie Drive to a dead-end just east of Manila Way. Manila Way is a short residential connector between Curie Drive and Manila Drive. An existing County Park entrance at the Bernal-Gulnac-Joice Ranch site is located just east of the intersection of Camino Verde Drive and Manila Drive. Traffic on Manila Drive was counted in front of the site on January 15 and 16, 2008. Daily volumes were an average of 99 combined east- and westbound trips. The volumes on Manila Drive are very low because the street is a dead end.

The City of San José does not have a policy or methodology regarding levels of service on local, residential streets.

### **Transit Services**

There is no transit service to the project site. The closest transit service is located approximately 0.75 miles from the project site at the Santa Teresa Light Rail Transit (LRT) Station. Various bus routes, as well as the LRT service, converge at the Santa Teresa Station. Connectors are available to most parts of Santa Clara County.

### **Bicycle Facilities**

Bike lanes are located on Santa Teresa Boulevard, 0.5 miles from the project site, from Bernal Road north to Blossom Hill Road. Bike lanes also exist 0.5 miles from the project site on Cottle Road from Beckham Drive to Poughkeepsie Road, and on Beswick Drive between Blossom Hill Road and Cottle Road. A pedestrian and bike path, Albertson Parkway, exists between Curie Drive and Dondero Way, following the power transmission lines' right-of-way. The Santa Teresa LRT Station is a Park and Ride facility and bikes are permitted on the LRT.

### **Existing Santa Teresa County Park Bernal-Gulnac-Joice Ranch**

The existing Santa Teresa County Park Bernal-Gulnac-Joice Ranch site is located within the Santa Teresa County Park at the intersection of Camino Verde Drive and Manila Drive, and approximately 0.25 miles west of the project site. According to ranch site staff, the ranch experiences an average of between approximately 50 to 150 schoolchildren visitors per week via school buses or via car with a parent during the academic year. The ranch also sees an additional three to four other visitors per hour per eight-hour day on Fridays and four to five visitors per hour on Saturdays.

The ranch site has a parking lot, located off of the south leg of the Camino Verde Drive and Manila Drive intersection, with a capacity of 10 spaces to service employees and visitors. According to ranch site staff, most visitors utilize street parking on Manila Drive. As previously noted, a turnout is located east of the ranch site. The turnout is used primarily as a school bus turnout for student drop off and pick up when attending interpretive programs at the ranch site. A sidewalk exists on the south side of Manila Drive between the turnout and the ranch site.

### **Discussion:**

## **G. TRANSPORTATION**

*Will the project:*

### **1. Cause a substantial increase in traffic or traffic congestion in relation to the existing traffic load and capacity of the street system?**

**Not Significant.** Additional trips as a result of the proposed park improvements were estimated as a part of a Traffic and Parking Study prepared by Hexagon Traffic Consultants, Inc. (contained in Existing Setting and Constraints Report, prepared by David J. Powers & Associates, April 2008 see Chapter I). Findings noted below are from the Traffic and Parking Study.

The total additional trips are estimated to be 36 trips per day Monday through Thursday, 136 trips per day on Fridays, and 100 trips per day on Saturdays. Most of these trips would occur during the off-peak traffic period. The additional trips would use Manila Drive, Manila Way, Curie Drive, and/or San Ignacio Avenue. These streets were found to have traffic volumes typical of neighborhood streets. With the addition of project trips, San Ignacio Avenue and Curie Drive would see an increase of approximately 60 trips per day. Manila Drive and Manila Way would see somewhat less of an increase, since they would serve as connectors between the existing park and the new park, and not as primary access roads to the new park. Capacity exists on these streets to accommodate the relatively low number of expected trips presented by the proposed park. The addition of trips generated by the project would not cause the characterization of the traffic volumes on these streets to change.

### **2. Generate 100 or more peak hour trips?**

**No Impact.** As noted above, most of the newly-generated trips would occur during the off-peak traffic period.

### **3. Increase traffic hazards to pedestrians, bicyclists and vehicles?**

**Not Significant.** The number of pedestrian and bicycle trips in the vicinity of the project would increase slightly. Curie Drive in front of the site is currently unimproved. The project would construct curb, gutter, and sidewalk improvements over a distance of approximately 630 feet of Curie Drive at the project site. These improvements, combined with the existing pedestrian and bicycle systems, would be adequate to serve the increase in demand generated by the park activities. There are no site visibility issues that the project would create that would cause hazards for pedestrians, bicyclists or vehicles. Driveways to the proposed parking area are planned to allow safe ingress and egress to the proposed parking area. Proposed on-street parking will be designed to current street standards.

### **4. Not provide safe access, obstruct access to nearby uses, or fail to provide for future street right of way?**

**No impact.** No residential driveways are impacted by the proposed uses. Street right of way along the project-side of Curie Drive will be improved with sidewalk, bus drop-off, parkway and on-street parking per City of San Jose standards. The access to the proposed parking area is placed on Curie Drive so as not to conflict with parking and traffic associated with Bernal Intermediate School on San Ignacio Avenue.

### **5. Cause increases in demand for existing on or off-street parking because of inadequate parking demand?**

**Not significant.** Peak parking demand for the proposed improvements has been estimated at 15 parking spaces for school groups; 12 parking spaces for interpretive display visitors; and three parking spaces for visitors, for a total of 30 parking spaces. The proposed plan includes an off-street parking area with 40 spaces, which accommodates the peak parking demand. Along with the 40 off-street spaces, additional on-street parking spaces, and two designated bus drop-off/parking spaces will be created with the Curie Drive improvements.

Special events are anticipated to occur once or twice per year, which could generate a peak parking demand of 100 parking spaces, but this is not typical for the project. Special events would occur on weekends or evenings, when the Bernal Intermediate School parking lot could be used for overflow parking. This parking lot has a capacity of approximately of 65 spaces. The Oak Grove School District has authorized the use of the Bernal Intermediate School parking lot for overflow parking for special events in the Historic Area. If such events were scheduled for weekends or after school hours, the use of the parking lot should not pose a problem for the school. Arrangements for the use of the parking lot should be made with the office of the Director of Maintenance, Transportation, and Operations at the School District and with the Bernal Intermediate School Principal in advance of any events at the Historic Area.

The proposed off-street parking area, proposed on-street parking improvements, and potential to use the Bernal Intermediate School parking lot are considered adequate to address both regular peak and special event peak parking demand.

#### **6. Conflict with adopted policies supporting alternative transportation (e.g. transit, bicycles, walking)?**

**No impact.** The proposed plan provides new trails within the Historic Area and also provides connections to existing trails within the developed portions of the Historic Area. The plan does not restrict access to any existing Park Trails. It provides access points and bicycle racks at key entrances, including in alignment with the Albertson Parkway. The proposed plan includes sidewalk improvements to Curie Drive and San Ignacio Drive to improve pedestrian access in and around the Park. A bus parking/drop-off zone is included for school buses.

## **H. POPULATION AND HOUSING**

### *Regulatory Framework*

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant impact on population and housing if it would:

- Induce substantial population growth in an area, either directly or indirectly;
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

## *Setting*

According to the Association of Bay Area Governments (ABAG), San José's population in 2005 was approximately 993,000 with 981,600 households. For 2035, the projected population for San José is 1,422,800 with 1,410,800 households.

There are two residential units (Pedro Bernal house and Jacoba Bernal house & garage) and auxiliary structures on-site. The houses are part of the County Parks Department's park residence program; which are used as a park staff residence to maintain the structures and to provide on-site presence. Currently the Pedro Bernal house is occupied as part of the park residence program. The Jacoba Bernal house & garage are currently unoccupied.

## *Discussion:*

### **H. POPULATION/HOUSING**

*Will the Project:*

#### **1. Reduce the supply of low-income housing or displace people or businesses?**

**No Impact.** The Site Plan will not displace the local population or necessitate the construction of replacement housing.

#### **2. Induce substantial growth in an area, either directly or indirectly?**

**No Impact.** The Site Plan will not result in substantial population growth either directly or indirectly. No new residential development will occur as a result of implementation of the Site Plan.

### **I. SAFETY/HEALTH**

#### ***Regulatory Framework - Hazards and Hazardous Materials***

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. Chemical and physical properties such as toxicity, ignitability, corrosivity, and reactivity, cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, Sections 66261.20-66261.24. A "hazardous waste" is any hazardous material that is discarded, abandoned, or to be recycled. The criteria that render a material hazardous also make a waste hazardous (California Health and Safety Code, Section 25117). According to this definition, fuels, motor oil, and lubricants in use at a typical construction site could be considered hazardous.

Lead-based paint is regulated under Cal/OSHA. Asbestos containing materials are regulated under National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines and Bay Area Air Quality Management District (BAAQMD) regulations.



## California Environmental Quality Act

Under CEQA, a project is determined to have a significant hazard and hazardous materials impact if it would:

- Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials;
- 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;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school;
- 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;
- 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;
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

### *Setting*

See Chapter II, Project Description for description of existing settings. The eastern portion of the project site is developed with two houses and associated auxiliary buildings and the "L" shaped barn (see also Section N Historical/Archaeological). Due to the age of the existing structures (19<sup>th</sup> and 20<sup>th</sup> century) asbestos containing materials and lead based paint may be present. However, no alterations or improvements to the houses and auxiliary buildings (e.g. garage) are proposed in the Site Plan and therefore, present no health and safety related impacts as a result of release of these hazardous materials.

The site plan proposes to remove the "short-leg" of the L shaped barn which was determined to be a later addition (circa 1960's) and not historic to the 19<sup>th</sup> century structure (see cultural resources). Removal of portions of the structure would be done in accordance will all relevant Cal/OSHA requirements regarding lead-based paint, National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, and Bay Area Air Quality Management District (BAAQMD) regulations for asbestos containing materials.

There are numerous dilapidated sheds located on the site. These sheds were determined not to be historically important or significant to the site and therefore, are proposed for removal.

Historically, portions of project site contained orchard trees, including prune, peach, and apricot trees, as well as planted with fruit and vegetable crops. Remnants of the orchard, two orange trees and a few plum trees, remain. Studies conducted while the property was in private ownership determined there were no known uses of pesticides or herbicides (*City of San José Draft Environmental Impact Report on Curie Estates, January 1993*). County Parks adheres to the County Integrated Pest Management (IPM) policies regarding the use of herbicides and pesticides. Adherence to these policies ensures that impacts remain less than significant.

The eastern portion of the project site is located within a wildland fire threat zone.<sup>15</sup> Generally, a wildfire threat zone is defined as any building or structure that is within 100 feet of wildland vegetation. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., Cortese List) and there are no known underground storage tanks on the site.<sup>16</sup>

### **Discussion:**

#### **I. SAFETY/HEALTH**

*Will the Project:*

##### **1. Involve risk of explosion or release of hazardous substances (including pesticides, herbicides, toxic substances, oil, chemicals or radioactive materials)?**

**Not Significant.** No improvements proposed in the Site Plan are expected to create a hazard to the public through an explosion or release of hazardous substances. The only hazardous materials to be used at the project site are those used during construction including the fuels, oils and lubricants associated with various on-site vehicles and construction machinery. All hazardous materials would be handled in accordance with OSHA and other regulatory standards. Additionally, the implementation of BMPs and measures identified in the project SWPPP would minimize the risk of reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

##### **2. If yes to #1, be within 1/4 mile of a school [public notice]?**

**Not Significant.** Bernal Intermediate School is located directly across San Ignacio Avenue from the project site. The only hazardous materials to be used at the project site are those used during construction including the fuels, oils and lubricants associated with various on-site vehicles and construction machinery. All hazardous materials would be handled in accordance with OSHA and other regulatory standards. While it is anticipated that this facility would be subject to the emissions of typical building equipment during construction of improvements proposed in the Site Plan, the impact would be short term and the implementation of BMPs and measures identified in the project SWPPP would ensure impacts are less than significant.

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<sup>15</sup> Association of Bay Area Governments. *ABAG Geographic Information Systems, Wildland Urban Interface (WUI) Fire Threat*. Map. California Department of Forestry and Fire Protection. 2003. Available at: <http://www.abag.ca.gov/bayarea/eqmaps/wildfire/>.

<sup>16</sup> Sources: 1) Department of Toxic Substance Control. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*. 2007. Available at: [http://www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm). 2) State Water Resources Control Board. *Geotracker*. N.d. Available at: <http://geotracker.swrcb.ca.gov/>. 3) County of Santa Clara. *Local Oversight Program Public Record Document Search*. 2005. Available at: <http://lustop.sccgov.org/>. 4) California Integrated Waste Management Board. *Facility/Site Search*. N.d. Available at: <http://www.ciwmb.ca.gov/SWIS/Search.asp>.

**3. Be located within 200' of a 230KV or above electrical transmission line?**

**No Impact** The project site is not located within 200' of a 230 KV electrical transmission line. High voltage power lines (230KV) occur at the top of the ridgeline above the project site; however, these are greater than 0.25 miles from the project site

**4. Create any health hazard?**

**No Impact.** The Site Plan does not propose any facilities or uses that would be considered a health hazard.

**5. Expose people to existing sources of potential health hazards?**

**Not Significant.** The project is located in a seismically active area and visitors to the park would be exposed to seismic and earthquake related hazards. A variety of potential health hazards currently exist at Santa Teresa County Park such as exposure to wild animals, and poor air quality on poor air quality days. However, implementation of the Site Plan would not increase exposure of people to existing sources of potential health hazards.

**6. Be located in an ALUC Safety Zone?**

**No Impact.** Santa Teresa County Park Historic Area is not within an Airport Land Use Commission Safety Zone.

**7. Increase fire hazard in an area already involving extreme fire hazard?**

**No Impact.** The project site is not located within an extreme fire hazard area or a wildland area. Implementation of the Site Plan will not increase fire hazard.

**8. Be located on a cul-de-sac over 800 ft. in length and require secondary access which will be difficult to obtain?**

**No Impact.** The project site is not located on a cul-de-sac over 800 ft. in length, no secondary access is proposed or required.

**9. Employ technology which could adversely affect safety in case of a breakdown?**

**No Impact.** The Site Plan does not propose to employ technology which could adversely affect safety. The objective of the site plan is to provide interpretive areas and displays, and interior circulation within the Historic Area.

**10. Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?**

**Not Significant.** The Site Plan proposes an approximate one acre staging area/parking lot on the southwest corner of San Ignacio Avenue and Curie Drive. The lot would accommodate 40 parking spaces including two handicap accessible parking spaces. The parking lot would be accessed from Curie Drive due to the relatively high use of curb-side street parking on San Ignacio surrounding activity at the Bernal Intermediate School which is located on San Ignacio Avenue across from the project site. Additionally, San Ignacio Avenue experiences higher traffic volumes than Curie Drive (see also Section J Transportation).

The Site Plan proposes a bus drop off/parking area on Curie Drive near the entrance to the parking lot large enough to accommodate two school buses driving in and out. Street improvements on Curie Drive include street widening and installation of curb and sidewalk with a park strip.

These improvements would safely accommodate bus passenger activities and improve ingress and egress to the proposed parking lot.

The Site Plan proposes a new driveway and entrance to the Pedro Bernal house site from Curie Drive. The Site Plan also includes the conversion of the existing driveway to a non-vehicular entrance road to the site which will serve as a maintenance access road

The above proposed improvements would ensure that the site plan would not result in a safety hazard for pedestrians.

#### **11. Provide breeding grounds for vectors?**

**Not Significant.** Potential vectors of disease found within Santa Teresa County Park include species such as mosquitoes, ticks, and various mammal species. Project activities would likely not increase populations of these species due to the implementation of standard County maintenance practices (e.g. keeping trash containers sealed shut and cleaned out on a regular basis, constructing trails to avoid pooling of water, posting education signs regarding the dangers of ticks). As a practice the County Parks Maintenance Division has been installing wildlife-proof trashcans to prevent impact by vectors and wildlife in use areas.

Water, especially the Santa Teresa Spring, has played a pivotal and important role in the settlement, habitation, and use of the area and provides the unifying theme for the Site Plan design. Implementation of projects in the Site Plan includes water features which will aide in the interpretation of the water theme. The water theme is depicted throughout the site as different elements or features including a dry creek bed, seasonal water detention basins or swales, and as aesthetic features such as a well and water troughs. These features are not intended to retain standing water which may provide potential breeding grounds for vectors such as mosquitoes. Features such as the creek bed, seasonal water detention basins or swales will be designed for water to drain into the soil through percolation, evaporate, or drain into the storm drain system. Aesthetic water features such as the well or water troughs will include drains and/or drainage holes.

As a result of the incorporation of these designs and implementation of standard Park maintenance practices, no improvements proposed in the Site Plan will provide a breeding ground for vectors.

## **J. AIR QUALITY**

### ***Regulatory Framework***

Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act of 1988 and its subsequent amendments). The California Air Resources Board (CARB) is responsible for air pollution control and setting State ambient air quality standards and allowable emission levels for motor vehicles. The State is divided into air basins governed by districts. The project site is located in the Bay Area Air Quality Management District (BAAQMD).

### **Clean Air Plan**

The City of San José (including the project site) is within the San Francisco Bay Area Air Quality Management District (BAAQMD). BAAQMD is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state standards would be met. BAAQMD's most recently adopted Clean Air Plan (CAP) is the *Bay Area 2005 Ozone Strategy*.

### **Regional and Local Criteria Pollutants**

Major criteria pollutants listed in "criteria" documents by the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter (PM). These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms. The Bay Area is currently designated as an "attainment area," meaning the area meets the relevant standards for carbon monoxide, nitrogen dioxide, and sulfur dioxide. The region is classified as a "nonattainment area" for both the federal and state ozone standards, although a request for reclassification to "attainment" of the federal standard is currently being considered by the USEPA. The area does not meet the state standards for particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>).

BAAQMD has established thresholds for what would be considered a significant addition to existing air pollution. A project that generates more than 80 pounds per day of reactive organic gases (ROGs) nitrogen oxides, or PM<sub>10</sub> is considered to have a significant impact on regional air quality, according to BAAQMD guidelines. In order to exceed the 80 pounds per day thresholds, a typical project must generate at least 2,000 additional vehicle trips per day. BAAQMD generally does not recommend a detailed air quality analysis for projects generating less than 2,000 vehicles trips per day.

### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant air quality impact if it would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or project air quality violation;
- 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

### **Sensitive Receptors**

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (e.g., children, the elderly, and the acutely and chronically ill) are likely to be located. These land uses include residences, school playgrounds, child-care centers, retirement homes, convalescent homes,

hospitals, and medical clinics. Sensitive receptors near the project site include the residential uses north and west of the site and the middle school east of the project site.

**Discussion:**

**J. AIR QUALITY**

*Will the Project:*

**1. Violate any ambient air quality standard, contribute to an existing or projected air quality violation, or expose sensitive receptors to pollutant concentrations?**

**Not Significant.** BAAQMD has established thresholds for what would be considered a significant addition to existing air pollution as noted above. In order to exceed the 80 pounds per day thresholds, a typical project must generate at least 2,000 additional vehicle trips per day. According to the traffic study conducted for the project, relatively low numbers of vehicle trips are expected once the site is operational. As a result, the Site Plan will be well below BAAQMD thresholds, and the impact is considered less than significant.

Guidance from the BAAQMD's CEQA guidelines indicates that the BAAQMD does not require quantification of construction emissions. Instead it requires implementation of effective and comprehensive feasible control measures to reduce PM<sub>10</sub> emissions (BAAQMD 1999). These construction equipment emissions may affect localized air quality on a short-term basis during construction. However, implementation of the Site Plan consists primarily of small construction projects (e.g. trail building, construction of interpretive and display areas, sidewalk improvements and a one-acre staging area), and therefore construction emissions will not significantly contribute to violation of any air quality standard or significantly contribute to an existing or projected air quality violation. Additionally, Air Quality BMPs (see Chapter II Project Description) would be implemented to minimize PM<sub>10</sub> emissions during construction.

The project will cause carbon monoxide and dust emissions during construction, which are already included in the emission inventory that is the basis for the regional air quality plans within the BAAQMD. The project is implementation of the *Site Plan* and thus will not result in urban growth or introduce new sources of air pollutants, and therefore, will not result in cumulatively considerable air quality impacts.

The project will not result in an increase in population or result in a new source of stationary or ongoing permanent mobile emissions. Given the short duration, and nature of construction activities and implementation of BMPs (as listed in the Environmental section of this document) to control dust that are consistent with BAAQMD requirements, the project will not expose sensitive receptors to substantial pollutant concentrations.

**2. Create objectionable dust or odors?**

**Not Significant.** No release of odors is expected during either the construction or operation of the *Site Plan*. Dust (PM<sub>10</sub>) is the other air quality issue related to construction. The BAAQMD has identified a set of feasible PM<sub>10</sub> control measures for construction activities. These measures are listed in the Environmental Measures – Best Management Practices section of Chapter II.

Implementation of these BMPs will ensure that construction-related air quality impacts are minimized. No long-term air quality impacts are expected to occur.

### **3. Alter air movement, moisture, or temperature, or cause any change in climate?**

**No Impact.** Implementation of the *Site Plan* would not alter the site's air movement, moisture, or temperature, or cause any change in climate.

### **4. Would the project increase greenhouse gas emissions that hinder or delay the State's ability to meet the reduction target (25% reduction by 2020) contained in CA Global Warming Solutions Act of 2006 (AB 32)?**

**Not Significant.** The project would result in greenhouse gas emissions from construction equipment operating on the site and from vehicular traffic generated by the project.

According to the traffic study conducted for the project, relatively low numbers of vehicle trips are expected once the site is operational. The majority of these vehicle trips are expected to be associated with interpretive programs provided to schools with school children arriving by school bus or in car pools. As a result, this impact is not considered significant or cumulatively considerable.

Although construction related activities will result in emissions from construction equipment, the construction period will be of limited duration and limited scope. Additionally, Air Quality BMPs listed in the Environmental Measures – BMP section in Chapter II would be implemented to minimize emissions during construction. Therefore, this impact is not significant.

### ***Climate Change Discussion***

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq.), which limits statewide greenhouse gas (GHG) to 1990 levels and establishes a goal of achieving these emissions reductions by 2020 (representing a 25 percent reduction in emissions). AB 32 requires the California Air Resources Board (CARB) to adopt a comprehensive blueprint for limiting greenhouse gas emissions by the end of 2008 and complete the necessary rulemaking to implement that plan by the end of 2011.

In addition, the adoption of SB 97 in 2007 mandates that the California Office of Planning and Research (OPR) prepare CEQA Guidelines which establish standards for evaluating greenhouse gas emissions including the creation feasible mitigation measures. The California Resource Agencies are required to adopt these new guidelines by January 1, 2010. In June, 2008, OPR published Technical Advisory document providing Interim Guidance on Addressing Greenhouse Gas Emissions in CEQA Documents. This Technical Advisory document recommends that all public agencies in California incorporate an evaluation of climate change and greenhouse gas emissions into their CEQA documents. In October, 2008, CARB staff published a preliminary proposal of a methodology for interim CEQA greenhouse gas emission thresholds.

Currently, there is no clear and consistent standard available for evaluating and determining the potential significance of greenhouse gas emissions from any single project. As the creation of greenhouse gas emissions and resulting climate change is a global phenomenon, it is very difficult

to quantify and specify how a single individual project makes a cumulatively considerable contribution of greenhouse gas emissions.

Most greenhouse gas emissions originate from carbon dioxide, with other pollutants such as methane also contributing smaller overall amounts on a worldwide scale. Man-made greenhouse gas emissions originate from a variety of sources, notably industrial processes, transportation, and energy production. Within California, the leading contributors of greenhouse gas emissions are transportation (41%), industrial processes (23%), and energy production (20%).

As the CARB and OPR have not yet adopted a methodology or defined quantitative thresholds that can be applied to a specific development project to evaluate the significance of its GHG emissions, no significance determination from the State is available at this time.

Due to the relatively small scale of this project and compliance with existing County and State requirements listed below which will minimize greenhouse gas emissions, it is anticipated that the proposed project will not result in any cumulative considerable greenhouse gas emissions.

## **K. NOISE**

### ***Background***

Noise is defined as unwanted sound. Noise can be disturbing or annoying because of its pitch or loudness. Pitch refers to relative frequency of vibrations, higher pitch signals sound louder to people.

A decibel (dB) is measured based on the relative amplitude of a sound. Ten on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, gives greater weight to sounds to which the human ear is most sensitive.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. Twenty-four hour descriptors have been developed that emphasize quiet-time noise events. The Day/Night Average Sound Level,  $L_{dn}$ , is a measure of the cumulative noise exposure in a community. It includes a 10 dB addition to noise levels from 10:00 PM to 7:00 AM to account for human sensitivity to night noise.

### ***Regulatory Framework***

#### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant noise impact if it would:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;



- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- 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 expose people residing or working in the project area to excessive noise levels; or
- For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

### **Applicable Noise Standards**

The Santa Clara County General Plan states that the satisfactory noise compatibility level for parks is 45 to 55 dBA L<sub>dn</sub>. Satisfactory noise levels are those which pose no serious threat to the land use. Santa Clara County has a noise ordinance (Chapter VII of the code). Under the ordinance, construction activities are allowed from 7:00 am to 7:00 pm, Monday through Saturday.

#### *Setting*

The project site is developed with two houses and auxiliary structures. Only one house, Pedro Bernal house, is currently occupied. The project site is located within a noise sensitive neighborhood: residences are located north and west of the site, a middle school is located east of the site, and parkland is located south of the site. The project site is bounded by Manila Drive, Curie Drive, and San Ignacio Avenue.

Vehicular traffic on Manila Drive, Curie Drive, and San Ignacio Avenue and noise from the school east of the site are sources of noise in the project area. The area of Santa Teresa County Park that includes the project site is in the flight path for incoming aircraft landing at Mineta San José International Airport, and as a result, aircraft noise is a source of noise in the project area. Pacific Gas and Electric (PG&E) transmission lines and towers located on the park's ridge top above the project site are serviced using helicopters.

#### *Discussion:*

#### ***K. NOISE***

*Will the Project:*

#### **1. Increase substantially the ambient noise levels for adjoining areas during and/or after construction?**

**Not Significant.** There would be temporary and periodic increases in the ambient noise levels at the project site resulting from project construction. However, because the noise would be temporary, and would be limited to daytime hours per the County's noise ordinance, the impact is considered less than significant. (See the Environmental Measures- BMP section)

Implementation of the Site Plan and use of the facilities after construction would not substantially affect ambient noise levels.

**2. Expose people to high noise or vibration levels generated by the project or from the surrounding area?**

**Not Significant.** The Site Plan would not result in any impacts. Construction activities associated with the implementation of the projects identified in the Site Plan may result in increases in noise or vibration levels, however, construction noise levels are considered less than significant impacts because of the temporary nature of the activity. Since the County intends to comply with the Santa Clara County noise ordinance, which limits construction noise to the hours of 7:00 am and 7:00 pm Monday through Saturday, the effect of the machine noise would be less than significant.

**L. AESTHETICS**

*Regulatory Framework*

**California Environmental Quality Act**

A project is determined to have a significant aesthetic impact if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings;  
or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

*Setting*

See Chapter II, Project Description, and Environmental Setting and Surrounding Land Uses sections of this document

The eastern portion of the site is developed with two historic residential structures and associated structures. Figure 1 (Aerial Photograph with Surrounding Land Uses) shows the location of these structures on the site. The structures have a low profile (i.e., they are only one story tall) and include:

- The Jacoba Bernal Fisher House, a one-story historic Spanish Colonial house and garage, is located on Curie Drive
- The Pedro A. Bernal House, a one-story historic French Eclectic style house, built on a slight slope on San Ignacio Avenue,
- Auxiliary buildings/sheds,
- an L-shaped barn, and
- a U-shaped barn.

There are several dilapidated sheds and outbuildings located around both of these houses.

There is a mix of mature and young trees located throughout the project site. Most of the trees are located along the southern boundary of the project site, adjacent to a Santa Clara Valley Water District's canal (the Coyote-Alamitos Canal). These trees consist of young and mature coast live oak trees. A large valley oak tree is located on the northern portion of the site.

The scenic resources in the project area include views of the Santa Teresa Hills, which are visible from the project area looking south, and the existing trees on-site.

**Discussion:**

It is the intent of County Parks to not significantly intensify the land uses on the project site. In addition, given the historical and cultural significance of the site, it is the intent of the County Parks to design future improvements to fit with the historic character of the site. The proposed visitor center will be a single-story structure and include public restrooms, classroom/multi-purpose room, staff office space, and a small meeting/work area.

Implementation of projects proposed in the Site Plan would not diminish the visibility of the Santa Teresa Hills from the surrounding area. It is also the intent of County Parks to design future improvements to fit with the character of the site and integrate with the existing portions of the Historic Area, namely Santa Teresa Spring and Bernal-Joice-Gulnac ranch which are located to the west of the project site. In accordance with the objectives of the Site Plan, structures, elements, and interpretive features will be designed to be reflective of the Ohlone, Settlement, and Californio Ranch periods.

**L. AESTHETICS**

*Will the Project:*

**1. If subject to ASA, be generally in non-compliance with the Guidelines for Architecture and Site Approval?**

**No Impact.** The Site Plan is not subject to ASA.

**2. Create an aesthetically offensive site open to public view?**

**Not Significant.** The Site Plan will not create an aesthetically offensive site open to public view. Structures proposed in the Site Plan, including shade structures, the visitor center, and interpretive features, would be designed to reflect, preserve, and enhance existing visual resources. These would be representative of the Ohlone, Settlement, and Californio Ranch periods. The proposed visitor center will be a single story structure and sited adjacent to an existing one-story structure. Dilapidated sheds would be removed.

The Site Plan does not involve large amounts of grading which would create an aesthetically offensive site open to public view. The proposed staging area/parking lot is designed in an organic shape with landscaping to be aesthetically pleasing and integrate with the natural landforms. Proposed trails will be composed of decomposed granite and fencing materials will integrate with existing fencing in the historic area.

The site plan proposes to restore oak woodlands and native grasslands, and plant additional trees and shrubs thereby enhancing the visual character of the site, this is considered a beneficial impact.

**3. Visually intrude into an area having natural scenic qualities, be adjacent to a designated Scenic Highway or within a Scenic Corridor?**

**Not Significant.** The Site Plan will not impair existing scenic qualities of the area. No structures are proposed which will visually intrude into the scenic qualities of the site, the proposed visitor center will be a single story structure, sited adjacent to an existing structure, and designed to enhance the existing setting. The site plan proposes to plant trees, shrubs and restore oak woodlands and native grasslands which will enhance the visual character of the site, and is considered a beneficial impact.

The site is not adjacent to a designated scenic highway or within a scenic corridor.

**4. Obstruct scenic views from existing residential areas, public lands, public water body or roads?**

**Not Significant.** Implementation of the Site Plan will not obstruct views from existing residential areas, public lands or roads of the Santa Teresa hills from the surrounding area. Structures proposed in the Site Plan, including shade structures, the visitor center, and interpretive features, will be designed to preserve, and enhance existing visual resources. The proposed visitor center will be a single story structure sited adjacent to an existing structure. The site plan proposes to restore Oak woodlands and native grasslands, and plant additional trees and shrubs thereby enhancing the visual character of the site, and is considered a beneficial impact.

**5. Be located on or near a ridgeline visible from the valley floor?**

**No Impact.** The Site Plan project area is not located on or near a ridgeline.

**6. Adversely affect the architectural appearance of an established neighborhood?**

**No Impact.** The project area is surrounded by single family residential neighborhoods, a middle school, and regional parkland. Implementation of the Site Plan would not adversely affect the architectural appearance of an established neighborhood.

In addition, future improvements identified in the Site Plan will be designed to fit with the character of the site and integrate with the existing portions of the Historic Area, namely Santa Teresa Spring and Bernal-Joice-Gulnac ranch. In accordance with the objectives of the Site Plan structures, elements, and interpretive features will be designed to be reflective of the Ohlone, Settlement, and Californio Rancho periods.

**7. Generate new light or glare?**

**Not Significant.** The Site Plan proposes security lighting throughout the site, specifically on structures, and in the staging area and parking lot. Lighting will be designed and sited so that it will be sufficient for security purposes but will not adversely impact the adjacent residential neighborhood.

The existing structures in the project area currently have lighting on site. The surrounding residential and school properties also have lighting on site. No facilities of highly reflective materials will be constructed. The proposed visitor center will be located in close proximity to the

existing house and likely generate new light. However, lighting at the site is not expected to exceed what currently exists in the surrounding area and therefore the impact will not be significant.

## **M. ENERGY**

### **Discussion:**

#### **M. ENERGY**

*Will the Project:*

##### **1. Use non-renewable resources in large quantities or in a wasteful manner?**

**No Impact.** The Site Plan does not propose use of non-renewable resources.

##### **2. Involve the removal of vegetation capable of providing summer shade to a building or significantly affect solar access to adjacent property?**

**No Impact.** The Site Plan does propose removal of vegetation capable of providing shade to buildings or affect solar access to adjacent property. The site plan proposes to restore Oak woodlands and native grasslands, and plant additional trees and shrubs, and is considered a beneficial impact.

## **N. HISTORICAL / ARCHAEOLOGICAL**

### ***Regulatory Framework***

#### **California Health and Safety Code and Public Resources Code**

Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, the Native American Heritage Commission shall be notified to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location no subject to further subsurface disturbance.

#### **Secretary of the Interior's Standards for Rehabilitation**

The Secretary of the Interior is responsible for establishing standards for all programs under departmental authority and for advising federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places. The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. "Rehabilitation" is defined as "the process of

returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.”

The intent of the Standards is to assist the long-term preservation of a property’s significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building’s site and environment, as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

### **California Environmental Quality Act**

Under CEQA, a project is determined to have a significant impact on cultural resources if it would:

- Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5 of the CEQA Guidelines. A resource as defined in Section 15064.5 is:
  - A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in CRHR;
  - A resource included in a local register of historic resources, as defined in §5020.1(k) of the Public Resources Code (PRC) or identified as significant in historical resource survey meeting the requirements of §5024.1(g) of the PRC, unless the preponderance of evidence demonstrates that it is not historically or culturally significant;
  - Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency’s determination is supported by substantial evidence in light of the whole record (generally, a resource shall be considered to be historically significant if the resource meets the criteria for listing on the CRHR); and/or
  - A resource defined in PRC §5020.1(j) or §5024.1.
- Cause damage to an important archaeological resource as defined in §15064.5 of the CEQA Guidelines;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

### *Setting*

#### **Prehistoric Resources**

Since the early 1970s, it has been known that the project site contains a diffuse prehistoric component covering much of the ground surface and structure remains and possibly historic archaeological and architectural features associated with the Bernal family tenure on the property.

#### **Historic Resources**

The Rancho Santa Teresa Historic District (see Chapter II) is comprised of many pre-historic and historic resources that are significant to the understanding of the Ohlone Indian existence from as far back as 10,000 years ago and the understanding of the settlement of the Santa Clara Valley by the Spanish in the 1770s, the Mexican era, and the early American era. The original rancho was 9,647 acres in size. Today it consists of County parkland, golf courses, residences, and businesses. The County has identified four sites within the project site that contribute to the Rancho Santa Teresa Historic District:

- Jacoba Bernal Fisher House (272 Curie Drive, APN 704-11-010);
- Pedro A. Bernal House (6603 San Ignacio Avenue, APN 704-11-016);
- Ignacio Bernal Adobe House Site (270 Curie Drive, APN 704-11-009); and
- Bear Tree (270 Curie Drive, APN 704-11-009).

According to the Santa Clara County Heritage Resource Inventory 1993 Update for Rancho Santa Teresa, in addition to the four above listed sites, the project site includes six other contributors to the Rancho Santa Teresa Historic District: Ignacio Bernal Orchard Trees, Homestead Entrance Palm Trees, Chinese Elm, Japanese Loquat, and California Black Walnut.<sup>17</sup>

### **Recommendations**

An analysis of the potentially historic architectural resources on the site has led to recommendations for architectural preservation of the following features. These recommendations have been incorporated into the proposed Site Plan:

1. The Jacoba Bernal Fisher House and Garage with associated walls, fences and yard space.
2. Two sections of the large “L” shaped barn behind the Jacoba Bernal Fisher House. The long leg of the barn contains both late nineteenth century and early twentieth century construction. The short leg of the “L” is a recent addition, and is likely outside the site’s period of significance (1931-1954).
3. The Pedro Bernal House and associated yard space.
4. The Bear Tree, near the Ignacio Bernal House Site.

The following structures are not considered to be historically significant and are recommended for removal. These recommendations are also reflected in the proposed Site Plan:

1. the short leg of the “L” barn is a recent addition. This portion of the barn is in fair condition and with some repair could be used, but it could also be demolished without loss of historic integrity.
2. The “U” Barn appears to be of relatively recent construction. It is in fair condition and with some repair could be used but it could also be demolished without loss of district

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<sup>17</sup> The Santa Clara County Heritage Resource Inventory 1993 Update states that “each structure shall be deemed to include the site upon which the structure stands and any remnants or associated parts [including trees] or properties of the structure.”

integrity.

- 3. All of the Pedro Bernal site outbuildings either have no historic value relative to the site’s period of significance, or would potentially have historic value but are so severely deteriorated that they cannot be repaired.

Historic trees

In addition to the evaluation of potentially historic structures, the trees listed above as contributors to the Rancho Santa Teresa Historic District can be preserved (if health of the tree permits) as part of the proposed Site Plan.

Implementation of the Site Plan will not adversely impact large and potentially historic trees. A tree survey, including an assessment of the structural integrity, of large and potentially historic trees will be conducted prior to development of the site. In addition, an evaluation and assessment of the structural integrity of the large valley oak (“bear tree”) will be conducted by a qualified arborist prior to implementation of the site plan. It is the intent of County Parks to preserve and stabilize the Bear Tree. Final decisions about tree preservation should be based on tree health at the time of design development and preparation of construction documents.

Discussion:

**N. HISTORICAL/ARCHAEOLOGICAL**

*Will the project:*

- 1. **Disturb potential archaeological or paleontological resources?**
- 2. **Disturb a historic resource or cause a physical change which would affect unique ethnic cultural values or restrict existing religious or sacred uses within the potential impact area?**

**Significant unless Mitigation Incorporated.** Construction of the proposed site improvements, such as trails, undergrounding of utilities, and structures, including footings, has the potential to disturb archaeological, paleontological and historic resources. However, incorporation of the mitigation measures noted below reduces the potential impact to less-than-significant.

**Mitigation Measure H/A 1:**

Develop and implement a historic, pre-historic, and paleontological resource training program for construction personnel.

- Implementation:** Contractor, County Parks Staff, Contractor
- Timing:** Prior to construction.
- Monitoring:** County Parks Staff

**Mitigation Measure H/A 2:**



Design trails to avoid historic and pre-historic sites, and where feasible, construct trails at grade. In some cases trails will be routed to historic or pre-historic sites for interpretive purposes. If significant resources are identified and if impacts to the site cannot be avoided through routing the trail away from the site, evaluation of the site will be performed consistent with professional archeological standards and State and County requirements. These may include formal recordation of the site and mapping showing the extent of the deposit area. If it is determined that materials are of a prehistoric nature, procedures outlined in the State Public Resources Code pertaining to the protection of Native American remains and associated goods will be implemented and most likely descendant will be notified.

**Implementation:** County Parks Staff or Qualified Consulting Archaeologist  
**Timing:** After delineation of trail alignment, prior to construction.  
**Monitoring:** County Parks Staff

**Mitigation Measure H/A 3:**

Where ground disturbing work will occur in locations where prehistoric or historic sites have been previously documented, evaluation of the site would be performed consistent with professional archeological standards and State and County requirements. An appropriate treatment plan will be developed and implemented to evaluate affected archaeological sites that are determined eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) and cannot be avoided by construction.

**Implementation:** County Parks Staff  
**Timing:** Prior to construction.  
**Monitoring:** County Parks Staff

**Mitigation Measure H/A 4:**

Where ground disturbing work will occur in locations where historic, pre-historic, or paleontological sites have been determined to have a high probability of occurring, field surveys will be conducted by a qualified archaeologist within the vicinity of the proposed final trail alignments. In the event previously undocumented pre-historic resources are discovered during project construction (including but not limited to dark soil containing shellfish, bone, or groundstone) work within the immediate vicinity of the find will be halted until procedures outlined in the County Ordinance Relating to Indian Burial Grounds (County of Santa Clara, 1987) and State Public Resources Code can be implemented and most likely descendant notified. In the event that human skeletal remains are encountered, work within the vicinity will be halted and the County Coroner notified immediately (County Ordinance No. B6-18). Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter.

|                        |   |
|------------------------|---|
| <b>Implementation:</b> | County Parks Staff, Qualified Consulting Archaeologist                  |
| <b>Timing:</b>         | After delineation of trail alignment, prior to and during construction. |
| <b>Monitoring:</b>     | County Parks Staff or Qualified Consulting Archaeologist                |

**Mitigation Measure H/A 5:**

If historic, pre-historic, or paleontological resources are discovered during construction, then the priority will be to relocate the proposed improvement to avoid and/or minimize impacts. If the trail cannot be rerouted and impacts cannot be avoided, then work will cease in the area until the archaeological evaluation and treatment plan has been completed.

|                        |  |
|------------------------|--|
| <b>Implementation:</b> | County Parks Staff or Qualified Consulting Archaeologist |
| <b>Timing:</b>         | During construction                                      |
| <b>Monitoring:</b>     | County Parks Staff                                       |

**3. Be located in a Historic District?**

**Not significant.** The project site is located within the Santa Teresa Historic Area. The proposed site improvements are consistent with the interpretive goals and periods of significance of the Historic Area.

**O. PUBLIC SERVICES AND UTILITIES**

*Regulatory Framework*

**California Environmental Quality Act**

Under CEQA, a project is determined to have a significant impact on utilities and service systems if it would:

- 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 including fire protection, police protection, schools, and parks.
- Require or result in the construction of a new storm water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- Need new or expanded entitlements for water supplies;
- Be served by a landfill with insufficient permitted capacity;
- Generate waste before or after project completion in a quantity sufficient to negatively affect the City's compliance with State law or Solid Waste Goal 3.2B; or
- Not comply with federal, state, and local statutes and regulations related to solid waste.

## *Setting*

### *Fire Service*

Fire protection to the project site is provided by the San José Fire Department (SJFD). Station No. 35, which is located at 6027 San Ignacio Avenue, approximately 1.5 miles northeast of the project site, would be the first response unit to the site.

### *Police Service*

County Park Rangers in conjunction with Santa Clara County Sheriff's Deputies provide year round law enforcement and patrol services throughout the regional park system.

### *Schools*

The project site is located within the Oak Grove School District (SJUSD). Bernal Intermediate School is located east of the site.

### *Parks*

The project site is part of Santa Teresa County Park. Santa Teresa County Park is 1,688 acres in size and has a variety of recreational activities, including golf, picnic and barbeque areas, and multi-use trails.

### *Utilities*

Water service for the project area is provided by Great Oaks Water Company. There is an existing eight-inch water line in Curie Drive and a six-inch water line in Manila Drive. Sanitary sewer and storm drain lines in the project area are owned and maintained by the City of San José. There is an existing eight-inch sewer line in Curie Drive and a six-inch line in Manila Drive.

There is a 36-inch storm drain line in Curie Drive that terminates at Korhummel Way, approximately 100 feet west of the site, and a 27-inch storm drain line in Manila Drive that terminates at Manila Way, approximately 300 feet west of the site. In addition, there are storm inlets in Curie Drive at Manila Way and at the northeasterly corner of Manila Drive and Manila Way.

Solid waste and recycling collection service to the project site are provided by the County.

There are existing Pacific Gas and Electric (PG&E) gas and electric services in the area. The Site Plan proposes locating power lines underground on site, where feasible.

## **Discussion:**

### **O. PUBLIC SERVICES AND UTILITIES**

*Will the project:*

**1. Induce substantial growth or concentration of population (Growth inducing?)**

**No Impact.** The Site Plan project would not induce substantial growth or concentration of population.

**2. Employ equipment which could interfere with existing communications or broadcast systems?**

**Not Significant.** The Site Plan proposes undergrounding of on-site overhead utilities. During design development, the specific lines to be undergrounded and underground routing would be determined to assure that all existing needed services are maintained.

**3. Have an effect upon or increase the need for or alter services in any of the following areas**

**a. Fire Protection**

**Not Significant.** Implementation of the Site Plan project would not result in substantial adverse physical impacts requiring new or physical alterations to existing governmental fire protection services. While most of the new trails in the Site Plan are not wide enough for vehicular access for fire protection purposes, the increase in walk-in access to areas of the park that currently have no trail access will enhance fire protection efforts. Proposed new structures will be designed with fire protection devices and materials, such as fire sprinklers for inhabited indoor spaces, and flame retardant roofing.

**b. Police Protection**

**Not Significant.** The proposed Site Plan will result in additional day use of the area, potential special events, and additional structures, trails and facilities. The uses proposed are within the capacity of existing law enforcement agencies. The site plan includes design guidelines to maintain visibility throughout the site, provide security lighting, and use vandal-resistant materials to minimize user safety issues.

**c. School Facilities**

**No Impact.** The Site Plan project does not include the construction of any new housing units or induce population growth and therefore would not increase the need for additional schools or alter school facilities. Bernal Intermediate School, a public middle school in the Oak Grove Elementary School District, would have a direct benefit from this facility once developed since the trail amenities and interpretive programs would provide the faculty and students with additional educational resources.

**d. Maintenance of public facilities, including roads**

**Not Significant.** The Site Plan project includes a new parking lot with permeable/semi-permeable areas and paved driveway into the Historic Area. The Site Plan project also includes planned street improvements on Curie Drive that include widening of the roadway to accommodate a bus drop-off/parking area for two (2) buses, driveways, pedestrian sidewalk improvements along Curie Drive and a planned sidewalk extension along San Ignacio Avenue. The increased parking amenities will account for expected increases in public use of the Historic Area. Using an efficient parking configuration to accommodate 40 parking spaces and strategic placement of trash receptacles and public use areas to provide low maintenance zones, the new parking lot and entry road would not increase the need for or alter maintenance of public facilities including roads.

Existing public roads adjacent to the site are deemed capable of the potential increased traffic demand associated with the improvements (see Section G, Transportation).

**e. Other government services**

**Not Significant.** Development of the site plan improvements will increase the need for site maintenance and as well as increase the potential for interpretive programs which will require staffing by Parks Department staff and/or volunteers. The increased maintenance and operations needs are considered within the capacity of the existing County Parks Department. Specific staffing needs will be further evaluated as a part of future design development.

**4. Increase the need for new systems or supplies, or cause substantial alterations to the following utilities:**

**a. Electricity or Natural gas**

**Not Significant.** The Site Plan project proposes a future Visitor Center that would require use of electricity and possibly natural gas. The proposed visitor center including the courtyard, courtyard walls, trellises, and gardens were evaluated at a program level and will require additional CEQA analysis prior to implementation/construction.

**b. Local or regional water treatment or distribution facilities**

**No Impact.** The proposed Site Plan does not include additional facilities that would generate water requiring local or regional water treatment or distribution facilities.

**c. Local or regional water supplies**

**Not Significant.** The proposed Site Plan will require potable water for the Visitor Center, restrooms and drinking fountains. Existing public water supplies are deemed suitable for these needs. Existing Santa Teresa Spring water is proposed to be used for site irrigation. Currently, overflow spring water is diverted to the existing storm drain system. Use of spring water for irrigation will reduce water entering the storm drain system. An existing pipeline brings connects the Spring to the project area.

**d. Sewage disposal**

**Not Significant.** Public restrooms and possibly site drinking fountains will require sewer connections. Existing public sewer lines are expected to have the capacity for these additional uses, however, this will be confirmed during project design development.

**e. Storm water drainage**

**Not Significant.** The proposed Site Plan would not create large areas of impervious surfaces that would impact local storm water drainage facilities. Porous pavings are recommended for trails, Visitor Center courtyard, and possibly for the parking area. Bioswales (areas where storm water can be naturally filtered and groundwater recharge can occur) are proposed for the parking area, and can be incorporated into site drainage. Overflow Spring water that currently is diverted to the existing storm sewer system is proposed to be used for site irrigation. While some site areas may require connections to the existing storm drain system, existing capacity is deemed to be adequate for potential future connections if needed. This will be further evaluated during the design development phase.

**f. Solid waste or litter**

**Not Significant.** Implementation of the Site Plan project would not affect the ability of the local landfill to serve Santa Teresa County Park. The County Parks Department Maintenance Division has installed wildlife-proof trash receptacles to prevent impact by vectors and wildlife in public use areas, thus the project would not increase the need for new systems or supplies or cause substantial alternations to solid waste or litter.

## IV. REFERENCES

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- Environmental Science Associates, Inc. Santa Teresa Park Master Plan Environmental Impact Report. April 1992.
- Santa Clara County Countywide Trails Master Plan Update. 14 November 1995
- Santa Clara County Uniform Interjurisdictional Trail Design, Use, and Management Guidelines. 15 April 1999.
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- Santa Clara County, Tree Ordinance 1998 Ordinance Code of Santa Clara County; Title C, Division C16 (Ord. No. NS-1203.107, § 1, 2-11-97; Ord. No. NS-1200.302, § 7, 12-18-01).
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## V. MITIGATION MONITORING and REPORTING PLAN TABLE

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The following Mitigation, Monitoring and Reporting Plan (MMRP), has been prepared for this project pursuant to CEQA Guidelines. According to the Guidelines:

“In order to ensure that the mitigation measures and project revisions identified in the EIR or Negative Declaration (Initial Study/Mitigated Negative Declaration) are implemented, the Lead Agency, Santa Clara County (County) shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” (§15097(a))

“The Lead Agency may choose whether its program will monitor mitigation, report on mitigation, or both. Reporting generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Monitoring is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (§15097 (c))

The MMRP lists the Environmental Impacts, Mitigation Measures, and Timing of the Mitigation Measure (when the measure will be implemented) related to the implementation of the proposed Site Plan project. The responsibility for ensuring that the mitigation measure has been implemented would be the responsibility of the Santa Clara County Parks & Recreation Department. All of the mitigation measures listed in the MMRP would be implemented by the County or by its appointees.

According to CEQA Guidelines Section 15126.4 (a) (2), “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” Therefore, all mitigation measures listed in this MMRP would be adopted by the County when the project is approved.

| Impact  | Mitigation Measure   | Implementation Responsibility & Timing   | Monitoring Responsibility                    | Verified Implementation                            |
|---|--|--|--|--|
| <p><b>BIO-1 Impact:</b> There is potential for special status plant species to occur in the project site. There is marginal potential suitable habitat on-site to support these species. Annual grasslands on serpentine soil and coyote brush scrub may support five special-status plant species including the Metcalf Canyon jewel flower, Santa Clara Valley dudleya, most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita. Metcalf Canyon jewelflower and Santa Clara Valley dudleya are federally listed plant species. Most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita are not listed species, they are designated as CNPS 1B species (plants considered by CNPS to be rare, threatened, or endangered in California, and elsewhere).</p> | <p><b>Mitigation Measure BIO-1 Survey for Special-Status Plants:</b> A survey for all special-status plants, which could occur in areas where development is proposed in habitats likely to support the species will be carried out during appropriate blooming period prior to construction. This measure includes surveying for the three CNPS-listed plants (most beautiful jewelflower, smooth lessingia, and Loma Prieta hoita). If special-status plants are found in an area where trails or other infrastructure are to be built, the trail(s) will be rerouted to avoid these plants. If re-routing proves to be infeasible, the County Parks Department would consult with the appropriate regulatory agencies to determine if the special status plants could be relocated.</p> | <p><b>Implementation:</b> Qualified County Natural Resource Staff or Qualified Consulting Biologist. County Parks Staff to schedule plant surveys. Qualified County Natural Resource Staff or Qualified consulting biologist will submit report.</p> <p><b>Timing:</b> Prior to construction of the project.</p> | <p><b>Monitoring:</b> County Parks Staff</p> | <p><b>Initials</b> _____<br/><b>Date</b> _____</p> |

| Impact  | Mitigation Measure  | Implementation Responsibility & Timing  | Monitoring Responsibility                     | Verified Implementation                             |
|---|---|---|---|---|
| <p><b>BIO-2 Impact:</b><br/> <i>Nesting Migratory Birds:</i><br/>                     Removal of vegetation for developments identified in the Site Plan, including construction of trails and display/interpretive areas, during the migratory bird nesting season (April 15–July 31) could result in the loss of migratory bird nests, eggs, or individuals.</p> <p><i>Nesting Raptors:</i><br/>                     Cooper’s hawks are known to occur within Santa Teresa County Park which provides nesting sites and foraging habitat. Trees on-site provide potential nesting sites and foraging habitat for raptors. If construction activities associated with implementation of the Site Plan are carried out during the nesting period (in this part of California is February 1–July 31), nesting raptors could be impacted.</p> | <p><b>Mitigation Measure BIO-2 Nesting Migratory Birds and Nesting Raptors :</b><br/> <i>Nesting Migratory Birds:</i> All vegetation clearing, including trimming of shrubs or trees will take place outside the migratory bird nesting season (March 1 - July 31). If vegetation removal must occur during the nesting season, a survey for nesting migratory birds will occur within five days prior to the start of clearing or construction activities. Every attempt will be made to ensure completion of the vegetation clearing and trimming activities within the five-day period. If more than five days elapse between the initial nest search and the beginning of construction activities, another nest survey will be conducted. If any active nest(s) are detected, all vegetation clearing activities will be suspended and a 50-foot radius buffer established. All vegetation clearing activities within 50-feet of the active nest(s) will take place after the nest(s) are no longer active and chicks have fledged. CDFG generally accepts a 50-foot radius buffer around passerine and non-passerine land bird nests; however the County natural resource staff shall have flexibility to reduce or expand the buffer depending on the specific circumstances.</p> <p><i>Nesting Raptors:</i> All vegetation clearing, including trimming of shrubs or trees, and/or construction activities, will take place outside the raptor-nesting season (February 1- July 31). If such activities must occur during the raptor-nesting season, all suitable raptor-nesting habitat within 500 feet of the impacted area will be surveyed for active raptor nests. If an active raptor nest is located within 500 feet of the construction area, a no-activity buffer of 250 feet will be erected around the nest while it is active to protect the nesting raptors. Every attempt will be made to protect trees and nests that contain active raptor nests. CDFG generally accepts up to a</p> | <p><b>Implementation:</b> Qualified County Natural Resource Staff or Qualified Consulting Biologist. Consulting biologist or county natural resource staff to submit a letter/report of survey results.</p> <p><b>Timing:</b> Prior to and during the construction phase of the project</p> | <p><b>Monitoring:</b> County Parks Staff.</p> | <p><b>Initials</b> _____<br/> <b>Date</b> _____</p> |

| Impact   | Mitigation Measure   | Implementation Responsibility & Timing  | Monitoring Responsibility                    | Verified Implementation                            |
|--|--|---|--|--|
| <p><b>BIO-3 Impact:</b> The project site provides potential foraging habitat and roosting habitat (buildings on-site, large oak trees) for two species of bats (Pallid bat and Hoary bat) which are listed as California Species of Special Concern. Although no roosts were detected on-site in November 2007, there is reasonable probability of occurrence of these species in the project area. Implementation of projects identified in the Site Plan, including the removal of existing abandoned buildings and sheds, could result in the loss of individuals and an overall reduction in the local bat population.</p> | <p>250-foot buffer radius for raptors, however, the County natural resource staff, in consultation with CDFG, may have flexibility to reduce or expand the buffer depending on the specific circumstances such as for nests not within the line of sight of construction activity.</p> <p><b>Mitigation Measure BIO-3 Bats:</b><br/>Perform preconstruction surveys for potential bat roosts in abandoned buildings and in large trees prior to construction activities or demolition of buildings. If work is to take place during months when bats may be breeding (April through August) or hibernating (November through March), a bat survey shall be conducted. Surveys shall be conducted in late April or early May, when bats are establishing maternity roosts but before the females give birth. If roosting bats are detected establish a minimum 100 foot buffer and avoid disturbances until after the breeding period has ended but prior to the hibernation period (September through October). If it is not feasible to halt activities within the buffer, then under the supervision of a biological monitor, permit the encroachment on the 100 foot buffer. If the monitor observes bats leaving the roost site during construction activities, then all work near the roost site will be halted and the appropriate buffer reinstated. Buildings being used by bats will not be demolished until it has been determined (by qualified County Natural Resource staff or qualified biologist) that bats are no longer using the site or until demolition can be carried out without harming any bats.</p> | <p><b>Implementation:</b> Qualified County Natural Resource Staff or Qualified Consulting Biologist. Consulting biologist or county natural resource staff to submit a letter/report of survey results.</p> <p><b>Timing:</b> Prior to and during the construction phase of the project</p> | <p><b>Monitoring:</b> County Parks Staff</p> | <p><b>Initials</b> _____<br/><b>Date</b> _____</p> |

| Impact  | Mitigation Measure   | Implementation Responsibility & Timing   | Monitoring Responsibility                     | Verified Implementation                            |
|---|--|--|---|--|
| <p><b>BIO-4 Impact:</b> The San Francisco dusky-footed woodrat is widely distributed in Santa Clara County and expected to occur on-site. Active nests were observed on the site during November 2007 survey. Construction and construction related activity have the potential to disturb the houses of the woodrat, potentially causing abandonment or destroying the houses all together. This would be considered a significant but temporary impact.</p> | <p><b>Mitigation Measure BIO-4 San Francisco Dusky-footed Woodrat:</b> The following avoidance/minimization measures for San Francisco dusky-footed woodrat shall be implemented:</p> <ol style="list-style-type: none"> <li>1. Preconstruction Surveys                     <ul style="list-style-type: none"> <li>Known woodrat houses shall be flagged and avoided during construction activities. Conduct preconstruction surveys and if a dusky-footed woodrat house is detected, and assuming the house is of the San Francisco dusky-footed woodrat subspecies, the County will complete one of the following avoidance/minimization measures. These measures are listed in order of priority, where the first measure is the preferred measure to be implemented as it provides the least amount of impact to the woodrat. If the first measure cannot be implemented due to extenuating site conditions, the second shall be implemented and so forth down the list.</li> <li>a) The development (e.g. display/interpretive area, structure, or trail alignment) will be rerouted/re-sited to avoid the woodrat house by at least 50 feet; if it is a structure, a greater distance is recommended.</li> <li>b) If the development is a trail which cannot be sited at least 50 feet from the house, it will be sited as far away from the nest as possible but not closer than 5 feet from the house. Safety and/or silt fencing (for houses downslope) will be erected around all houses within 25 feet of the construction activities to avoid impacts during construction.</li> <li>c) If the project footprint must go directly through or within 5 feet of a house, CDFG should be consulted with one of the two following options:                             <ol style="list-style-type: none"> <li>1) If the house appears inactive (e.g. no scat or fresh leaves and twigs), approval will be sought from CDFG to dismantle the house and replace the lost resource by building an artificial house.</li> </ol> </li> </ul> </li> </ol> | <p><b>Implementation:</b> Qualified County Natural Resource Staff or Qualified Consulting Biologist, project supervisor and project crew members.</p> <ol style="list-style-type: none"> <li>(a) consulting biologist or county natural resource staff to submit a letter report of survey results; (b) Project crew to sign a sheet for receipt of woodrat training, sign-in sheet held by project supervisor; (c) Biological monitor (qualified consulting biologist, County natural resource staff, or a trained, on-site monitor) to report daily to project supervisor.</li> </ol> <p><b>Timing:</b> Prior to construction and during construction as specified in previous column.</p> | <p><b>Monitoring:</b> County Parks Staff.</p> | <p><b>Initials</b> _____<br/><b>Date</b> _____</p> |

| Impact | Mitigation Measure  | Implementation Responsibility & Timing | Monitoring Responsibility | Verified Implementation |
|--------|---|--|---------------------------|-------------------------|
|        | <p>One artificial house should be built for every one existing inactive house that is dismantled.</p> <p>2) If the house appears active, approval will be sought from CDFG to 1) trap the occupant(s) of the house, 2) dismantle the house, 3) construct a new artificial house with the materials from the dismantled house, and 4) release the occupant into the new artificial house. The new house should be placed no more than 20 feet from its original location and as far from the project footprint as necessary to be protected from construction activities. If the house is to be moved downslope of the project footprint, extra precautions should be taken, such as a debris barrier, to stop falling/sliding materials from impacting the new house. Houses should only be moved in the early morning during the non-breeding season (October through February). If trapping has occurred for three consecutive nights and no woodrats have been captured, the house should be dismantled and a new house constructed.</p> <p>2. Employees and Contractor Education Program. An employee education program will be conducted prior to the initiation of project activities. The program will consist of a brief presentation by persons knowledgeable in federally listed and state special status species biology and legislative protection to explain concerns to contractors and their employees. The program would include the following: a description of woodrat and their habitat needs; an explanation of the status of woodrat and its protection under state and federal laws; and a list of measures being taken to reduce impacts to woodrat during project activities. Crews will be instructed that if a woodrat house is found in the project footprint, it is to be left alone and all operations should cease. Notify Project site lead and County</p> |  |                           |                         |

| Impact | Mitigation Measure  | Implementation Responsibility & Timing | Monitoring Responsibility | Verified Implementation |
|--------|---|--|---------------------------|-------------------------|
|        | <p>Parks Department staff (if site lead is a contractor) or notify Parks Natural Resource Program Supervisor (NRPS) if Project Lead is parks staff.</p> <p><b>3. Daily Monitoring.</b> During the construction phase of the project, a qualified biologist, County natural resource staff, or a trained, on-site monitor will check the site in the morning every day before construction activities begin for the presence of woodrat or other wildlife present within the work area. If woodrat is found, the monitor shall have the authority to halt construction in the immediate area and immediately notify appropriate County Parks Department staff (Natural Resource Program Supervisor or designated staff). If the monitor is County Parks' natural resource staff, or qualified biologist, they will have the authority to notify the appropriate regulatory agency for guidance on procedure. Subsequent recommendations made by the USFWS or CDFG shall be followed. The monitor would not handle or try to relocate any special-status species.</p> |  |                           |                         |

| Impact   | Mitigation Measure  | Implementation Responsibility & Timing   | Monitoring Responsibility   | Verified Implementation   |
|--|---|--|---|---|
| <p><b>H/A Impacts:</b> Construction of the proposed site improvements, such as trails, undergrounding of utilities, and structures, including footings, has the potential to disturb archaeological, paleontological and historic resources.</p> | <p><b>Mitigation Measure H/A 1:</b> Develop and implement a historic, pre-historic, and paleontological resource training program for construction personnel.</p> <p><b>Mitigation Measure H/A 2:</b> Design trails to avoid historic and pre-historic sites, and where feasible, construct trails at grade. In some cases trails will be routed to historic or pre-historic sites for interpretive purposes. If significant resources are identified and if impacts to the site cannot be avoided through routing the trail away from the site, evaluation of the site will be performed consistent with professional archeological standards and State and County requirements. These may include formal recordation of the site and mapping showing the extent of the deposit area. If it is determined that materials are of a prehistoric nature, procedures outlined in the State Public Resources Code pertaining to the protection of Native American remains and associated goods will be implemented and most likely descendant will be notified.</p> | <p><b>Implementation:</b> County Parks Staff, Contractor</p> <p><b>Timing:</b> Prior to construction</p> <p><b>Implementation:</b> County Parks Staff or Qualified Consulting Archaeologist</p> <p><b>Timing:</b> After delineation of trail alignment, prior to construction.</p> | <p><b>Monitoring:</b> County Parks Staff</p> <p><b>Monitoring:</b> County Parks Staff</p> | <p><b>Initials</b> _____</p> <p><b>Date</b> _____</p> <p><b>Initials</b> _____</p> <p><b>Date</b> _____</p> |



| Impact | Mitigation Measure   | Implementation Responsibility & Timing   | Monitoring Responsibility  | Verified Implementation  |
|--------|--|--|--|--|
|        | <p><b>Mitigation Measure H/A 3:</b> Where ground disturbing work will occur in locations where prehistoric or historic sites have been previously documented, evaluation of the site would be performed consistent with professional archeological standards and State and County requirements. An appropriate treatment plan will be developed and implemented to evaluate affected archaeological sites that are determined eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) and cannot be avoided by construction.</p> <p><b>Mitigation Measure H/A 4:</b> Where ground disturbing work will occur in locations where historic, pre-historic, or paleontological sites have been determined to have a high probability of occurring, field surveys will be conducted by a qualified archaeologist within the vicinity of the proposed final trail alignments. In the event previously undocumented pre-historic resources are discovered during project construction (including but not limited to dark soil containing shellfish, bone, or groundstone) work within the immediate vicinity of the find will be halted until procedures outlined in the County Ordinance Relating to Indian Burial Grounds (County of Santa Clara, 1987) and State Public Resources Code can be implemented and most likely descendant notified. In the event that human skeletal remains are encountered, work within the vicinity will be halted and the County Coroner notified immediately (County Ordinance No. B6-18). Upon determination by the County Coroner that the</p> | <p><b>Implementation:</b> County Parks Staff</p> <p><b>Timing:</b> Prior to construction.</p><br><p><b>Implementation:</b> County Parks Staff or Qualified Consulting Archaeologist</p> <p><b>Timing:</b> After delineation of trail alignment, prior to and during construction</p> | <p><b>Monitoring:</b> County Parks Staff</p><br><p><b>Monitoring:</b> County Parks Staff or Qualified Consulting Archaeologist</p> | <p><b>Initials</b> _____</p> <p><b>Date</b> _____</p><br><p><b>Initials</b> _____</p> <p><b>Date</b> _____</p> |

| Impact | Mitigation Measure   | Implementation Responsibility & Timing  | Monitoring Responsibility   | Verified Implementation |
|--------|--|---|---|-------------------------|
|        | <p>remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian Affairs. No further disturbance of the site may be made except as authorized by the County Coordinator Of Indian Affairs in accordance with the provisions of state law and this chapter.</p> <p><b>Mitigation Measure H/A 5:</b> If historic, pre-historic, or paleontological resources are discovered during construction, then the priority will be to relocate the proposed improvement to avoid and/or minimize impacts. If the trail cannot be rerouted and impacts cannot be avoided, then work will cease in the area until the archaeological evaluation and treatment plan has been completed.</p> | <p><b>Implementation:</b> County Parks Staff or Qualified Consulting Archaeologist.</p> <p><b>Timing:</b> During construction</p> | <p><b>Monitoring:</b> County Parks Staff.</p> <p><b>Initials</b> _____</p> <p><b>Date</b> _____</p> |                         |

# APPENDIX A

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## **Santa Teresa County Park Historic Area Site Plan and Final Site Plan Design Elements**

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**Santa Teresa County Park Historic Area Site Plan**  
Final Site Plan Design Elements

**1) Ohlone Zone:**

- Group Picnic Shelters with 2 picnic tables each that reflect shape and arrangement of an Ohlone village
- Water Theme: Dry creek bed with boulders and temporary water source (detention area/bio-swale during wet season)
- Restored oak wood lands
- Restored native grass lands
- Stabilized DG or Soil for gathering areas/walks
- Petroglyph Icon gathering area with seating boulders around 3 sides
- Boulder cluster reflective of acorn grinding areas
- Boulder cluster for seating at edge of creek for demonstrations like acorn meal washing and other water related activities
- Interpretive displays
- Trash receptacles/recycling

**2. Settlement Zone:**

- The “cross roads” with an interpretive central globe feature (3 dimensional) demonstrating convergence of different cultures
- 2 shade structures with 2 picnic tables each and interpretive displays
- Trash receptacles/recycling
- Water Theme: Water feature emerging out of boulders and running under bridge
- Wooden bridge (rough timber)

**3. Archaeologically sensitive area:**

- Tree buffer planting at residential edge
- Restored native grass lands
- Water Theme: Sedge/“wetland” along walk way
- Relocated bear tree monument
- Fence along western edge of trail
- Bench seating in tree shaded area by bear tree
- Trash receptacles/recycling
- Park sign at Curie Drive entry point

**4. California Zone:**

- Visitor Center with rooms per design program, single story, contemporary interpretation of rancho style house
- Extended roof/trellis element at court yard side (shade structure)
- Gate in adobe wall
- Vegetable/herb garden on south side
- Small pole trellis in vegetable/herb garden
- *Hornito* (small clay oven) on edge of vegetable/herb garden

- Ornamental garden on north side with bench seating
- Some ornamental fruit trees
- Water Theme: Masonry well with bucket/rope mechanism (needs lockable grate)
- Hitching post
- Stabilized DG or Soil for courtyard areas & walks
- 3 courtyard oaks
- Restored barn for displays and maintenance/storage (west side for storage of maintenance equipment and adobe wall making supplies)
- Circular side yard on west side for adobe brick program; second water source: stone trough (water theme)
- Adobe wall between Jacoba Bernal House and courtyard and towards parking lot; some areas with pole trellis and shade structures. Consider adobe wall height for security and visibility
- Interpretive displays
- Benches
- Trash receptacles/recycling
- Drinking fountain mounted on outside wall of visitor center
- Jacoba Bernal House signage

#### **5. Jacoba Bernal House:**

- Relocated drive entry
- Fence along sidewalk and park entry
- Planting buffer towards park at entry off Curie Drive
- New adobe wall with trellis per #4

#### **6. Curie Drive:**

- Bus drop-off/parking (large enough for bus parking and individual bus pull-in and take-off) with extended sidewalk to curb to accommodate bus passenger activities
- Relocate bear tree monument towards bear tree
- New parkway with tree and ground cover plantings and sidewalks
- Existing driveway with 2 palm trees becomes park entry from Curie Drive and maintenance access road
- Fence along sidewalk
- Bicycle rack at park entry
- Trash receptacles at park entry
- Directional signage

#### **7. Staging Area:**

- Stalls for 40 cars including 2 accessible parking spaces
- Organic shape with vegetated central detention swale median
- 5' wide walkway around entire parking lot with tie-ins at Curie Drive sidewalk
- 12' wide entrance connection to visitor center with ADA ramp from parking lot

- 5' wide connection to San Ignacio Avenue sidewalk with directional signage
- Starting point for Ohlone trail
- Directional signage
- Bicycle racks at entry points
- Trash receptacles/recycling
- Trash bin enclosure tucked into median
- Park sign at Curie Drive entry point
- Park sign at San Ignacio Avenue entry point

#### **8. Sidewalk Extension**

- Extend existing sidewalk per City of San Jose standards to create a connection to Norred Trail (via Mine Trail trail-head at the mounted Ranger Unit)

#### **9. Connection trail to early American Ranch site:**

- Slope side plantings with oaks, native chaparral and some restored native grassland
- Fence along street side
- Point of entry at large oak across from Manila Way
- Interpretive display station
- Bicycle rack at oak entry point
- Park sign at Manila Way entry point

#### **10. General:**

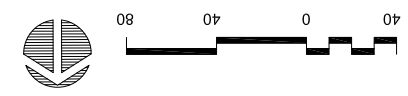
- Use porous paving where feasible.
- Provide security lighting throughout site, especially at structures. Provide higher level activity lighting at courtyard for special events.
- Consider visibility into site when selecting planting, especially along site edges. Select trees that can be limbed up and avoid large-size shrubs that block visibility.
- Avoid picnic tables along property edges that may become night-time "hangout" spaces.
- Do not obstruct potential trail corridor to possible future Norred Trail connection
- Underground power lines on site where feasible
- Where feasible and desirable to protect potential archaeological resources, consider constructing trails and other site features on existing grades to minimize excavation.





# Santa Teresa County Park Historic Area Site Plan

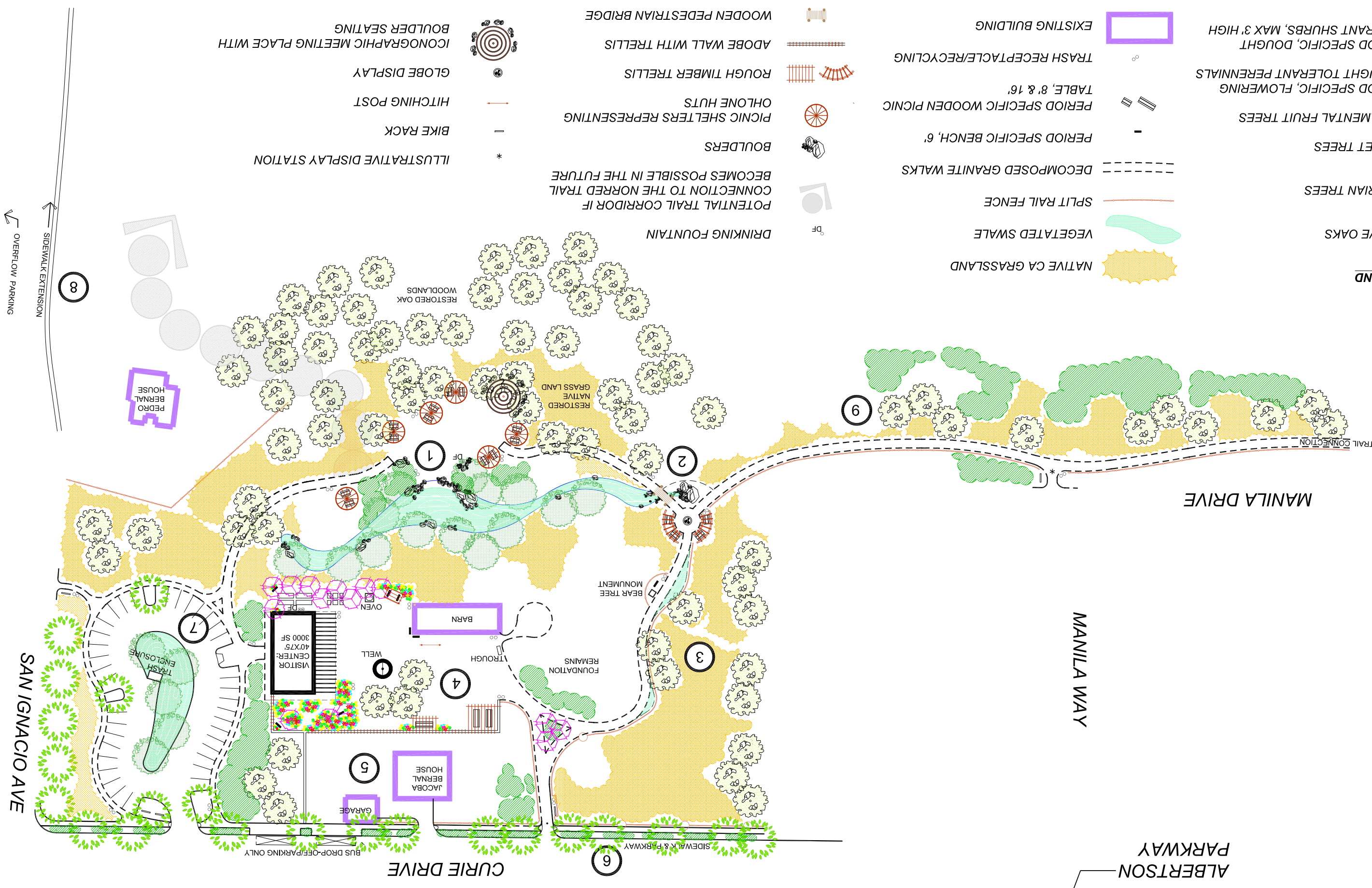
## Final Site plan



### LEGEND

- PERIOD SPECIFIC, DOUGHT TOLERANT SHRUBS, MAX 3' HIGH
- PERIOD SPECIFIC, FLOWERING DROUGHT TOLERANT PERENNIALS
- ORNAMENTAL FRUIT TREES
- STREET TREES
- RIPARIAN TREES
- NATIVE OAKS
- EXISTING BUILDING
- TRASH RECEPTACLE/RECYCLING
- TABLE, 8' & 16'
- PERIOD SPECIFIC WOODEN PICNIC TABLE, 8' & 16'
- PERIOD SPECIFIC BENCH, 6'
- DECOMPOSED GRANITE WALKS
- SPLIT RAIL FENCE
- VEGETATED SWALE
- NATIVE CA GRASSLAND

- WOODEN PEDESTRIAN BRIDGE
- ADOBE WALL WITH TRELLIS
- ROUGH TIMBER TRELLIS
- OHLONE HUTS
- PICNIC SHELTERS REPRESENTING BOULDERS
- POTENTIAL TRAIL CORRIDOR IF CONNECTION TO THE NORRED TRAIL BECOMES POSSIBLE IN THE FUTURE
- DRINKING FOUNTAIN
- ILLUSTRATIVE DISPLAY STATION
- BIKE RACK
- HITCHING POST
- GLOBE DISPLAY
- ICONOGRAPHIC MEETING PLACE WITH BOULDER SEATING



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ctb File: None



# Santa Teresa County Park Historic Area Site Plan

County of Santa Clara, California

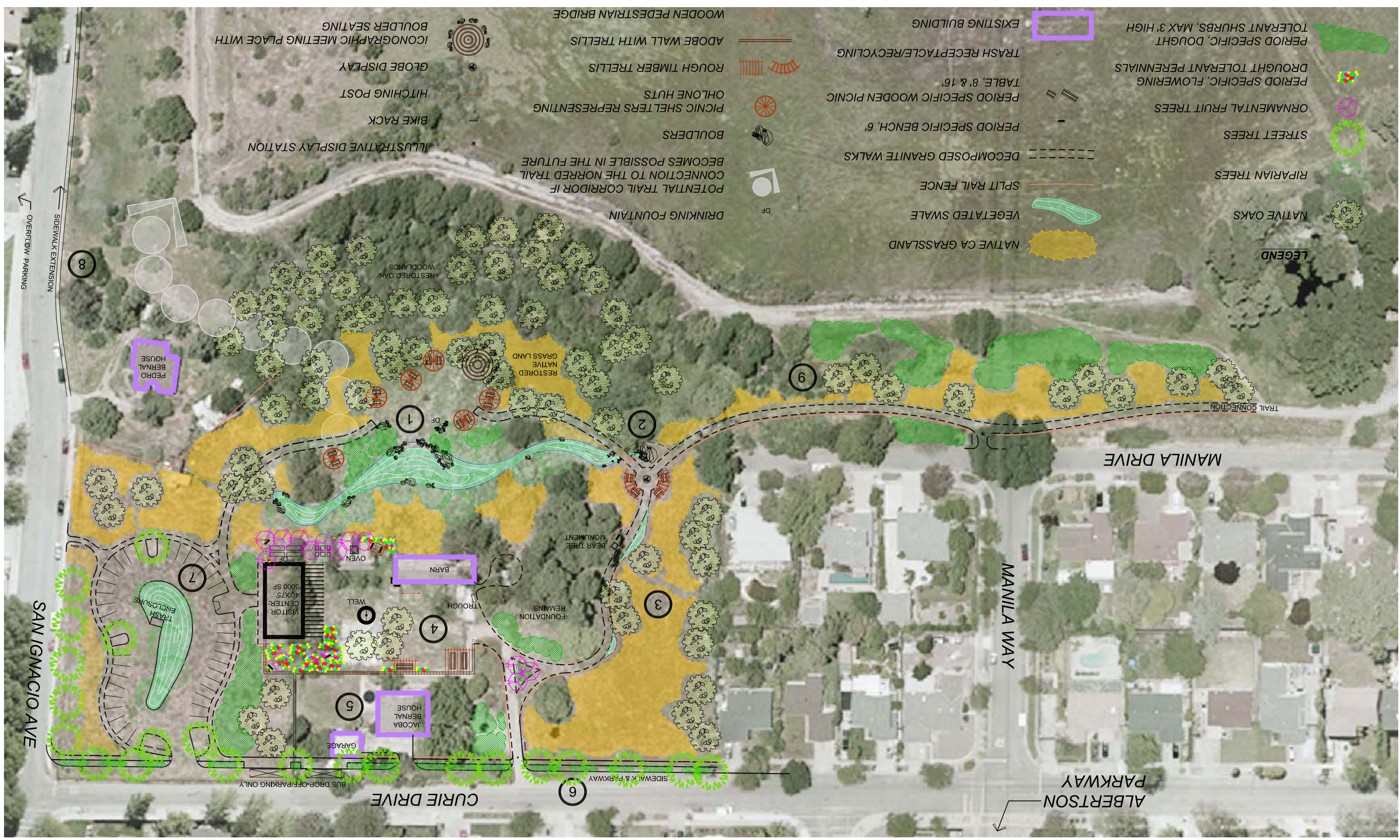
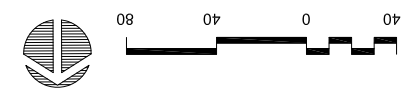
Final Site plan

07.091

February 02, 2009

Landscape Architecture

Bellingier Foster Steinmetz



## LEGEND

- PERIOD SPECIFIC, DOUGH TOLERANT SHRUBS, MAX 3' HIGH
- PERIOD SPECIFIC, FLOWERING DROUGHT TOLERANT PERENNIALS
- ORNAMENTAL FRUIT TREES
- STREET TREES
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- POTENTIAL TRAIL CORRIDOR IF CONNECTION TO THE NORRED TRAIL BECOMES POSSIBLE IN THE FUTURE
- DRINKING FOUNTAIN
- BOULDER PEDESTRIAN BRIDGE
- WOODEN PEDESTRIAN BRIDGE
- ICONOGRAPHIC MEETING PLACE WITH BOULDER SEATING
- GLOBE DISPLAY
- HITCHING POST
- BIKE RACK
- ILLUSTRATIVE DISPLAY STATION

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cib File: None



## **APPENDIX B**

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### Santa Teresa County Park Historic Area Traffic and Parking Study

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**Memorandum**

Date: October 2, 2008

To: Kristy Le, David J. Powers & Associates

From: Gary Black  
Steve Orem

Subject: Santa Teresa County Park Historic Area Traffic and Parking Study

Hexagon Transportation Consultants, Inc. has completed a traffic and parking study for the proposed Santa Teresa County Park Historic Area project located in the northern portion of Santa Teresa County Park on the southwest corner of San Ignacio Avenue and Curie Drive in San Jose, California.

The purpose of this study is to provide an assessment of the characteristics of the surrounding roadway network and to provide analysis with regard to trip generation, site access, and parking.

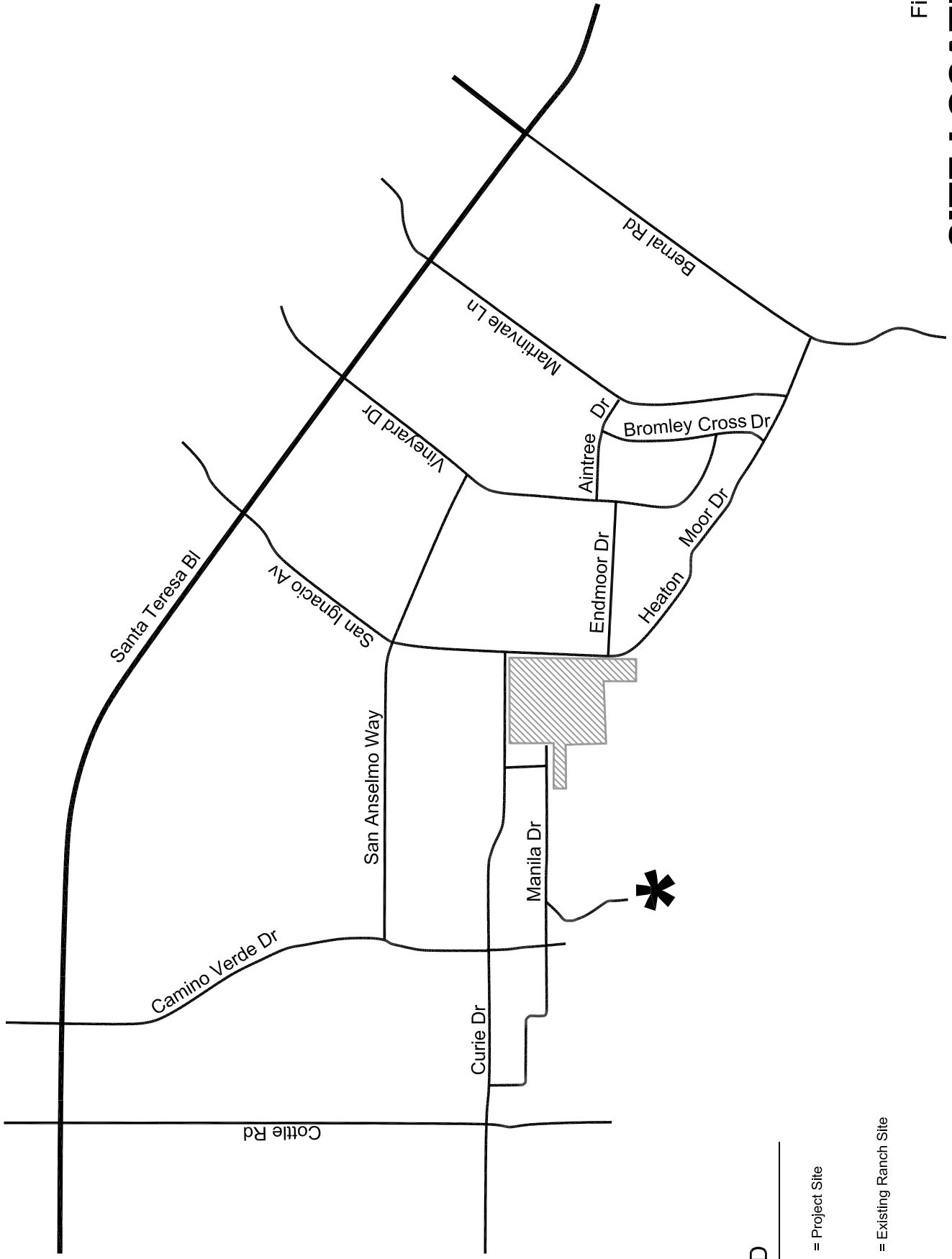
***Site Location and Setting***

The site is a parcel containing two houses and other small structures, fields, and a large hill, located on the southwest corner of San Ignacio Avenue and Curie Drive within Santa Teresa County Park (see Figure 1). Immediately to the west of the site is the Santa Teresa County Park Bernal-Gulnac-Joice Ranch site, with parking accessible off of the intersection of Camino Verde Drive and Manila Drive. The Bernal Intermediate School (grades 7-8) is located on the east side of San Ignacio Ave adjacent to the project site. The Stratford School (grades 7-8) is located on the northeast corner of the intersection of San Ignacio Ave and San Anselmo Way, approximately 930 feet north of the site. There are two other schools within one-half mile of the site: Santa Teresa School (grades K-6) and Baldwin School (grades K-6), located on Encinal Drive and Martinvale Lane, respectively. Aside from the existing park and schools, the remainder of the area in the immediate vicinity of the project site consists entirely of single family homes.

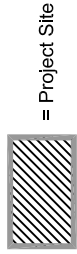
Regional connections to the project site are via SR 85 and US 101. SR 85 is a major freeway connector in the south bay area, running from US 101 near Mountain View in the north to the project area in the south, where it reconnects to US 101. US 101 is a major freeway connecting San Francisco and the Bay Area to southern California. These freeways have connections to the project area via Cottle Road, Great Oaks Boulevard, and Bernal Road.



NORTH



**LEGEND**



= Project Site



= Existing Ranch Site

Figure 1

**SITE LOCATION**

Santa Teresa County Park Historic Area Traffic & Parking Study



The neighborhood containing the site location is bounded by Cottle Road to the west, Santa Teresa Boulevard to the north, Bernal Road to the east, and the County Park to the south. These roads and others in the vicinity are further described below.

Cottle Road runs from a residential cul de sac at the foot of the County Park to its intersection with Endicott Boulevard two miles to the north, near Blossom Hill Road and Monterey Highway. According to the San Jose General Plan, Cottle Road from Curie Drive to Santa Teresa Boulevard is classified as a major collector and north of Santa Teresa Boulevard is an arterial. The Cottle Road and Curie Drive intersection is a four-way stop intersection.

Santa Teresa Boulevard runs from SR 87 in the west approximately 7.5 miles to Baily Avenue in the south, where it transitions to a two-lane road before becoming Hale Avenue. Santa Teresa Boulevard is classified as an arterial in the vicinity of the project. Traffic signals are present in the vicinity of the project at Santa Teresa Boulevard's intersection with Cottle Road, San Ignacio Avenue, Great Oaks Blvd., Martinvale Lane, and Bernal Road.

Bernal Road runs from an IBM facility in the hills south of the project to a partial interchange with US 101, and on to the north as it becomes Silicon Valley Boulevard. Bernal Road from Heaton Moor Drive to Santa Teresa Boulevard is a major collector, and north of Santa Teresa Boulevard it is an arterial.

## **Neighborhood Streets**

San Ignacio Avenue begins as the continuation of Heaton Moor Drive. Heaton Moor Drive is a residential street that runs from Bernal Road northwest approximately one-half mile to Endmoor Drive. San Ignacio Avenue continues northward to Santa Teresa Boulevard, where it crosses into the Edenvale industrial/office area. Traffic was counted on San Ignacio Avenue between Prague Drive and Oronsay Way near the site on January 15 and 16, 2008. Daily traffic volumes were an average of 1,770 combined north- and southbound trips. The volumes on San Ignacio Avenue are typical of neighborhood streets.

Curie Drive borders the site to the north. Curie Drive is a residential street that runs east-west from Snell Avenue in the west, past Cottle Road to San Ignacio Avenue. Traffic on Curie Drive was counted in front of the site location on January 15 and 16, 2008. Daily traffic volumes were an average of 1,736 combined east- and westbound trips. The volumes on Curie Drive are typical of neighborhood streets.

Manila Drive borders the existing County Park to the north. It is an east-west residential street running from Saint Julie Drive to a dead-end just east of Manila Way. Manila Way is a short residential connector between Curie Drive and Manila Drive. An existing County Park entrance at the Bernal-Gulnac-Joice Ranch site is located just east of the intersection of Camino Verde

Drive and Manila Drive. Traffic on Manila Drive was counted in front of the site location on January 15 and 16, 2008. Daily volumes were an average of 99 combined east- and westbound trips. The volumes on Manila Drive are very low because the street is a dead end.

## **Detailed Roadway Descriptions**

A more detailed description of the streets at the site location follows, including descriptions of intersection geometries, roadway cross-sections, sidewalks and parking.

### **San Ignacio Avenue**

San Ignacio Avenue borders the project site to the east. Along San Ignacio Avenue, the east side of the street from the intersection with Curie Drive, the curb is signed for a passenger loading zone from 7AM to 4PM for Bernal Intermediate School. This zone is approximately 170 feet long. There is an approximately 80-foot length of red curb for no parking on the east side of the street in front of Bernal Intermediate School. South of the no parking zone is another passenger loading zone from 7AM to 4PM. South of this area, there are separate entrance and exit driveways to the school parking lot. Parking is permitted on the east side of the street for the 120 feet south of the parking lot to Endmoor Drive.

The site frontage along the west side of San Ignacio Avenue is approximately 780 feet. Approximately 350 feet of this length south from Curie Drive has a curb and sidewalks. The remainder is unimproved. Parking is permitted on the west side of San Ignacio Avenue. A driveway onto the project site exists 350 feet south of Curie Drive, directly across from the school.

The San Ignacio Avenue and Curie Drive intersection is a three-way stop-controlled intersection. The north leg has a yellow pedestrian crossing. The Oronsay Way and San Ignacio Avenue intersection has a stop sign and yellow pedestrian crossing for Oronsay Way. San Ignacio Avenue is uncontrolled at this intersection. The 60 feet of curb on the east side of San Ignacio Avenue from Curie Drive to Oronsay Way is posted no stopping. Parking is permitted on the west side of San Ignacio Avenue north of Curie Drive and on the east side north of Oronsay Way.

Approximately 900 feet north of the project site, the Stratford Elementary School is located on the northeast corner of the intersection of San Ignacio Avenue and San Anselmo Way. The intersection is four-way stop-controlled. Yellow pedestrian crossings are present on all approaches.

## **Curie Drive**

Curie Drive borders the project site to the north. Approximately 200 feet west of San Ignacio Avenue, north of Curie Drive, is Radko Drive. Approximately 500 feet west of Radko Drive, on the north side of Curie Drive, is Korhummel Way.

The site frontage along Curie Drive is approximately 630 feet, and the south side of Curie Drive is unimproved on this length. The north side of the street does have a curb and sidewalk. Curie Drive at San Ignacio Avenue adjacent to the site is 22 feet wide and gradually widens to 30 feet at the west end of the unimproved frontage. West of this point Curie Drive has a width of 36 feet. A private driveway onto the project site serving the Jacoba Bernal house exists on the south side of Curie Drive, approximately 200 feet west of Radko Drive.

The south side of the street is developed from a point approximately 90 feet east of Korhummel Way to the west, where a sidewalk and curb are present and parking is permitted. Street parking is not possible over the first 435 feet of the unimproved south side of Curie Drive west of San Ignacio Drive. An unimproved turnout is present over the western 200 feet of the unimproved south side of Curie Drive. Approximately 50 feet of the middle of this section is signed for 15-minute parking. No parking signs are present on either side of this parking zone.

Radko Drive is 36 feet wide and is stop-controlled at Curie Drive. A faded yellow painted crossing is present. Handicap ramps are present on both sides of the crosswalk. The north side is signed as a no-stopping zone from San Ignacio Avenue to approximately 100 feet west of Radko Drive.

Korhummel Way is 36 feet wide and is stop-controlled at Curie Drive. A painted yellow crossing is present. Handicap ramps are present on both sides of the crosswalk. Sidewalk and curb are present on the north side of the street. Parking is permitted on the curb on the north side of the street between Radko Drive and Korhummel Way.

Approximately 100 feet west of Korhummel Way, Manila Way intersects Curie Drive from the south. Curie Drive is uncontrolled, and Manila Way is stop-controlled at this intersection. A yellow crossing is painted across Manila Way and a white crossing is painted across Curie Drive on the west leg of the intersection. Handicap ramps are present on the two sides of the Manila Way crossing. A sidewalk and curb are present on both sides of Manila Way and Curie Drive. A pedestrian and bike path is present on the north side of Curie Drive at the intersection and follows a strip of land containing power lines and towers. This path, Albertson Parkway, runs for approximately 2000 feet north to Dondero Way.

## **Manila Drive**

Manila Drive runs approximately 230 feet east of Manila Way to a dead-end. Parking is permitted on the north side of Manila Drive, which has a sidewalk and curb. The south side of Manila Drive is unimproved over a length of approximately 1,100 feet. Manila Drive is 22 feet wide at the intersection with Manila Way.

Manila Way runs approximately 260 feet from Curie Drive to the south to Manila Drive, an east-west street that also borders the site. Manila Way is approximately 36 feet wide. Parking is permitted on both sides of Manila Way. The Manila Way and Manila Drive intersection is uncontrolled for all legs of the intersection.

Approximately one-quarter mile west of Manila Way, Manila Drive intersects Camino Verde Drive, a north-south residential street. The intersection is uncontrolled for Manila Way and Camino Verde Drive. The south leg of this intersection, offset to the east approximately 30 feet, is the driveway to the Santa Teresa County Park's Bernal-Gulnac-Joice Ranch site parking lot. The ranch site occupies the southeast corner of the intersection. The southwest corner is occupied by a private residence. Camino Verde Drive is 36 feet wide, and parking is permitted on both sides of the street. Sidewalks are present on both sides of Camino Verde Drive. Manila Drive is 14 feet wide from the intersection west for 200 feet. Over this segment, the north side of Manila Drive is improved, and the south side is unimproved. West of this 200-foot segment Manila Drive returns to its 36-foot width, and sidewalks are present on both sides the street.

Approximately 400 feet east of the park driveway, on the south side of Manila Drive is a turnout. A sidewalk is present on the south side of the street from the ranch site through this turnout, but ends there. The turnout is approximately 12 feet wide and 90 feet long with tapers. The north side of Manila Drive has a curb and sidewalk east between Camino Verde Drive and Manila Way, and to the dead-end.

## ***Transit Services and Bicycle Facilities***

There is no transit service to the project site. The closest transit service is located approximately three-quarters of a mile from the project site at the Santa Teresa Light Rail Transit Station. Various bus routes, as well as the LRT service, converge at the Santa Teresa station. Connectors are available to most parts of Santa Clara County.

Bike lanes exist on Santa Teresa Boulevard, one-half mile from the project site, from Bernal Road north to Blossom Hill Road. Bike lanes also exist one-half mile from the project site, on Cottle Road from Beckham Drive to Poughkeepsie Road, and on Beswick Drive between Blossom Hill Road and Cottle Road. A pedestrian and bike path, Albertson Parkway, exists between Curie

Drive and Dondero Way, following the power transmission lines' right-of-way. The Santa Teresa LRT Station, three-quarters of a mile from the project site, is a Park and Ride facility, and bikes are permitted on the LRT.

## ***Current Park Activities***

The existing Santa Teresa County Park Bernal-Gulnac-Joice Ranch site is located at the intersection of Camino Verde Drive and Manila Drive, a quarter of a mile west of the project site. The ranch employs one interpreter and one maintenance worker, as well as 3 to 4 special event volunteers. The ranch site offers interpretive buildings, hiking trails, school group activities, and special event programming, all of which are patronized by various visitors, as described below.

For the interpretive buildings at the ranch, the peak periods are during the interpretive building hours, which are 10:00 AM to 5:00 PM Fridays and 11:00 AM to 5:00 PM Saturdays, with up to 50 visitors per day. Approximately 90% of trips to the ranch for the interpretive buildings are automobile trips. The remainder are walking trips from the neighborhood.

For the hiking trails, the peak periods are Saturdays and Sundays between 9:00 AM and 5:00 PM, with 25 to 50 hikers using the trails. Approximately half of hiking trips arrive at the park via automobile trips and half arrive via walking or bicycling from the nearby neighborhood.

For school group activities, the ranch experiences an average of one to two school group visits per day between 9:00 AM and 1:00 PM Monday through Friday during the academic year. This equates to between approximately 30 to 60 schoolchildren visitors and 5 to 15 adults per day. Not all school groups arrive in school buses. Some arrive in vans and personal automobiles.

Special events include movie nights one Saturday evening per month from May through October, with 40 to 60 visitors, and one other special event one Saturday evening with up to 200 visitors.

The ranch site has a parking lot, located off the south leg of the Camino Verde Drive and Manila Drive intersection, with a capacity of 11 spaces to serve employees and visitors. The parking lot is open only during interpretive hours. According to ranch site staff, most visitors utilize street parking on Manila Drive. Approximately 10 on-street parking spaces are present on Manila Drive. As previously noted, a turnout is located east of the ranch site, on Manila Drive. The turnout is used primarily as a school bus turnout for student drop off and pick up when attending interpretive programs at the ranch site. A sidewalk exists on the south side of Manila Drive between the turnout and the ranch site.

## **Proposed Park Addition**

The proposed park addition is located along Curie Drive approximately one-quarter mile east of the Bernal-Gulnac-Joice Ranch site. The site currently is private property and has two historic buildings. The expansion would preserve the historic buildings, add a visitor center and a parking lot, and open the site to the public (see Figure 2). Expected patrons include student groups, families, and other visitors. The park interpretive buildings and visitor center would follow the schedule of the existing park located one-quarter mile west of the project site. The Parks Department expects that the project site would be used for one special event per year, but no movie nights.

Access to the park would be via a driveway off Curie Drive and a vehicle turnout off of Curie Drive with capacity for two buses. The project would be served by one parking lot accessed via the Curie Drive driveway, with a capacity of 45 parking spaces and two bus staging spaces. The project was evaluated for the increase in traffic and parking on the transportation network and area parking capacity.

## **Project Trip Generation Estimate**

The project was evaluated for its potential to increase the number of daily trips on the transportation network. The following estimates are based upon information obtained from the Parks Department (see the appendix).

In order to meet the expected increase in demand for park amenities, the project would add up to three additional employees or volunteers, for six additional trips per day.

The Parks Department expects the project to generate a 100% increase in demand for the interpretive buildings during the peak periods. This would equate to an additional 100 trips per day on Fridays and Saturdays.

The project is expected to generate one additional school group visit per day. This would be equivalent to an additional 30 schoolchildren and 5 to 10 adults. The additional student group trips would be either via one school bus or via a group of private cars and vans. As a worst case, assuming an average of two children and one adult per car, the number of additional student group trips would be 30 trips per day.

The project is expected to generate no additional demand for the park's trails.

The project is anticipated to generate one additional special event per year and no additional movie night trips. The new special event would equate to one additional Saturday evening with up to 200 new trips per day.

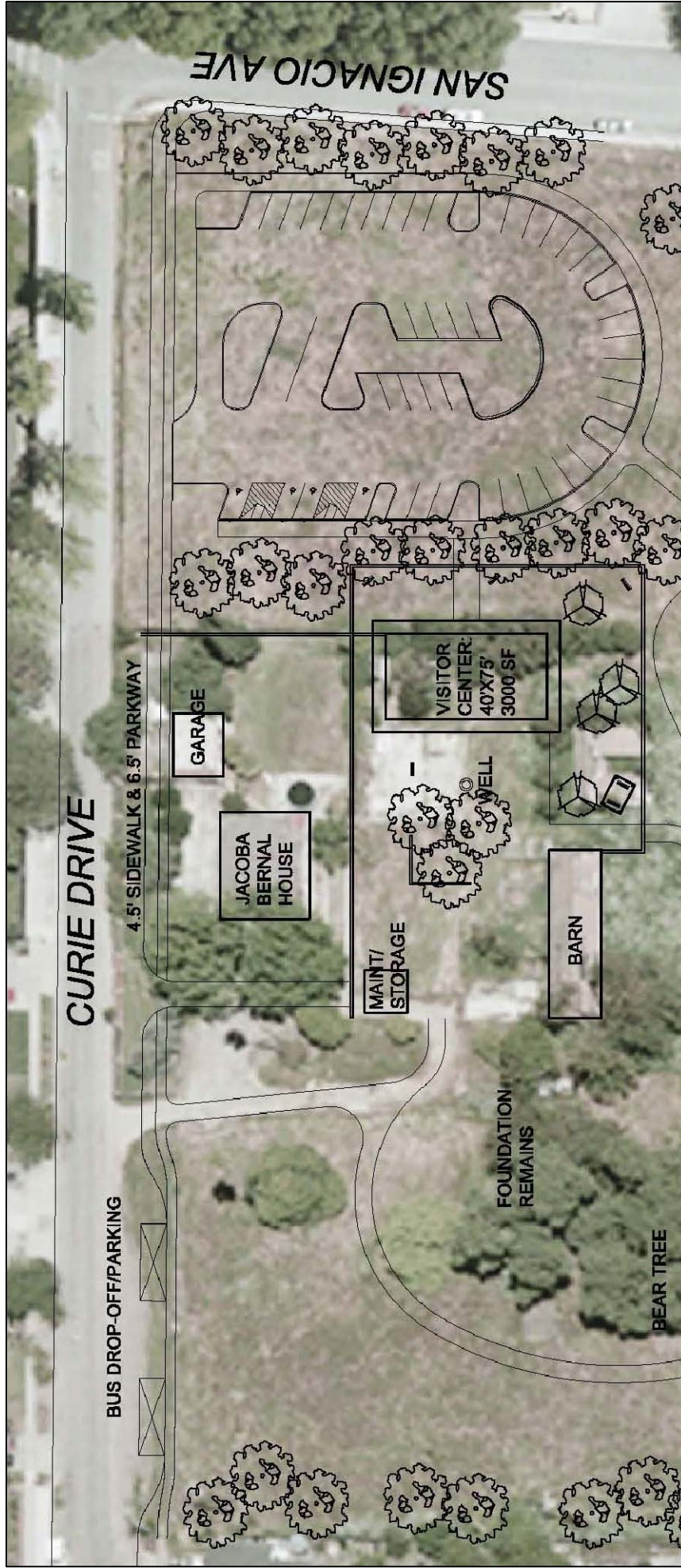


Figure 2

# SITE PLAN

Santa Teresa County Park Historic Area Traffic & Parking Study

The total additional trips are estimated to be 36 trips per day Monday through Thursday, 136 trips per day on Fridays, and 100 trips per day on Saturdays. Most of these trips would occur during the off-peak traffic period.

The additional trips would use Manila Drive, Manila Way, Curie Drive, and/or San Ignacio Avenue. These streets were found to have traffic volumes typical of neighborhood streets. With the addition of project trips, San Ignacio Avenue and Curie Drive would see an increase of approximately 60 trips per day. Manila Drive and Manila Way would see somewhat less of an increase, since they would serve as connectors between the existing park and the new park, and not as primary access roads to the new park. Capacity exists on these streets to accommodate the relatively low number of expected trips presented by the proposed park. The addition of trips generated by the project would not cause the characterization of the traffic volumes on these streets to change.

The number of pedestrian and bicycle trips in the vicinity of the project would increase slightly. Curie Drive in front of the site is currently unimproved. The project would construct curb, gutter, and sidewalk improvements over a distance of approximately 630 feet of Curie Drive at the project site. These improvements, combined with the existing pedestrian and bicycle systems, would be adequate to serve the increase in demand generated by the park activities.

## **Parking**

The parking supply and demand were evaluated with and without the project. The existing parking supply was determined from field work conducted at the site location and in the study area. The existing and project parking demand were estimated from information provided by the Parks Department.

### **Existing Parking Demand and Supply**

The current use at the project site, private property, does not generate parking demand. Existing demand is at the Bernal-Gulnac-Joice site, which is one-quarter mile west of the project site. Street parking exists on the west side of San Ignacio Avenue in front of the site. This parking is heavily used for student drop off and pick up during the period when the Bernal Intermediate School day starts and ends. Street parking is not possible over most of the unimproved south side of Curie Drive west of San Ignacio Drive. Where street parking exists there, it is very limited, and no parking was observed at this location.

### **Project Parking Demand**

Additional parking demand would be generated by employees and volunteers, school groups, interpretive building visitors, and special event visitors. As described above, up to three



employees would work at the park. An estimated 50 visitors per day would utilize the new park's interpretive buildings on Fridays and Saturdays. An estimated one school group per day would use the park's school group programs Monday through Friday. One Saturday per year a special event would be held at the new park, with approximately 200 visitors attending. No additional demand for the park's trails is anticipated as a result of the project.

The new park activities would generate a project parking demand. Demand would vary throughout any day, and the typical busiest time was estimated to occur on Friday afternoon. The estimated peak parking demand at the project site at that time would include up to 15 parking spaces for a school group, 12 parking spaces for interpretive display visitors, and 3 parking spaces for employees. The total peak parking demand is estimated to be 30 parking spaces. Special events at the project site would occur once per year, and would generate a peak parking demand of up to 100 parking spaces, but this is not typical for the project.

### **Project Parking Supply**

The project would provide a parking lot with capacity for 45 parking spaces and two bus staging spaces. The project would improve the south side of Curie Drive, providing a gutter, curb, and sidewalk, a 6-½ foot parkway for on-street parking for approximately 20 vehicles, and a vehicle turnout with capacity for two buses. The proposed parking would accommodate the estimated project peak parking demand of 30 parking spaces.

The special event parking demand of 100 parking spaces could be accommodated by the use of the nearby Bernal Intermediate School parking lot. The Bernal Intermediate School parking lot has a capacity of approximately 65 parking spaces. The Oak Grove School District has authorized the use of the Bernal Intermediate School parking lot for overflow parking for special events in the Historic Area. If such events were scheduled for weekends or after school hours, the use of the parking lot should not pose a problem for the school. Arrangements for the use of the parking lot should be made with the office of the Director of Maintenance, Transportation, and Operations at the School District and with the Bernal Intermediate School Principal in advance of any events at the Historic Area.

## **Conclusions**

- The total additional trips are estimated to be 36 trips per day Monday through Thursday, 136 trips per day on Fridays, and 100 trips per day on Saturdays. Most of these trips would occur during the off-peak traffic period.
- Traffic volumes on San Ignacio Avenue, Curie Drive, Manila Way, and Manila Drive are typical of neighborhood streets, and capacity exists to accommodate the relatively low number of expected trips presented by the proposed park.
- The project's proposed parking supply would accommodate the estimated project peak parking demand of 30 parking spaces.

**Santa Teresa County Park Historical Area  
Constraints Analysis  
Technical Appendices**

**Parking Analysis Matrix  
Santa Teresa County Park Historic Area Site Plan**

| Description            | Existing  | Proposed (Additional to Existing)  | Comments  |
|------------------------|---|--|---|
| Hours                  | Park Trail Hours: 7 days, sunrise-sunset; Interpretive buildings, Fridays 10-5 and Saturdays 11-5.  | No change  |   |
| Parking                | 8 off-street spaces; 1 handicap space; 2 reserved spaces for Park resident; 10 on-street spaces, 1 bus pull-out. Off-street spaces are currently open only during interpretive building hours (Fridays 10-5 and Saturdays 11-5) | 40 off-street spaces; 2 on-street bus parking/pullout spaces; on-street parking on San Ignacio and Curie<br>All off-street parking (existing and additional) will be open from 8 am to sunset. | San Ignacio parking is existing but doesn't currently serve the park as the adjacent area is closed. Curie will be new parking on the park side as a part of street improvements. |
| School Visits          | Peak visitation 9 am-1 pm Monday-Friday with 1-2 school classes, with a total of 30-60 children and 5-15 adults.  | Additional class for a total of 2-3 classes with 60-90 children and 10-20 adults.  | Not all school groups arrive in school buses. Some carpool in private cars/vans.  |
| Trail users            | Peak visitation Saturday and Sunday, mid morning and late afternoon, 25-50 hikers   | No addition  | Assume 50% of trail users walk from neighborhood, 50% drive   |
| Movie nights           | Saturday evening, once per month May-October, 40-60 people  | No addition  | Assume <del>50%</del> 30% walk from neighborhood, <del>50%</del> 70% drive  |
| Family Historic visits | Fridays 10-5 and Saturdays 11-5. Peak time Saturdays – Assume 50 visitors at peak times   | Assume 100% increase   | Assume 90% drive  |
| Special Event          | Summer Saturday evening, (5-8 pm) 200 people. Once per year   | Increase by 1 time per year  | School parking lot adjacent to site could be used for special events  |
| Employees              | 1 Park Interpreter (Tues.-Sat. 9-5); 1 Traveling maintenance worker (responsible for multiple sites)  | 1 Additional Interpreter; 1 full-time on-site maintenance worker   |   |
| Volunteers             | 3-4 per special event   | 2 additional per special event; 1 per family historic visit peak time  | Assume 100% drive   |

## Appendix C

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**Comments received (written and oral) and responses to comments for the Santa Teresa County Park Historic Area Site Plan Initial Study/Mitigated Negative Declaration.**

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# **I. List of Comments Received**

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## **List of Comments Received on the Santa Teresa County Park Historic Area Site Plan and associated Draft Initial Study/Mitigated Negative Declaration**

1. Governor's Office of Planning and Research – State Clearinghouse and Planning Unit, Scott Morgan, Acting Director
2. Santa Clara Valley Water District, September 11, 2009
3. Roland Lebrun, August 28, 2009

### **Summary of Oral Comments Received at the following meetings:**

4. Public Meeting for the Draft Initial Study/Mitigated Negative Declaration for the Santa Teresa County Park Historic Area Site Plan, August 11, 2009
5. Lynne Paulson – Oral Comments at the County Parks and Recreation Commission Meeting, and submitted in writing. September 2, 2009
6. County Parks and Recreation Commission Meeting, September 2, 2009

## **List of Comments Received on the Santa Teresa County Park Historic Area Site Plan and associated Draft Initial Study/Mitigated Negative Declaration**

### **During the Extended Comment Period November 2, 2009 – November 13, 2009**

*(The County Parks Department provided an additional comment period to allow further public comment related to the omission of a reference document, Parking and Traffic Study report, from the IS/MND. The findings of the IS/MND do not alter as a result of this omission.)*

7. Roland Lebrun, November 11, 2009
8. Lynne Paulson, November 12, 2009

## II. Master Responses to Comments

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### Introduction

The following Master Responses for Santa Teresa County Park Historic Area Site Plan Initial Study/Mitigated Negative Declaration address the major issues raised by multiple commenters. The commenters are referred to the appropriate Master Response.

### **Master Response 1: Consistency of City of San Jose's 2007 Green Vision for Interconnected Citywide Trails and Access to Historic Area Site Plan** (Comment Numbers: 3-2, 3-7, 5-4)

In regards to public comments related to the site plan's consistency with the City's Green Vision goals, the County Parks Department is working closely with the City of San Jose Parks, Recreation and Neighborhood Services Department and City's Trails Program to ensure that citywide trails that lead to the Santa Teresa County Park Historic Area promote access to County park facilities. The site plan identifies future access points from Manila Drive, Manila Way, Curie Drive, and San Ignacio Avenue that will provide neighborhood access into the Historic Area. As part of the site planning process, the intent exists for the City's recently completed Albertson Parkway trail to provide access to the Historic Area from Manila Drive.

Once residents and park visitors access the Historic Area, the site plan's proposed internal pathways will accommodate pedestrians that would be consistent with County Ordinance and the existing pedestrian pathways within the Bernal-Gulnac-Joice Ranch site. In response to public input received at the September 2, 2009 County Parks and Recreation Commission meeting, a new pathway is recommended within the park's northern boundary along Curie Drive to accommodate pedestrians, bicyclists and dog walkers who desire additional recreational amenities at the Historic Area. This new, shared-use pathway for pedestrians and bicyclists is intended to provide an additional recreational trail experience and an alternate non-motorized route to the vehicular roadway along Curie Drive to address the community's trail needs. The County Parks Department would need to complete additional site evaluations to identify the specific alignment of these shared-use pathways within the Historic Area.

In October 2007, San Jose City Council adopted the Green Vision, which set forth a goal of delivering 100 miles of interconnected trails by 2022. The size of the citywide trails network is related to goals and strategies set forth in the City's previous 2000 Greenprint and the City's current Draft Greenprint Plan 2009 Update. The City of San Jose is also updating its initial 2000 Greenprint as part of the Draft Greenprint 2009 Update, which is the strategic plan for the City of San Jose's Parks, Recreation Facilities and Trails through 2020. The Draft Greenprint 2009 includes a collection of desired recreational amenities and community-serving projects that will be studied and possibly implemented as funding and staffing resource permits. The Draft Greenprint commits to the future study of all projects as funds become available. Additional studies will determine if projects are feasible based on environmental, jurisdictional, engineering, compatible and adjacent land uses, project performance and other factors. Information on the Draft Greenprint 2009 Update is available on the City's website at [www.sjparks.org.greenprint](http://www.sjparks.org.greenprint).

### *San Jose's 100-Mile Trail Network*

The Green Vision goals and Draft Greenprint 2009 Update identifies community-desired trail projects that could ultimately result in over 130 miles of trail. The Green Vision commits the City to the development of 100 miles of trails by 2022. Trail projects identified in the Greenprint would require



additional City resources to work with the community and local jurisdictions to more accurately define the alignment and its amenities in order to achieve the City's Green Vision.

The trails network includes projects that are within the City's limits that require additional property acquisitions and/or agreements with private and public entities to implement. Proposed projects by other public agencies, such as the County Parks Department's Santa Teresa Historic Area Site Plan, occur outside of the City's jurisdiction. Although these projects may contribute to overall interconnectivity, any new trails and pathways within that jurisdiction's project would not contribute to the overall mileage of fulfilling the City's interconnected trails network.

### **Master Response 2 – Limited Trail Access/Uses within Historic Area**

(Comment Numbers: 3-1, 3-3, 3-8, 5-5, 7-8, 7-9, 8-1)

Consistent with the County Parks Department's mission to protect the sensitive habitats and cultural resources associated with park sites, pets and bicycles are typically not permitted in historic areas/sites, as regulated by County Ordinances. To accommodate the community and residents' needs for additional recreational trail uses and access to the Historic Area, the County Parks Department will identify, evaluate and develop a new decomposed granite pathway within the perimeter of the Historic Area for pedestrians, bicyclists, and walkers with dogs on-leash as part of the initial phase of the project implementation. This new shared-use pathway for pedestrians, bicyclists and dogs on-leash is intended to provide access to the existing Norred Trail. Currently the site plan encourages walk-in access from the neighborhood, and the new, shared-use pathways will accommodate the additional bicycle and dogs on-leash uses.

Future implementation of the site plan would also provide improved roadway access for bicyclists and sidewalks for pedestrians and dog walkers to access the park. Once the roadway and pathway improvements are implemented, pedestrians, dog walkers, and bicyclists would also be able to access the shared-use pathways. The Parks Department would need to complete additional site evaluations to identify the specific alignment of these shared-use pathways within the Historic Area.

### **Master Response 3: Coyote-Alamitos Canal Facility** (Comment Numbers: 3-5, 3-7, 3-9)

In regards to public comments related to a future trail alignment along the Coyote-Alamitos Canal (i.e. Coyote-Alamitos Canal Trail), the Site Plan recommends a potential trail route from the project area which would allow trail users to connect to the existing Norred Trail via a potential crossing of the Coyote-Alamitos Canal. This is predicated on securing permission from the Santa Clara Valley Water District (SCVWD) to access their property.

The Coyote-Alamitos Canal facility, which includes the canal maintenance road and drain siphons is owned by Santa Clara Valley Water District (SCVWD). The land overlaid by the canal and canal maintenance road is owned in fee title or under grant easements by the County. The section of the canal paralleling the historic area is primarily under grant easement. Easement limitations specify that SCVWD may undertake certain repairs, construction, or maintenance activities to operate the canal for the transmission of water.

“These are the only purposes to which the land may be used. The land could not be used, for example, to dispose of fill, for public recreation, or for the transmission of other substances.” (Future Role of Coyote Alamitos Canal Report, July 1983, Santa Clara Valley Water District). The County Parks

Department acknowledges the neighborhood's desire to use the canal maintenance road as a trail; however, the canal is owned by SCVWD and it is not officially part of the County Parks Department's trail system.

In addition, the District's July 1983 report evaluated various alternative future uses of the canal facility, which included the canal, canal maintenance road, and drain siphons, based on operational considerations and costs to both retain or dispose of the facility. The report identified three approaches or alternatives to 1) continue the present (1983) level of maintenance, 2) restore to use for stand-by operations, and 3) abandon or transfer canal rights to others. The report also identified three sub-alternatives to approach 3. These were 3A – transfer the canal to another public agency for drainage control; 3-B – transfer the canal properties to another public agency for use as a park/park trail; 3-C remove the canal and restore the right-of-way to its original condition and dispose of the property rights. The report concluded that sub-alternative 3-A was the preferred alternative and recommended that the SCVWD dispose of the canal by transfer to another public agency for drainage control. SCVWD approached other agencies; however, no public agency expressed an interest in taking over the canal facility.

In 1989, the City of San Jose Parks, Recreation and Neighborhood Services Department undertook several feasibility studies to analyze and assess the potential for development of a public trail along segments of the canal alignment. These included the: *Feasibility Study for Providing a Trail Between Almaden Park and the Coyote Creek Park Chain August 1989*; *Coyote Alamitos Canal/Santa Theresa Trail Corridor Trail Feasibility Study, July 2004*; *Engineering Feasibility Study, Coyote Alamitos Canal Corridor Trail, July 2007*. These studies identified significant constraints and costs associated with developing the Coyote Alamitos Canal trail including geological/geotechnical, environmental impacts, land ownership, hydrologic issues, and liability issues. The 2004 and 2007 feasibility studies, evaluated an 11-mile segment between the City's Almaden Lake City Park and Santa Teresa County Park. These studies did not include the portion of the canal within Santa Teresa County Park. Copies of these studies are available on the City of San Jose's website.

In a memorandum dated August 12, 2005, from the Assistant Director of Parks, Recreation and Neighborhood Services Department to Councilmember Forrest Williams, the City stated that development of an interim trail between Santa Teresa Boulevard and Bernal Road was not feasible and recommended that the City not allocate further resources for the trail implementation. Staff recommended preparation of an engineering study which was completed July 31, 2007. The planning, development, and implementation of the proposed Coyote-Alamitos Canal trail project is under the City of San Jose's jurisdiction. Information about this project is available on the City's website.

In addition, the County Parks Department will identify and evaluate an alternate neighborhood access to the Norred trail as part of the implementation of the initial phase of the Site Plan. Additional environmental review and analysis will be required to comply with CEQA prior to development of this new neighborhood trail access route.

**Master Response 4: Consideration of Future New Shared-use Pathway within the Perimeter of the Historic Area** (Comment Numbers: 3-6, 3-11, 3-15, 3-26, 4B-5, 5-1, 5-7, 6C-2, 7-6,7-9, 8-1)

Prior to the implementation of long-range planned roadway improvements, the County Parks Department will identify, evaluate and develop a new shared-use pathway within the perimeter of the Historic Area to provide an additional recreational experience along Curie Drive.

### **III. Responses to Written and Oral Comments**

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This section presents each written and oral comment received by both individuals and agencies on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Santa Teresa County Park Historic Area Site Plan by Santa Clara County Parks and Recreation Department during and after the 30-day public review period of the IS/MND between July 29, 2009 and August 30 2009 and during the additional comment period between November 2, 2009 and November 13, 2009. The County Parks Department provided an additional comment period to allow further public comment related to the omission of a reference document, Parking and Traffic Study report, from the Draft IS/MND. The findings of the IS/MND do not alter as a result of this omission.

Each comment letter or meeting summary is followed by corresponding responses. The numbering of the responses to comment corresponds to the comment number in the margin of the comment letters.

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Comment Letter 1



ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

September 3, 2009

Antoinette Romeo  
Santa Clara County Parks and Recreation Department  
298 Garden Hill Drive  
Los Gatos, CA 95032

Subject: Santa Teresa County Park Historic Area Site Plan  
SCH#: 2009082008

Dear Antoinette Romeo:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on September 2, 2009, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott Morgan".

fn: Scott Morgan  
Acting Director, State Clearinghouse

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2009082008  
**Project Title** Santa Teresa County Park Historic Area Site Plan  
**Lead Agency** Santa Clara County

**Type** MND Mitigated Negative Declaration

**Description** The project consists of a site plan for the undeveloped portion of the Santa Teresa County Park Area. The Site Plan is a concept document which identifies proposed improvements including trails connecting functional and interpretive areas within the project site, a trail connection to developed portions of the Historic Area, a staging area/parking lot, site access, street improvements along Curie Drive and San Ignacio Avenue, bus drop-off/parking area on Curie Drive, fencing, interpretive and display areas and facilities, signage (interpretive, directional, and regulatory), vegetated areas/plantings, restored oak woodlands and native grasslands, elements that depict the water theme (water theme elements include a dry creek bed, seasonal water detention areas or swales, and aesthetic water features such as a well and troughs), related infrastructure improvements, such as storm drainage and irrigation, and a visitor center which includes a courtyard, courtyard walls, trellises, and gardens. The proposed visitor center was evaluated at a program level and will require additional CEQA analysis prior to implementation/construction.

**Lead Agency Contact**

**Name** Antoinette Romeo  
**Agency** Santa Clara County Parks and Recreation Department  
**Phone** 408-355-2235 **Fax**  
**email**  
**Address** 298 Garden Hill Drive  
**City** Los Gatos **State** CA **Zip** 95032

**Project Location**

**County** Santa Clara  
**City** San Jose  
**Region**  
**Lat / Long**  
**Cross Streets** San Ignacio Ave, Curie Dr & Manila Dr  
**Parcel No.**  
**Township** 8S **Range** 2E **Section** 19 **Base** MDB&M

**Proximity to:**

**Highways** 85, 82  
**Airports** No  
**Railways** No  
**Waterways** No  
**Schools** Bernal Intermediate  
**Land Use** PLU: County Park  
 Z: General Use  
 GP: Existing Regional Park & Hillside

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Other Issues; Public Services; Recreation/Parks; Traffic/Circulation; Water Quality; Water Supply

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

**Date Received** 08/04/2009 **Start of Review** 08/04/2009 **End of Review** 09/02/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

## Response to Comment Letter 1- State Clearing House

Response 1      This is an acknowledgement from the State Clearinghouse that the project has complied with their requirements for CEQA documents and that no State agencies submitted comments through the Clearinghouse. The letter also lists the State agencies that were sent copies of the CEQA documents for review and comment. This letter does not require a response.

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(Revised 9/23/09)

Comment Letter 2

File: 32170  
Coyote-Alamitos Canal

September 11, 2009

Ms. Antoinette Romeo  
County of Santa Clara  
Parks and Recreation Department  
298 Garden Hill Drive  
Los Gatos, CA 95032

Subject: Initial Study (IS) and Mitigated Negative Declaration (MND) for the Proposed Santa Teresa County Park Historic Area

Dear Ms. Romeo:

The Santa Clara Valley Water District (District) has reviewed the IS and MND for the Santa Teresa County Park Historic Area received on August 10, 2009. The document states the review period is from July 29 to August 28. Please accept these comments at this time.

The MND mentions the possibility of a future connection to the Norred Trail over the District's Coyote Alamitos Canal. As noted in the document, coordination between the Parks and Recreation Department and the District must take place to discuss the details of such a project. These details include potential trail routes and any use of the Coyote Alamitos Canal maintenance road. Detailed plans would also need to be sent to the District for review prior to the District issuing a permit or entering into any agreement with the County.

2-1

The final site plan for the IS/MND shows proposed planting of drought tolerant shrubs, native grassland, and oak trees on the south side of the project area adjacent to the District's Coyote Alamitos Canal. A proposed trail connection and more plantings are also proposed in the area between the Coyote Alamitos Canal and Manila Drive. In this area, the District has a 10' wide easement (easement deed enclosed) associated with an existing 30" storm drain pipe extending south from the intersection of Manila Way/Manila Drive to the canal. Because of the shallow depth of the existing storm drain pipe (3' below ground), only grass and small shrubs would be allowed to be planted in the easement as roots from oak trees and larger shrubs have the potential to damage the storm drain pipe. In the area adjacent to Manila Way/Manila Drive intersection, the 30" storm drain pipe has a bubbler which rises approximately 2' above the ground surface. This bubbler pipe needs to remain undisturbed and accessible to District staff.

The proposed plantings, along with the trail connection, appear to encroach upon the District's easement for the canal and the existing storm drain pipe, and therefore would require a District permit. A District permit application is available on the District's website at [www.valleywater.org](http://www.valleywater.org). A planting list and detailed plans for the trail connection would need to accompany the District permit application to ensure the proposed plants and trail will not affect the District's facilities.

2-2



Ms. Antoinette Romeo  
Page 2  
September 11, 2009

If you have any questions or need further information, you can reach me at (408) 265-2607, extension 2226. Please reference File No. 32170 on any future correspondence regarding this project.

Sincerely,



Brandon Woods  
Assistant Engineer I  
Community Projects Review Unit

Enclosure: Storm Dain Easement Document No. 9247-44 (1974)  
Structure Site Plans/Details for Coyote-Alamitos Canal – Sheets 4 & 6

cc: S. Tippets, C. Haggerty, J. Bozzo, B. Woods, File

32170-52310bw09-11

**RECEIVED**

SEP 24 2009

SCC Parks & Recreation  
Stamped back *of*

0934 PAGE 185  
4782912

DO NOT WRITE ABOVE THIS LINE

FILED FOR RECORD  
AT REQUEST OF

RECORD WITHOUT FEE UNDER SECTION 6103,  
GOVERNMENT CODE OF THE STATE OF CALIFORNIA  
AFTER RECORDING RETURN TO:  
SANTA CLARA VALLEY WATER DISTRICT  
5750 ALMADEN EXPRESSWAY  
SAN JOSE, CALIFORNIA 95118

SANTA CLARA VALLEY WATER DISTRICT  
JUN 7 9 31 AM '74

OFFICIAL RECORDS  
SANTA CLARA COUNTY  
GEORGE A MANN  
REGISTRAR RECORDER  
0934 PAGE 185

DH

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STORM DRAIN  
EASEMENT DEED**  
(INDIVIDUAL)

DOCUMENT NO. 9247-44

I, DOROTHY PARKER, aka DOROTHY L. PARKER,

Grant, convey and dedicate to the SANTA CLARA VALLEY WATER DISTRICT, a public corporation ("District"), an easement for a storm drain or drains in, upon, over, and across that certain real property, in the \_\_\_\_\_, County of Santa Clara, State of California, described as:

Being a portion of the lands described in the deed recorded in Book 0199 of Official Records at page 745 in the office of the Recorder, County of Santa Clara, State of California, to wit:

Being a strip of land 10.00 feet wide and lying easterly of and parallel with the westerly line of that certain 80.00-foot-wide easement granted to Pacific Gas and Electric Company by deed recorded in Book 3743 of Official Records at page 233 in the Santa Clara County Recorder's office; said 10.00-foot-wide strip of land being more particularly described as follows:

Beginning at the intersection of the center line of Manila Drive with the center line of Manila Way as shown on that certain map entitled Tract No. 4911 and recorded in Book 294 of Maps at page 23 in the Santa Clara County Recorder's office; thence along said center line of Manila Drive S 89°48'51"W 40.01 feet to the westerly line of that certain parcel of land described as Parcel II in the deed recorded in Book 3855 of Official Records at page 118 in the Santa Clara County Recorder's office; thence along said westerly line of said Parcel II, S 00°56'43"W 10.00 feet to the true point of beginning of said 10.00-foot-wide strip; thence along the afore-said westerly line of said PG&E easement S 00°54'00"W 93.95 feet, more or less, to the general northerly line of that certain easement recorded in Book 4150 of Official Records at page 332 in the Santa Clara County Recorder's office.

Containing 986 square feet or 0.023 acre, more or less.

ENCLOSURE X

DO NOT WRITE ABOVE THIS LINE

Said easement area shall be kept clear of any type of building, fences, structure, pavement, or trees, unless prior written approval is obtained from District.

The easement shall include the right to construct, reconstruct, inspect, maintain and repair drains, protection works and appurtenant structures, together with the right to trim or remove such trees or brush within the easement area as may constitute a hazard to persons or property or may interfere with the use of the said area for the purposes granted. It also shall include the right to enter upon said land with vehicles, tools, implements, and other materials, take therefrom and use, earth, rock, sand and gravel for the construction, maintenance and repair of said drains, protection works and appurtenant structures by said District, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary to: flood control or storm drainage purposes.

Where such drains, works or structures are covered, District shall also have the right to mark the location of said described area by suitable markers, but said markers shall be placed in fences or other locations which will not interfere with any reasonable use first party shall make of said strip.

(As used above, the term "grantor" shall include the plural as well as the singular number and the words "himself" and "his" shall include the feminine gender as the case may be.)

Dated this 21st day of June, 1974

Signed and delivered in the presence of

Vincent Lico

ACKNOWLEDGEMENT OF SUBSCRIBING WITNESS

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

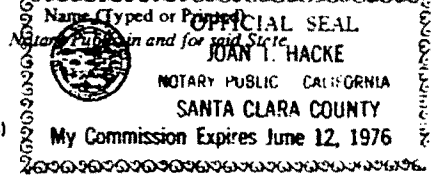
On May 9, 1974 before me, the undersigned, a Notary Public in and for the State of California, residing therein, duly commissioned and sworn, personally appeared Vincent Lico known to me to be the person whose name is subscribed to the within instrument as a witness thereto, who, being by me duly sworn, deposed and said: that he resides in the County of Santa Clara, State of California; that he was present and saw Dorothy Parker

personally known to him to be the person described in and whose name is subscribed to the within instrument, execute the same; and that affiant subscribed his name thereto as a witness to said execution.

WITNESS my hand and official seal.

(Seal) Joan J. Hacke

JOAN T. HACKE



ACKNOWLEDGEMENT GRANTOR(S)

STATE OF CALIFORNIA

COUNTY OF

On 19 before me, the undersigned, a Notary Public in and for the State of California, residing therein, duly commissioned and sworn, personally appeared

known to me to be the person whose name subscribed to the within instrument and acknowledged that executed the same.

WITNESS my hand and official seal.

(Seal)

Name (Typed or Printed) Notary Public in and for said State

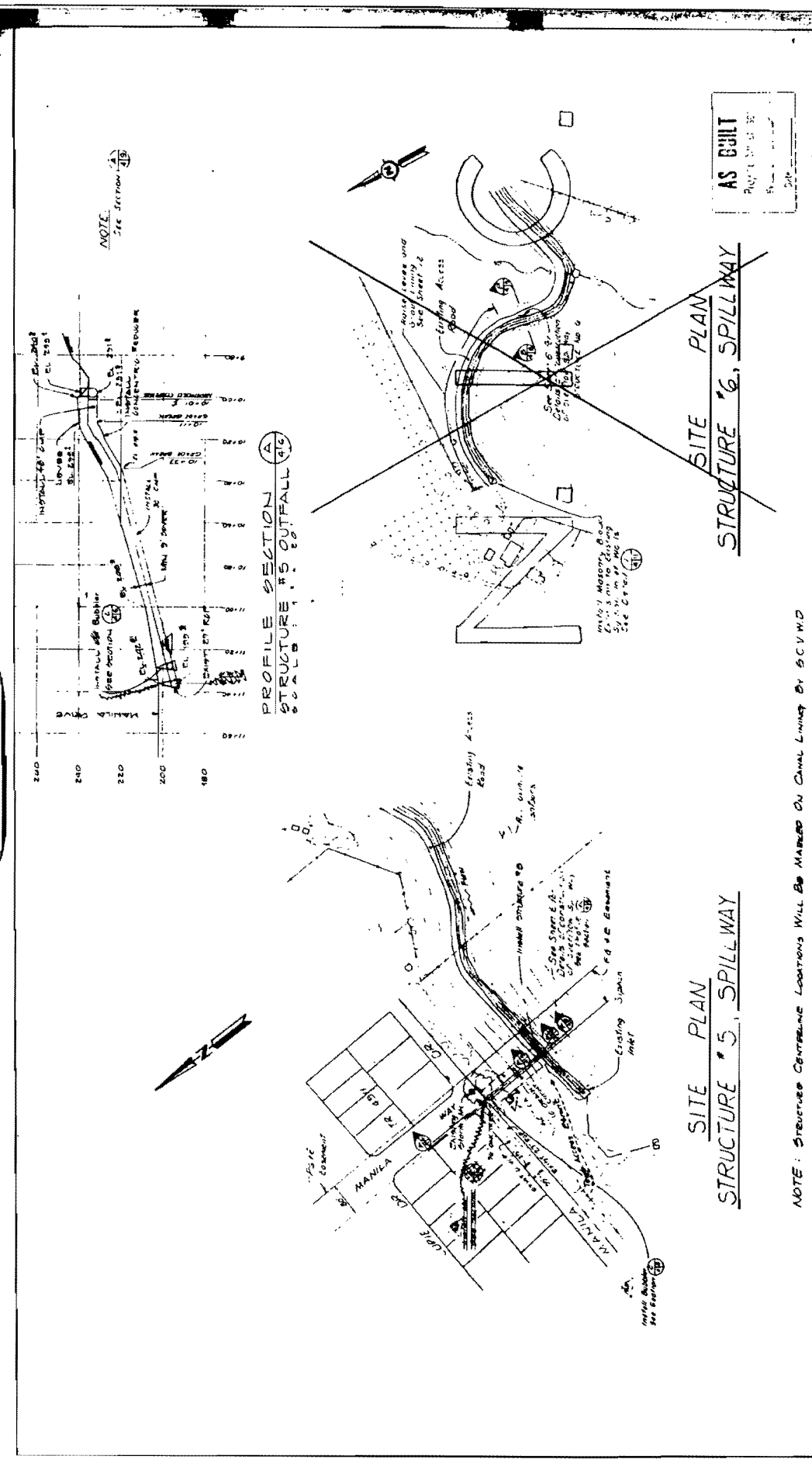
CERTIFICATE OF CONSENT AND ACCEPTANCE

This is to certify that the interest in real property conveyed by the attached Deed or Grant to Santa Clara Valley Water District is hereby accepted by the undersigned duly authorized agent on behalf of the Board of Directors of said Santa Clara Valley Water District, pursuant to authority conferred by Resolution No. 68-25 of said Board of Director's adopted on the 26th day of March 1968, recorded March 27th, 1968 in Book 8069, Page 535, Official Records of Santa Clara County, California, and the Grantee consents to recordation thereof by its said duly authorized agent.

Dated: May 28, 1971

SANTA CLARA VALLEY WATER DISTRICT

By: [Signature]  
~~General Manager~~/Clerk of the Board of Directors  
(Strike out inapplicable one)



NOTE:  
See Section 4B

PROFILE SECTION A  
STRUCTURE #5 OUTFALL  
SCALE 1" = 20'

SITE PLAN  
STRUCTURE #5, SPILLWAY

SITE PLAN  
STRUCTURE #6, SPILLWAY

NOTE: STRUCTURE CENTERLINE LOCATIONS WILL BE MARKED ON CANAL LINING BY SCVWD

|                                  |    |         |       |                         |
|----------------------------------|----|---------|-------|-------------------------|
| DATE                             | BY | CHECKED | SCALE | 1:100                   |
|                                  |    |         |       | 4                       |
| SANTA CARA VALLEY WATER DISTRICT |    |         |       | COYOTE - ALAMITOS CANAL |
| STRUCTURE #5                     |    |         |       | IMPROVEMENTS            |
| SITE PLAN                        |    |         |       | PLANS                   |

ENCLOSURE

Please Verify Current SCVWD Facility Drawing With Record & Library Unit



Response to Comment Letter 2 - Santa Clara Valley Water District 9/11/09

- Response 2-1      The Parks Department will coordinate with the Santa Clara Valley Water District when detailed plans are developed for the project
- Response 2-2      The Parks Department will seek approval and permits when encroaching on or crossing Santa Clara Valley Water District property or facilities prior to implementation of the project.



*COMMENT Letter 3*

**Romeo, Antoinette**

---

**From:** Roland Lebrun [ccss@msn.com]  
**Sent:** Friday, August 28, 2009 9:53 PM  
**To:** Romeo, Antoinette  
**Cc:** shirin darbani  
**Subject:** RE: Santa Teresa County Park Historic Area Site Plan  
**Follow Up Flag:** Follow up  
**Flag Status:** Red  
**Attachments:** Blank Bkgrd.gif; Response to ISMND.doc

Dear Antoinette,

Thank you for your presenting the Santa Teresa County Park Historic Area Site Plan Draft Initial Study/Mitigated Negative Declaration on August 11th.

Please find my written comments attached to this email.

I look forward to your response.

Sincerely,

Roland Lebrun.

---

Subject: Santa Teresa County Park Historic Area Site Plan  
Date: Tue, 25 Aug 2009 17:42:14 -0700  
From: Antoinette.Romeo@PRK.SCCGOV.ORG  
To: ccss@msn.com

Parks and Recreation Meeting Notice

**A. LAND USE / GENERAL PLAN**

*Will the project:*

**2. Conflict with applicable plans or policies adopted by agencies with jurisdiction over the project?**

**Significant Unless Mitigation Incorporated.** Implementation of the site plan as it stands would effectively prohibit Santa Teresa County Park trail access to bicycle and dog traffic between Brockenhurst Drive and Camino Verde thereby significantly conflicting with long-term development strategies from multiple agencies with jurisdiction of the project.

3-1

- City of San Jose development standards and general plan, specifically Mayor Chuck Reed's Green Vision for San José to expand our system of park trails to 100 miles to allow residents to travel more easily by bicycle or on foot, as well as encourage exploration and education about our natural habitat so residents better understand the benefits of a healthy environment and value its preservation.

3-2

- Santa Clara County Valley Water District future role of Coyote Alamitos Canal (1983) preferred alternative (Alternative 3B) "Transfer canal ownership to a public agency, which would use the canal route and road as a park or park trail to connect parks along the north side of the Santa Teresa Hill".

3-3

- Santa Teresa County Park Master Plan approved by the board of supervisors in April 1992 which identified a future trail alignment (i.e., the Coyote-Alamitos Canal Trail) consisting of two trails connecting the Bernal-Joice-Gulnac Ranch with the Norred Ranch.

3-4

**Suggested Mitigation Measures:**

- Add signage identifying the connection to the Coyote Los Alamitos Canal trail east of the Santa Teresa spring as a multiuse peripheral trail connecting the Santa Teresa spring to the planned sidewalk extension along San Ignacio Avenue.

3-30

- Add signage identifying the connection to the Coyote Los Alamitos Canal trail west of the Santa Teresa spring as a multiuse peripheral trail connecting the Santa Teresa spring to the Joyce trail.

**3. Conflict with special policies?**

**f. San Jose**

**Significant Unless Mitigation Incorporated.** The site plan does not have any provision for bicycle and dog trails and is therefore incompatible with City of San Jose Mayor Chuck Reed's Green Vision to expand our system of park trails to 100 miles to allow residents to travel more easily by bicycle or on foot, as well as encourage exploration and education about our natural habitat so residents better understand the benefits of a healthy environment and value its preservation.

3-5

**Suggested Mitigation Measures:** Implement the Santa Teresa County Park Master Plan approved by the board of supervisors in April 1992 which identified a future trail alignment (i.e., the Coyote-Alamitos Canal Trail) consisting of two trails connecting the Bernal-Joice-Gulnac Ranch with the Norred Ranch. These 2 trails should be designated as multiuse trails allowing dog and bicycle traffic.

3-30

#### 4. Be incompatible with existing land use in the vicinity?

**Significant Unless Mitigation Incorporated.** The original site plan dated May 6 2008 recommended controlling/restricting access to the Coyote Alamitos Canal trail by use of gated fencing and regulatory signage at the following canal entry points:

- 1) East of Santa Teresa Spring (regulatory signage).
- 2) At canal bridge south of Pedro Bernal House (regulatory signage, fencing).
- 3) South of Bernal-Gulnac-Joice Ranch Site (abandoned vehicle, no signage).

These recommendations were dropped from the final site plan after multiple objections from the public but were nevertheless implemented with 2 additional Coyote Alamitos Canal access trail closures that were never documented:

- 4) Vacant field adjacent to the planned sidewalk extension along San Ignacio Avenue (regulatory signage).
- 5) Santa Teresa Park entrance at Brookmere (regulatory signage, fencing similar to 2) above).

3-6

#### **Suggested Mitigation Measure:**

Enhance the site plan with 2 peripheral multiuse trails as per the Santa Teresa County Park Master Plan approved by the board of supervisors in April 1992 which identified a future trail alignment (i.e., the Coyote-Alamitos Canal Trail) consisting of two trails connecting the Bernal-Joice-Gulnac Ranch with the Norred Ranch.

#### 5. Disrupt or divide the physical arrangement of an established community?

**Significant Unless Mitigation Incorporated.** My wife and I live on Manila Drive. My wife has never been able to access the Norred trail at the Joyce-Bernal ranch because the Joyce trail is too steep. We used to enter Santa Teresa County Park at the Santa Teresa spring with our dogs and walk on the Coyote Alamitos Canal trail towards San Ignacio Avenue. We would exit the park at Heaton Moor Drive and re-enter it at the Brockenhurst Drive entrance. We were then able to connect to the Norred trail and exit the park at the Joyce Bernal ranch.

My wife has not been able to access the Norred trail since the Coyote Alamitos trail was closed east of the Santa Teresa spring in 2007 and has been forced to revert to walking in the adjacent neighborhood. We know of many neighbors, many of which are seniors like ourselves, who are in the same predicament. The recent opening of the City of San Jose's Albertson Parkway trail has further exacerbated this situation with more neighbors being unable to enter Santa Teresa County Park with their dogs. Bicycle riders are similarly affected.

3-7

#### **Suggested Mitigation Measures:**

- Remove regulatory signage East of Santa Teresa Spring.

- Remove regulatory signage on vacant field adjacent to the planned sidewalk extension along San Ignacio Avenue south of the Pedro Bernal House.
- Add signage identifying the connection to the Coyote Los Alamitos Canal trail east of the Santa Teresa spring as a multiuse peripheral trail connecting the Santa Teresa spring to the planned sidewalk extension along San Ignacio Avenue.

3-30

**C. RESOURCES/PARKS**

*Will the Project:*

**6. Be on, within, or near a public or private park, wildlife reserve, or trail (includes those proposed for the future), or affect existing recreational opportunities?**

**Significant Unless Mitigation Incorporated.** The Manila Way entrance to the historical area site connects to Albertson Parkway which is listed as a multiuse trail in the City of San Jose Park trail system. Residents approaching the Santa Teresa County Park entrance at the Santa Teresa spring are greeted with a “dogs are not allowed in the historic area” sign. The current site plan also implies that bicycles are not allowed either even though there is no signage to that effect. This results in over 50% of the overall traffic exiting Albertson Parkway being prevented from entering Santa Teresa Park at the Santa Teresa spring entrance, ending up walking or cycling on Manila Drive and heading home on Curie Drive or turning back and retracing their route along Manila Drive.

3-8

**Suggested Mitigation Measure** Enhance the site plan with 2 peripheral multiuse trails as per the Santa Teresa County Park Master Plan approved by the board of supervisors in April 1992 which identified a future trail alignment (i.e., the Coyote-Alamitos Canal Trail) consisting of two trails connecting the Bernal-Joice-Gulnac Ranch with the Norred Ranch.

3-30

**F. BIOLOGICAL RESOURCES**

*Will the Project:*

**1. Affect fish, wildlife, reptiles, or plant life, by [a] change in diversity or numbers or [b] introduction of new species or [c] restrictions to migration or movement or [d] reducing habitat?**

**Significant Unless Mitigation Incorporated.** The original site plan dated May 6 2008 recommended controlling/restricting access to the Coyote Alamitos Canal trail by use of gated fencing and regulatory signage at the following canal entry points:

- 1) East of Santa Teresa Spring (regulatory signage).
- 2) At canal bridge south of Pedro Bernal House (regulatory signage, fencing).
- 3) South of Bernal-Gulnac-Joice Ranch Site (abandoned vehicle, no signage).

3-9

These recommendations were dropped from the final site plan after multiple objections from the public but were nevertheless implemented in 2007. Shortly thereafter wild pigs appeared on Heaton Moor Drive and Manila Drive causing thousands of dollars in damage. The root cause of the problem was eventually traced to closure #2 at the canal bridge south of the Pedro Bernal house.

**Suggested Mitigation Measure:** Reopen trail #2 (at canal bridge south of Pedro Bernal House) as this trail closure significantly interferes with longstanding traffic movements of established wildlife in the vicinity of the project site.

3-30

## G. TRANSPORTATION

*Will the project:*

### 3. Increase traffic hazards to pedestrians, bicyclists and vehicles?

#### Significant Unless Mitigation Incorporated.

- The number of pedestrian and bicycle trips in the vicinity of the project would increase significantly because dogs owners and bicycle riders exiting Albertson Parkway would be prevented from entering Santa Teresa County park at the Manila Way entrance and would be forced back on to the streets (Curie Drive, San Ignacio Avenue and Heaton Moor Drive to the east and Manila Drive to the west).

3-10

- The sole purpose for the widening of Curie Drive appears to be based on an analysis by Hexagon Transportation Consultants, Inc dated January 21 2008 which recommended the installation of a curb and a sidewalk over a length of approximately 630 feet which would increase on-street parking in the immediate vicinity of the project by an additional 40 cars.

3-11

There are many areas of significant concern with the current site plan design for Curie Drive as follows:

1) No additional on-street parking should be allowed on Curie Drive between San Ignacio Avenue and Manila Way for the following reasons:

3-12

. Children are present at most times during the day and parked cars increase the chances of an accident because they would reduce the ability of oncoming traffic to react to an emergency in a timely fashion.

. Widening Curie Drive for the purpose of additional parking would cause serious problems at night when no cars are parked in the street because it would have the potential of turning Curie Drive into a de facto illegal drag strip. The neighborhood has endured a long history of illegal drag racing at night on San Ignacio Avenue. We must make every effort to mitigate the potential for a similar problem on Curie drive.

3-13

. Special events are anticipated to occur once or twice per year, which could generate a peak demand of 100 parking spaces. This demand can easily be accommodated by the proposed staging area (40 spaces), Bernal Intermediate (60 spaces), Buck Norred ranch (40 spaces), Bernal-Joyce parking lot (10 spaces) and existing on-street parking on Manila Way and Manila Drive (100 cars).

3-14

2) The junction of Curie Drive at San Ignacio Avenue is extremely busy especially during commute hours and any obstruction that reduces visibility in the immediate vicinity of Bernal Intermediate must be eliminated at all cost. The current location of the bus drop-off/parking is a serious cause for concern because any buses parked in that location would create hazards for pedestrians and bicyclists traveling on the south side of Curie Drive as well as vehicles exiting the proposed staging area.

3-15

3) The relocation of the Jacoba Bernal house driveway would create additional hazards because pushing the existing property line back to the garage wall (approximately 25 feet) would make it necessary for vehicles exiting the driveway to reverse at an angle thereby compromising the safety of foot and bicycle users of the new sidewalk and bicycle lane.

3-16

**Suggested Mitigation Measures:**

- The site plan should be revised to eliminate any additional on-street parking on Curie Drive between San Ignacio Avenue and Albertson Parkway.
- Any widening of Curie Drive should be reserved for a sidewalk extension along the project site's northern boundary, a cycle lane in each direction and, space permitting, a park strip.
- Serious consideration should be given to adding a slight kink or curve to Curie Drive in the immediate vicinity of the Pyzak Ranch to curb speeding as Curie Drive westbound traffic approaches Albertson Parkway. Not only would this curve enhance the safety of the foot and bicycle traffic but it would help retain the existing rural aspect of the immediate vicinity.
- The proposed bus drop-off/parking should be relocated west of the Pyzak ranch.
- The existing Jacoba Bernal house driveway should remain in its current location (parallel to Curie Drive).
- Any redesign of Curie Drive should be modular with an objective to avoid a complete closure of Curie Drive at any time during the construction phase.
- Members of the community should be invited to participate in the design process.

3-30

**5. Cause increases in demand for existing on or off-street parking because of inadequate parking availability**

**Significant Unless Mitigation Incorporated.**

The Santa Clara County Parks department has a long-standing policy of restricting access to off-street parking on County property (Joyce Bernal & Buck Norred ranch) to park employees and their acquaintances thereby forcing regular park users to use on-street parking.

3-17

**Suggested Mitigation Measure:**

Enforce opening of the proposed staging area (40 spaces) during park hours at a minimum and preferably 24x7.

3-30

**6. Conflict with adopted policies supporting alternative transportation (e.g. transit, bicycles, walking)?**

**Significant Unless Mitigation Incorporated.** The original site plan dated May 6 2008 recommended controlling/restricting access to the Coyote Alamitos Canal trail by use of gated fencing and regulatory signage at the following canal entry points:

- 1) East of Santa Teresa Spring (regulatory signage).
- 2) At canal bridge south of Pedro Bernal House (regulatory signage, fencing).
- 3) South of Bernal-Gulnac-Joice Ranch Site (abandoned vehicle, no signage).

3-18

These recommendations were dropped from the final site plan after multiple objections from the public but were nevertheless implemented with 2 additional Coyote Alamitos Canal access trail closures that were never documented:

- 4) Vacant field adjacent to the planned sidewalk extension along San Ignacio Avenue (regulatory signage).
- 5) Santa Teresa Park entrance at Brookmere (regulatory signage, fencing similar to 2) above).

**Suggested Mitigation Measure:**

Enhance the site plan with 2 peripheral multiuse trails as per the Santa Teresa County Park Master Plan approved by the board of supervisors in April 1992 which identified a future trail alignment (i.e., the Coyote-Alamitos Canal Trail) consisting of two trails connecting the Bernal-Joice-Gulnac Ranch with the Norred Ranch.



3-30

**I. SAFETY/HEALTH**

*Will the Project:*

**7. Increase fire hazard in an area already involving extreme fire hazard?**

**Significant Unless Mitigation Incorporated.**

- The hills immediately south of the project site were set on fire in 2001 and 2005.
- Vandals attempted to set fire to the deck structure at the Santa Teresa Spring 3 times in 2003-2005.



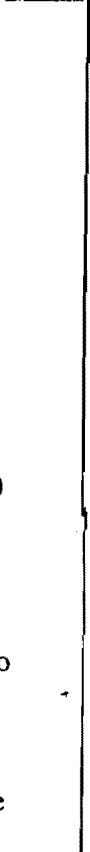
3-19  
3-20

- The original site plan dated May 6 2008 recommended controlling/restricting access to the Coyote Alamitos Canal trail by use of gated fencing and regulatory signage at the following canal entry points thereby substantially increasing an existing extreme fire hazard by prohibiting City of San Jose Fire Department tenders access to Santa Teresa Park

- 1) East of Santa Teresa Spring (regulatory signage).
- 2) At canal bridge south of Pedro Bernal House (regulatory signage, fencing).
- 3) South of Bernal-Gulnac-Joice Ranch Site (abandoned vehicle, no signage).

These recommendations were dropped from the final site plan after multiple objections from the public but were nevertheless implemented with 2 additional Coyote Alamitos Canal access trail closures that were never documented:

- 4) Vacant field adjacent to the planned sidewalk extension along San Ignacio Avenue (regulatory signage).
- 5) Santa Teresa Park entrance at Brookmere (regulatory signage, fencing similar to 2) above).

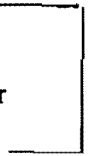


3-21

- Closure #2 (at Canal bridge south of Pedro Bernal House) prevents fire crews from gaining access to Santa Teresa County Park at Heaton Moor Drive. This entrance was used by fire crews during the 2005 fire.
- Closure #3 (South of Bernal-Gulnac-Joice Ranch Site) is within 100 feet of ground zero for the 2001 fire.
- Closure #5 (Santa Teresa Park Brookmere entrance) prevents fire crews from gaining access to Santa Teresa County Park at Brookmere. This entrance was used by fire crews during the 2001 fire. Fire tenders gained access to the park via the service entrance at the end of Manila Drive (between 386 Manila Drive and 342 St Julie Drive).

**Suggested Mitigation Measures:**

Engage the City of San Jose Fire Department in the review process to verify that Fire Department personnel have adequate access to the Santa Teresa foothills at Heaton Moor Drive, Manila Drive east of the Santa Teresa spring and Brookmere Drive.



3-30

**10. Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?**

**Significant Unless Mitigation Incorporated.**

- The number of pedestrian and bicycle trips in the vicinity of the project would increase significantly because dogs owners and bicycle riders exiting Albertson Parkway would be prevented from entering Santa Teresa County park at the Manila Way entrance and would be forced back on to the streets (Curie Drive, San Ignacio Avenue and Heaton Moor Drive to the east and Manila Drive to the west).

3-22

- The sole purpose for the widening of Curie Drive appears to be based on an analysis by Hexagon Transportation Consultants, Inc dated January 21 2008 which recommended the installation of a curb and a sidewalk over a length of approximately 630 feet which would increase on-street parking in the immediate vicinity of the project by an additional 40 cars.

3-23

There are many areas of significant concern with the current site plan design for Curie Drive as follows:

- No additional on-street parking should be allowed on Curie for the following reasons:

. Children are present at most times during the day and parked cars increase the chances of an accident because they would reduce the ability of oncoming traffic to react to an emergency in a timely fashion.

. Widening Curie Drive for the purpose of additional parking would cause serious problems at night when no cars are parked in the street because it would have the potential of turning Curie Drive into a de facto illegal drag strip. The neighborhood has endured a long history of illegal drag racing at night on San Ignacio Avenue. We must make every effort to mitigate the potential for a similar problem on Curie Drive.

. Special events are anticipated to occur once or twice per year, which could generate a peak demand of 100 parking spaces. This demand can easily be accommodated by the proposed staging area (40 spaces), Bernal Intermediate (60 spaces), Buck Norred ranch (40 cars), Bernal-Joyce parking lot (10 spaces) and existing on-street parking on Manila Way and Manila Drive (100 cars).

3-24

- The junction of Curie Drive at San Ignacio Avenue is extremely busy especially during commute hours and any obstruction that reduces visibility in the immediate vicinity of Bernal Intermediate must be eliminated at all cost. The current location of the bus drop-off/parking is a serious cause for concern because any buses parked in that location would create hazards for pedestrians and bicyclists traveling on the south side of Curie as well as vehicles exiting the proposed staging area.

3-25

- The relocation of the Jacoba Bernal house driveway would create additional hazards because pushing the existing property line back to the garage wall (approximately 25 feet) would make it necessary for vehicles exiting the driveway to reverse at an angle thereby compromising the safety of foot and bicycle users of the proposed new sidewalk and bicycle lane.

3-26

**Suggested Mitigation Measures:**

- The site plan should be revised to eliminate any additional on-street parking on Curie Drive between San Ignacio Avenue and Albertson Parkway

3-30



- Any widening of Curie Drive should be reserved for a sidewalk extension along the project site's northern boundary, a cycle lane in each direction and, space permitting, a park strip.
- Serious consideration should be given to adding a slight kink or curve to Curie Drive in the immediate vicinity of the Pyzak Ranch to curb speeding as Curie approaches Albertson Parkway. Not only would this curve enhance the safety of the foot and bicycle traffic but it would help retain the existing rural aspect of the immediate vicinity.
- The proposed bus drop-off/parking should be relocated west of the Pyzak ranch.
- The existing Jacoba Bernal driveway should remain in its current location (parallel to Curie Drive).
- Any redesign of Curie Drive should be modular and should make every effort to avoid a complete closure of Curie Drive at any time during the construction phase.
- Members of the community should be invited to participate in the design process.

3-30

### ***O. PUBLIC SERVICES AND UTILITIES***

*Will the project:*

#### **3. Have an effect upon or increase the need for or alter services in any of the following areas**

##### **a. Fire Protection**

##### **Significant Unless Mitigation Incorporated.**

- The hills immediately south of the project site were set on fire in 2001 and 2005.
- Vandals attempted to set fire to the deck structure at the Santa Teresa Spring 3 times in 2003-2005.
- The original site plan dated May 6 2008 recommended controlling/restricting access to the Coyote Alamitos Canal trail by use of gated fencing and regulatory signage at the following canal entry points thereby substantially increasing an existing extreme fire hazard by prohibiting City of San Jose Fire Department tenders access to Santa Teresa Park:
  - 1) East of Santa Teresa Spring (regulatory signage).
  - 2) At canal bridge south of Pedro Bernal House (regulatory signage, fencing).
  - 3) South of Bernal-Gulnac-Joice Ranch Site (abandoned vehicle, no signage).
 These recommendations were dropped from the final site plan after multiple objections from the public but were nevertheless implemented with 2 additional Coyote Alamitos Canal access trail closures that were never documented:
  - 4) Vacant field adjacent to the planned sidewalk extension along San Ignacio Avenue (regulatory signage).
  - 5) Santa Teresa Park entrance at Brookmere (regulatory signage, fencing similar to 2) above).
- Closure #2 (at Canal bridge south of Pedro Bernal House) prevents fire crews from gaining access to the hills from Heaton Moor Drive. This entrance was used by fire crews during the 2005 fire.
- Closure #3 (South of Bernal-Gulnac-Joice Ranch Site) is within 100 feet of ground zero for the 2001 fire.
- Closure #5 (Santa Teresa Park Brookmere entrance). This entrance was used by fire crews during the 2001 fire. Fire tenders gained access to the park via the service entrance at the end of Manila Drive (between 386 Manila Drive and 342 St Julie Drive).

3-27

3-28

3-29

**Suggested Mitigation Measures:** Engage the City of San Jose Fire Department in the review process to verify that fire department personnel have adequate park access at Heaton Moor Drive, Manila Drive east of the Santa Teresa spring and Brookmere Drive.

3-30

Response to Comment Letter 3 - Roland Lebrun 8/28/09

Response 3-1 At this time the Site Plan does not address future site improvements or uses beyond the project boundary area. However, neighborhood trail access between Brockenhurst Drive and Camino Verde Drive is currently provided by the Norred Trail which is a multi-use trail for bicyclists, hikers, equestrians and dog walkers. The Norred Trail is currently accessed from the Mine Trail or Joice Trail, which are accessible to bicycles, dogs on-leash, and hikers. The Mine Trail can be accessed from the Brockenhurst Drive Entrance which is located at the terminus of Brockenhurst Drive and the Park boundary along San Ignacio Avenue. The Joice Trail can be accessed from the Bernal-Gulnac-Joice Ranch site which is located at the terminus of Camino Verde Drive and the Park boundary on Manila Drive.

In addition, the County Parks Department will consider and implement a future trail to access the Norred trail from the neighborhood. Additional environmental review and site analysis will be required to comply with CEQA prior to development of this new access route.

With respect to the comment regarding the site plan's potential conflicts with multi-agencies' plans, the County Parks Department has consulted and sought input from the City of San Jose, the State Office of Historic Preservation, the SCVWD and other agencies throughout the planning and environmental review process. The Santa Clara Valley Water District is the only agency that submitted comments on the plan and IS/MND.

Response 3-2 See Master Response 1.

Response 3-3 See Master Response 2.

Response 3-4 The Santa Teresa County Park Master Plan which was approved by the Board of Supervisors in April 1992, proposed development of several facilities in the "Norred Ranch" area and "Joice Bernal Ranch" area, including two proposed trail routes to connect the two park areas. One route was initially considered along the Santa Clara Valley Water District's Coyote-Alamitos canal. However, due to many constraints, including property ownership issues, and easement restrictions (also see Master Response 2), the trail routes were not developed.

The County Parks Department, recognizing the community's desire for a connecting trail between the former Norred ranch site and the Bernal-Gulnac-Joice Ranch site, constructed the Norred trail which parallels the canal and provides a viable connection between the two areas.

Response 3-5 See Master Response 1 and Master Response 3.

Response 3-6 See Master Response 4.  
The May 6, 2008 Design Program Document is the draft Final Program Document that was accepted by the County Parks and Recreation Commission on June 4, 2008.

The County Parks Department has not completed any additional revisions to the Program Document since the Commission's acceptance. The Coyote-Alamitos canal and canal maintenance road are owned by SCVWD, where recreational uses are not permitted on the maintenance road (see Master Response 2). Although the neighborhoods expressed a desire for recreational use of the canal maintenance road, this volunteer trail use is not an authorized trail or part of the County's trail system. The Design Program document identified existing unauthorized entry points east of Santa Teresa Spring, at the canal bridge south of the Pedro Bernal house, and south of the Bernal-Gulnac-Joice Ranch Site. The Site Plan recommended that unauthorized access be controlled or restricted by use of gated fencing and regulatory signage.

The Site Plan recommends a potential trail route from the project area which would allow trail users to connect to the existing Norred Trail via a potential crossing of the Coyote-Alamitos Canal. The County Parks Department would need to coordinate with SCVWD to secure permission to encroach on their property.

In addition, during the initial phase of implementation the County Parks Department will consider a future trail alignment to access the Norred trail from the neighborhood even though this is outside the project site. Additional environmental review and site analysis will be required to comply with CEQA prior to development of this new access route.

Response 3-7 See Response 3-1 and Master Response 1 & 3.  
The County Parks Department will consider a future new decomposed granite shared-use pathway to accommodate hikers, dog walkers and bicyclists within the perimeter of the Historic Area.

In addition, during the initial phase of implementation the County Parks Department will consider a future trail alignment to access the Norred trail from the neighborhood even though this is outside the project site. Additional environmental review and site analysis will be required to comply with CEQA prior to development of this new access route.

Response 3-8 See Master Response 2.  
An access point to the Historic Area is proposed at Manila Way to the Albertson Parkway trail which lies at the northern terminus of Manila Way at Curie Drive.

The County Parks Department will consider a future new decomposed granite shared-use pathway to accommodate hikers, dog walkers and bicyclists within the perimeter of the Historic Area.

Response 3-9 See Response 3-6 and Master Response 3.  
With regards to feral pigs, feral pig management is not the responsibility of the County Parks Department; however, there are existing programs with the California Department of Fish and Game because feral pigs are considered wildlife and as such are under the Department of Fish and Game's jurisdiction.

The City of San Jose Animal Care & Services Division developed a brochure to provide residents living in proximity to wildlands and open space with information about feral pigs and suggestions for protecting private property. A copy of the brochure is available through Animal Care & Services Division at [www.sanjoseanimals.com](http://www.sanjoseanimals.com).

Response 3-10 An access point to the Historic Area is proposed at Manila Way to provide access connections to the Albertson Parkway trail which lies at the northern terminus of Manila Way at Curie Drive.

The County Parks Department will consider a future new decomposed granite shared-use pathway to accommodate hikers, dog walkers and bicyclists within the perimeter of the Historic Area.

Response 3-11 See Master Response 4.

The proposed street improvements on Curie Drive at San Ignacio Avenue was requested by the City of San Jose to address long standing operational and safety concerns along Curie Drive. In order to alleviate these concerns, the City of San Jose has required that street improvements match the existing developed roadway sections west of the project site and to be constructed in conjunction with the implementation of the site plan. The County Parks Department will collaborate with the City of San Jose Transportation Department regarding the design details during the design development phase once the project is funded for implementation.

Currently parking is not allowed along the south side of Curie Drive. The County Parks Department is not recommending that parking be allowed after street improvements are completed, and will discuss on-street parking concerns in the future with the City of San Jose. On-street parking issues including regulatory signage are under the City of San Jose's jurisdiction.

The County Parks Department will forward your comments and concerns on to the City of San Jose.

Response 3-12 Comment Noted.

The County Parks Department will forward your comments and concerns on to the City of San Jose.

Response 3- 13 See Response 3-11.

The County Parks Department will forward your comments and concerns to the City of San Jose.

Response 3-14 See Response 3-11.

The County Parks Department received permission from Oak Grove School District to use Bernal Intermediate School parking lot for overflow parking for special events which may occur in the Historic Area once or twice per year. These special events are usually held during daytime hours on a weekend day.

- Response 3-15 The County Parks Department has consulted with the City of San Jose Department of Transportation on the proposed location of the bus drop-off/parking area, where this proposed amenity is appropriate for the site and not a visual hazard. However, the County Parks Department will consult with the City on the exact location of the bus stop during the design development phase once the project is funded for implementation.
- The County Parks Department will forward your comments and concerns to the City of San Jose.
- Response 3- 16 The County Parks Department will consider ingress and egress issues from the site during the design development phase of the project. In addition, the community will be provided additional opportunity to review the design and construction documents during the design development phase.
- Response 3-17 The County Parks Department is addressing the hours of site access when the entry gate to the Bernal-Gulnac-Joice parking area is open.
- The proposed staging area/parking lot in the project area will be open during regular park hours which are between 8:00 am and sunset seven days a week.
- Response 3-18 See Response 3-6.
- Response 3-19 Comment Noted.
- Response 3-20 Comment Noted.
- Response 3- 21 See Response 3-6 and Master Response 3.  
The County's field emergency response plans, developed in coordination with other local emergency response agencies, include designated primary access for emergency response vehicles. Primary access is based in part on the size and weight of emergency response vehicles. In an emergency, alternate access would be permitted. In the event of a fire at Santa Teresa County Park, San Jose Fire Department and CalFire would respond. San Jose fire station number 35 is located on Poughkeepsie Road and serves as the nearest fire station for the Historic Area.
- Response 3-22 See response 3-10 and Master Response 2.
- Response 3-23 See Response 3-11.
- Response 3-24 See Response 3-11 and 3-14.
- Response 3-25 See Response 3-15 and Master Response 4
- Response 3-26 See Response 3-16 and Master Response 4
- Response 3-27 Comment Noted.

- Response 3-28    Comment Noted. See Response 3-12.
- Response 3-29    See Response 3-6, 3-12 and Master Response 3.
- Response 3-30    Suggested mitigation measures were evaluated and to the extent that they relate to the project area and are feasible, will be considered during the project's design development phase.

**Summary of Public Comments Received at  
Public Meeting for Draft Initial Study/Mitigated Negative Declaration for Santa  
Teresa County Park Historic Area Site Plan - August 11, 2009**

Santa Teresa Golf Club  
Bernal Road  
San Jose California

Attendees – Rachel Santos, Planner, Santa Clara County Open Space Authority; Shirin Darbani, representative from San Jose City Council Member Ash Kalra's office, District 2; Parks staff (Jane Mark, Senior Planner; Kim Brosseau, Planner III; Marc Violette, Park Ranger – Coyote Hellyer Unit; Ian Champeny, Real Estate division; Antoinette Romeo, Planner III/Project Manager); Alyce Maclise; Roland Lebrun; Ronald Horii; Rich Parker; Al & Maureen Kluska; Michael Boulland; Kitty Monahan

Speakers from the Public Meeting:

Kitty Monahan (New Almaden resident) **(A)**

- Question about the Mitigation Monitoring Table and whether there are additional details on the potential environmental impacts in the document.
- Did the consultant assist in the preparation of the CEQA documents.
- Has the Santa Clara Valley Water District provided comments yet?
- Manila Way – the City of San Jose may incorporate markings in the sidewalk which lead visitors from Albertson Parkway to the historic area.

4A-1  
4A-2  
4A-3  
4A-4

Michael Boulland (New Almaden resident) **(B)**

- Under Section C. - Resources and Parks
  - Agricultural Resources are not being addressed whereby community gardens are not included in the plan – It should be a significant impact as victory gardens were historically on the site and they are not being addressed as an existing ag operation, i.e. Pyzak, the Pedro Bernal house and other residents on in the area had home gardens.
  - Community Gardens not being addressed or included in plan
  - Lack of inclusion (of community gardens) in plan should be a significant impact and mitigation measure should be to include gardens particularly community gardens in plan.
- Under Section G, page 33 – Transportation
  - Transportation should be a significant impact
  - Pyzak house (Jacoba Bernal Fisher house) fencing issue - can the fencing be moved back now?
  - Street improvements along Curie should be high priority and not wait till entire plan is implemented, should be done in advance. What is the timeline to improve the street?
  - Safe routes to school concern - Street improvements/widening on Curie could provide safer route to Bernal school.

4B-1  
4B-2  
4B-3  
4B-4  
4B-5



- Under Section O – Public Services and Utilities
  - Trash collection – Trash blows from the school and piles up outside the park fence along San Ignacio Avenue 4B-6
- Under Section L – Aesthetics, #2, #4, #6 – should be significant unless mitigated
  - Mothballing Pyzak house is not aesthetically pleasing 4B-7
  - Existing fence for the Pyzak house along Curie Drive obstructs scenic views 4B-8
  - Mothballing should include roof repairs 4B-9
  - The deteriorated Johnson house building at the Buck Norred ranch is not attractive and should be preserved. 4B-10

Roland Lebrun (Santa Teresa resident)

(C)

- At least fix the roof (Pyzak house) to prevent leakage into the house. Mothballing is not sufficient. 4C-1
- Some program elements in the initial Site Plan dated May 6, 2008 did not get incorporated into the final plan. Felt some of the program elements have been implemented but are no longer part of the plan. Will these program elements which have been implemented be undone after the plan is approved? 4C-2
- Restricting/controlling access to the (Coyote Alamitos) Canal trail
  - Gated fencing was installed (behind Pedro Bernal house) which limits access to canal trail. The Water District informed him that there was no problem with allowing trail access and use (along the canal). 4C-3
  - Regulatory signage posted to stop trail access.
  - Access points blocked off particularly at Heaton Moore Drive and the Bernal-Joice-Gulnac ranch, this is a safety/fire hazard as fire trucks don't have access to the hills and bicycle riders coming down the hill are prevented from riding down to the street. 4C-4
- Access to Norred trail incompatible for the elderly and people with disabilities – trail access (Joice and Mine trails) is too steep. 4C-5
- The site plan does not provide access to the historic area for people with dogs and bicycles. 4C-6
- Feral Pigs coming down the hill–
  - Concern that pigs will tear up the area after the site plan is developed. 4C-7
  - Since Parks blocked off access to trail (canal trail), pigs have moved into the neighborhood and are damaging property
- Tax payer dollars are being used to purchase lands in the foothills and the Park Residence program is expanding but trails are being closed. 4C-8

Alice Maclise (Santa Teresa resident)

(D)

- Clarification on whether mitigation measures identified in the IS/MND for nesting birds, e.g. surveys, and replanting native/endangered plants have been successful.
  - The mitigation monitoring plan identifies mitigation measure regarding relocation of special status plants, has this been used in the past and was it successful. 4D-1
  - The mitigation monitoring plan identified mitigation measures regarding nesting birds – are the surveys effective and do the birds return. 4D-2

Mike Boulland (New Almaden resident) & Roland Lebrun (Santa Teresa resident) **E)**

- Under section O - Public Services and Utilities -
  - need additional police protection for Pyzak house
  - need to provide added on-site security for Santa Teresa spring and Pyzak house.

4E

Mike Boulland (New Almaden resident) **F)**

- Under Section F -Bio Resources –
  - The maintenance staff cuts down or removes existing shrubs around the Santa Teresa Spring.
  - Consider security/visibility issues when selecting shrubs/plant materials, particularly plant height.

4F-1

4F-2

Alyce Maclise (Santa Teresa resident) **G)**

- What is the selection process for the plants used for the landscaping?
- Future opportunity for public input in selection of plants and materials for site plan improvements

4G-1

4G-2

Rich Parker (Santa Teresa resident) **H)**

- What is the phasing for the development of the site plan?

4H

Ronald Horii (Santa Teresa resident) **I)**

- Will the County look for outside funding and partners for the site plan implementation?
- Grassland Restoration is a good idea but will non-native grasses be killed off in order to plant native grasses? Where will irrigation water come from – the Spring?

4I-1

4I-2

Response to Comment Letter 4 – Public Meeting for the Draft Initial Study/Mitigated Negative Declaration 8/11/09

- Response 4A-1 The Draft Initial Study/Mitigated Negative Declaration (IS/MND) identified and analyzed all potential impacts to the environment as a result of implementation of improvements in the Santa Teresa County Park Historic Area Site Plan (Site Plan). This evaluation identified potential impacts in the following areas: Geologic, Resources/Parks, Sewage/Water Quality, Water Supply/ Drainage /Flooding, Biological Resources, Transportation/Traffic, Safety/Health, Air Quality, Aesthetic, Historical/Archaeological, Public Services/Utilities and Noise. These impacts will be avoided or mitigated to less than significant levels by avoidance or implementation of mitigation measures. The IS/MND and the Mitigation Monitoring and Reporting Plan Table includes proposed mitigations, mitigation measures, and responsible persons for carrying out these measures.
- Response 4A-2 Bellinger Foster Steinmetz, the project consultant who assisted the County Parks Department with the development of the site plan also assisted in the preparation of the CEQA documents. In addition, the Parks Department utilized technical reports prepared by David J. Powers & Associates, Carey & Co. Inc. Architecture, Holman Associates Archaeological Consultants, H.T. Harvey & Associates, and Hexagon Transportation Consultants, Inc. for the preparation of the IS/MND.
- Response 4A-3 The Santa Clara Valley Water District provided comments on September 11, 2009.
- Response 4A-4 Comment noted. The Site Plan proposes directional and wayfinding signage from the Historic Area to the Albertson Parkway. In addition, Albertson Parkway provides signage regarding the historic area and directs trail users to the Historic Area's access point north of Manila Way.
- Response 4B-1 There are no existing agricultural uses/resources on the site. Whereas previous owners operated the site as a ranch and had home gardens, these uses do not currently exist at the site. The Site Plan proposes an ornamental garden and herb/vegetable garden containing historically relevant plants as part of the visitor center complex. However, the future garden spaces are not intended to be operated as community gardens, which would require additional resources. The visitor center and associated gardens were analyzed at a program level in the IS/MND and will need additional project-level CEQA analysis when the project is implemented.
- Response 4B-2 In regards to comment related to transportation as a significant impact, the Traffic and Parking Study prepared by Hexagon Traffic Consultants, Inc. did not indicate an increased level of service that would require additional traffic calming measures or other modifications to the proposed site plan improvements.
- Response 4B-3 In regards to the comment to relocate the existing fencing along Curie Drive, the County Parks Department will move the fencing when a new shared-use pathway is identified and developed within the perimeter of the Historic Area along Curie Drive prior to completing the long-range street improvements identified in the Site Plan.

- Response 4B-4 Once the project is funded for implementation, the County Parks Department will collaborate with the City of San Jose Transportation Department regarding the design details for the Curie Drive street improvements during the design development phase. The anticipated timeline for completing the street improvements will depend on the availability of capital development funds that the County Parks Department would be able to recommend towards the Site Plan implementation as part of the annual Capital Improvement Program (CIP) budget and approval by the Board of Supervisors.
- Response 4B-5 See Master Response 4.  
The Site Plan recommends planned improvements on Curie Drive that includes widening of the roadway to correspond to existing street widths on the developed side of Curie Drive, accommodate a bus drop-off/parking area for two buses, driveways, and pedestrian sidewalk improvements.
- Prior to the implementation of the long-range planned roadway improvements, the County Parks Department will identify, evaluate and develop a new, shared-use pathway for pedestrians and bicyclists within the perimeter of the Historic Area to provide an additional recreational trail experience and an alternate non-motorized route to the vehicular roadway along Curie Drive. The County Parks Department would need to complete additional site evaluations to identify the specific alignment of the shared-use pathway within the Historic Area.
- Response 4B-6 Comment noted. The County Parks maintenance staff will be informed of trash debris that may enter the Historic Area, resulting from the City's trash collection in the neighborhoods.
- Response 4B-7 Comment noted.
- Response 4B-8 Comment noted. The fence provides privacy and security for the Jacoba Bernal (Pyzak) house. The fence would need to be relocated in order for the County Parks Department to implement the proposed shared-use pathway within the perimeter of the Historic Area along Curie Drive. See also Response 4B-3.
- Response 4B-9 The structural integrity of the Jacoba Bernal (Pyzak) house is compromised such that the supporting walls would not sustain roof repairs at this time. In 2008 a comprehensive assessment of the Jacoba Bernal house and garage was completed in order to evaluate the structural integrity of the structures and completed various improvements with the intent of preparing the structures, which included roof repairs, for continued staff occupation through the Parks Residence Program. This assessment included an evaluation by an architect specializing in historic structures. The assessment and evaluation determined that the house, and to a lesser extent the garage, had sustained major damage throughout. In order to prevent further damage, the County Parks Department proceeded with securing the house to stabilize and protect its current condition. This stabilization process was detailed in the September 30, 2008 memo which was distributed to residences within 300 feet

of the property and other interested parties. The County Parks Department has covered the roof in order to prevent further damage and has made security provisions for the house including boarding the windows, alarming the house, with regular patrols by Parks' Operation staff and San Jose Police Department.

Response 4B-10 The Johnson House building at the Buck Norred Ranch is not part of the proposed project area or site plan improvements. Historic structures within the project area include the "L" shaped barn, the Pedro Bernal house, and the Jacoba Bernal Fisher (Jacoba Bernal) house and garage. The Johnson House building could be evaluated as part of the County Parks Department's system-wide evaluation of unused structures that will identify future rehabilitation, restoration or other action for historic and other structures.

Response 4C-1 See Response 4B-9.

Response 4C-2 The May 6, 2008 Design Program Document is the draft Final Program Document that the County Parks and Recreation Commission accepted on June 4, 2008. No additional revisions have been made to the program elements in the site plan since the Commission's acceptance. The Design Program document identified existing unauthorized entry points located east of Santa Teresa Spring, at the canal bridge south of the Pedro Bernal house, and south of the Bernal-Gulnac-Joice Ranch site and recommended that unauthorized access be controlled or restricted by use of gated fencing and regulatory signage. The commenter refers to the County Parks Department's operational closure of unauthorized entry points and volunteer trails. Implementation of these project goals is necessary to address park boundary and liability issues associated with unauthorized trail use.

Response 4C-3 The May 6, 2008 Design Program Document is the draft Final Program Document that the County Parks and Recreation Commission accepted on June 4, 2008. No additional revisions have been made to the program elements since the Commission's acceptance. The Coyote-Alamitos canal and canal maintenance road are facilities owned by SCVWD, and recreational uses are not permitted on the District's maintenance road (see Master Response 2). The County Parks Department acknowledges the neighborhood's desire to access and use the canal maintenance road, but the maintenance road is not an official trail or part of the trail system at Santa Teresa County Park. The Design Program document identified existing unauthorized entry points located east of Santa Teresa Spring, at the canal bridge south of the Pedro Bernal house, and south of the Bernal-Gulnac-Joice Ranch Site and recommended that unauthorized access be controlled or restricted by use of gated fencing and regulatory signage.

The Site Plan recommends a potential trail route from the Historic Area which would allow trail users to connect to the existing Norred Trail via a potential crossing of the Coyote-Alamitos Canal as circumstances may change in the future allowing use of this feature.

In addition, the County Parks Department will identify, evaluate and implement a new shared-use pathway to access the Norred trail from the neighborhood.

Additional environmental review and site analysis will be required to comply with CEQA prior to development of this new access route.

- Response 4C-4 The County Parks Department's field emergency response plans, developed in coordination with emergency response agencies, include designated primary access routes for emergency response vehicles. Primary access is based in part, on the size and weight of emergency response vehicles. In an emergency, alternate access points and routes would be permitted. In the event of a fire in Santa Teresa County Park, San Jose Fire Department and CalFire would respond. San Jose Fire Station number 35 located on Poughkeepsie Road is the nearest fire station to the Historic Area.
- Response 4C-5 Due to the steep terrains in Santa Teresa County Park, there may be existing developed trails that do not accommodate the full range of trail users, such as the elderly and persons with disabilities. The County Parks Department will re-evaluate the trail user experience and access provided by the Mine trail and Joice trail, which currently provides access to the Norred trail, and how the new shared-use pathway may provide better access to user groups.
- Response 4C-6 See Master Response 2.
- Response 4C-7 See Response 4C-3 and Master Response 3.  
The County Parks Department's Natural Resource Management Program has addressed problems and damage resulting from feral pigs at Santa Teresa County Park and other County parks. Feral pigs are considered wildlife and as such are under California Department of Fish and Game's jurisdiction. If pigs become a public safety issue once the historic area is opened to the public, Park Rangers will work with the California Department of Fish and Game for guidance to address the pigs.
- The City of San Jose Animal Care & Services Division developed a brochure for residents living in proximity to wildlands and open space with information about feral pigs and suggestions for protecting private property. A copy of the brochure is available through Animal Care & Services Division at [www.sanjoseanimals.com](http://www.sanjoseanimals.com) under wildlife.
- Response 4C-8 Comment noted.
- Response 4D-1 Based on the County Parks Department's past experience, relocation of native plant species has been successful on other projects. Another successful technique for native plant restoration is the use of native plants grown in a nursery, often from seeds collected from the project site. The County Parks Department practices avoidance first, such that public access and trails would be relocated to avoid an endangered plant. If avoidance proves infeasible, the appropriate regulatory agency would be consulted to determine if the plant could be relocated and identify specific measures/techniques that would be implemented to ensure their survival.

- Response 4D-2 Bird surveys are typically done prior to construction to determine if nesting birds are in close proximity to the construction site and would be disturbed by construction activities. If active nests are located, construction activities would be suspended until the end of the nesting period. It has been known that birds return to the site after construction has been completed.
- Response 4E The County Parks Department has made security provisions for the Jacoba Bernal (Pyzak) house that includes boarding windows, alarming the house and regular patrols by Parks' Operations staff and San Jose Police Department.
- Response 4F-1 County Parks Maintenance staff trims or removes vegetation around Santa Teresa Spring for fire prevention and security purposes.
- Response 4F-2 For visibility and security purposes, shrubs and plant materials, particularly those located along the perimeter of the site are proposed to be low-growing, drought tolerant/low maintenance, and where applicable, historically relevant species. The proposed planting plan, planting list and other design details will be developed when the project is funded. At that time, the County Parks Department will prepare design and construction documents during the project implementation phase and seek additional community review and input on the landscaping plan.
- Response 4G-1 Plant selection usually occurs when the County Parks Department prepares the design and construction documents during the project implementation phase. The proposed planting plan, planting list and other design details will be developed when the project is funded. At that time, the County Parks Department will prepare design and construction documents during the project implementation phase and seek additional community review and input on the landscaping plan.
- Response 4G-2 The community will have an opportunity to review and comment on the proposed planting plan, planting list and other design details when the County Parks Department prepares the design and construction documents during the project implementation phase. See Response 4G-1.
- Response 4H-1 Once the County Board of Supervisors approves the project, the Site Plan project can be considered for funding as part of the County Parks Department's annual Capital Improvement Program (CIP) budgeting process. If future funding is approved for the project, the County Parks Department will initiate the implementation of the Santa Teresa County Park Historic Area Site Plan project as part of the CIP work plan for the fiscal year.
- Response 4I-1 The County Parks Department would seek potential partnerships and grant funding opportunities to implement the site plan.
- Response 4I-2 There are several techniques to remove or control non-native grasses. The most appropriate method will be determined when the County Parks Department prepares the design and construction documents during the project implementation phase. The Parks Department anticipates using water from Santa Teresa Spring for landscaping irrigation. There is an existing water pipe from the Spring which was

used for irrigation by the property owner when the property was in private ownership.



Comment Letter 5  
Lynne Paulson 9/2/09

Comments on Santa Teresa County Park Historic Area, Draft Initial Study/Mitigated Negative Declaration dated July 2009

My name is Lynne Paulson and I am a board member of Santa Teresa Foothills Neighborhood Association. We appreciate the dialogue that has taken place with the Parks Department regarding Santa Teresa Foothills Neighborhood Association concerns via meetings and emails. We also acknowledge and appreciate that the documents reference a potential future trail connection through the project area to the Norred Trail. However, we have unresolved concerns. These include:

Section II. Project Description

The project falls short in these features:

- The project area was acquired in part with \$900,000 Open Space Authority funds allocated for the City of San Jose. These funds were acquired from taxpayers who eagerly awaited the ability to use the additional park land obtained with their support. We are now discouraged to be told that, "While Santa Teresa County Park is adjacent to a neighborhood, it is not a neighborhood park, and as a historic area, cannot fulfill the functions of a traditional neighborhood park." We now understand that the rules governing historic areas limit use by certain groups. We encourage the Commission to revisit these rules. We believe that the rules can be modified to allow a greater number of users without detracting from the experience of a historic area. Our vision is that the project area be inclusive rather than exclusive. We would like to see the historic area be a vibrant, dynamic area with both local and more distant visitors. 5-1
- Comments on interpretive signs for the project area have been rejected. The request was to include interpretive information/experiences for natural features such as wildlife, plants, trees and geological points of interest. This information could be integrated with the overall historic and cultural themes for the project area. The people who used the park historically relied on the natural resources located there and this is an important part of the story. 5-2
- Another underlying concern is a perception that public comments are recorded but that they are not frequently accepted. There should be a measurement of what % of public comments has any impact on the project plan. 5-3

Section III Initial Study –Environmental Evaluation Checklist for Santa Clara County

Subsection A. Land Use/General Plans

Item # 3.f Conflict with special policies-- San Jose

As referenced previously, the project area was acquired in part with Open Space Authority funds allocated for the City of San Jose. The City of San Jose has a Green Vision including the development of more pedestrian and bicycle trails and 5-4

the proposed project plan should be more consistent with that vision. This could be done by designing full use pedestrian and bicycle trails within the project area and immediately adjacent to it.

5-4

Subsection C. Resources/Parks

Item # 6 Affect on existing recreational opportunities

The proposed project will have a significant impact on existing recreational opportunities. The park as a whole including this site is currently used by hikers, bicyclists, dog walkers, etc. The currently proposed mitigation does not incorporate public comment to the optimal extent. Issues with park access points, trail connections and opportunities for alternate pathways for bicyclists and dog walkers should be addressed.

5-5

Subsection F. Biological Resources

Item #1 Affect on wildlife habitat

The documents state that the Santa Clara County Parks Department has the right to reduce the normal 50 ft buffer around nests of migratory birds. We believe this is an inadvertent error since no qualifying comments are included with the statement. The project plan should require consultation with the California Department of Fish & Game if reduction in the size of the buffer is considered.

5-6

Subsection G. Transportation

Item # 3 Increase in traffic hazards to pedestrians, bicyclists and vehicles

Manila & Curie Drive and Heaton Moore are popular avenues for pedestrian and bicycle use. We do not see enough regard for the safety of pedestrians and bicyclists in the plans for nearby streets where increased traffic including bus usage is expected. We request that safe pathways be established for pedestrians and bicyclists including protection measures at intersections and streets adjacent to the project area.

5-7

Item # 5. Inadequate project parking

The parking lot at the Bernal Gulac Joice Ranch site at the end of Camino Verde drive has restrictive availability. This parking lot as well as the new parking lot should have adequate hours that are responsive to community and visitor needs.

5-8

In conclusion, in June 2008 we requested an on-site meeting as we thought this could facilitate a better understanding of our comments and lead to potential resolution. However, this request was denied and all of our on-site meetings have been held only amongst ourselves. We appreciate that this project is being prepared for public education and enjoyment of the natural, scenic, cultural and historic resources of the site. However, we ask that you as Commissioners help facilitate resolution of public comments on this proposed project.

Lynne Paulson email [LCPaulson@comcast.net](mailto:LCPaulson@comcast.net)  
Santa Teresa Foothills Neighborhood Association

Response 5-1 See Master Response 4.

Commenter sought the County Parks Department's review and modification of existing Park Ordinances that allow the County to protect sensitive habitats and cultural resources within historic areas/sites. The County Parks Department enforces Ordinance Sec. B14-42.2; Sec. B14-42.1; and Sec. B14-34.1, whereby pets and bicycles are typically not permitted in historic areas/sites due to the cultural and historic resources.

To address the commenter and the community's request for additional recreational trail uses within the historic area, the County Parks Department recommends a new pathway within the park's northern boundary along Curie Drive to accommodate pedestrians, bicyclists and dog walkers. This new, shared-use pathway for pedestrians, dogs on-leash and bicyclists is intended to provide an additional recreational trail experience and an alternate non-motorized route to the vehicular roadway along Curie Drive. The Parks Department would need to complete additional site evaluations to identify the specific alignment and connections of the shared-use pathways within the Historic Area.

The County Parks Department acknowledges use of \$900,000 of Santa Clara County Open Space Authority funds for the acquisition of properties which make up the project area. Funds were used for the 2002 purchase of the Pyzak property, one of several properties purchased to complete the Santa Teresa County Park Historic Area that has been incorporated into Santa Teresa County Park.

In regards to a comment related to the term "neighborhood park," the terminology was intended to clarify how a traditional city park often provides more intensive and organized recreational uses such as soccer fields, tot lots, and other amenities. For historic areas/sites found in existing County Parks, the County Parks Department would protect and preserve historic, cultural and archaeological resources for public experience, education and enjoyment, such that public access to these facilities for interpretive programs and low-impact recreational uses are provided to avoid impacts to these resources.

The Santa Teresa Historic Area is intended to integrate with Santa Teresa County Park which includes the following features identified in the Project Description of the IS/MND:

- Water-theme feature which would tie the Historic Area to the rest of the park which has water features such as Santa Teresa Spring, other springs and seeps, intermittent streams, perennial creeks and seasonal ponds;
- Pedestrian trail which integrates uses between the Bernal-Gulnac-Joice Ranch Site and the Historic Area;
- Oak woodland and native grassland restoration areas which would integrate with the park's mixed oak woodlands on the north-facing slopes;
- Riparian tree plantings along the vegetated bio-swale in the Historic Area, which would integrate with the existing California bay-oak riparian forest which is

another distinct plant community within the park, typically found along the streams within the park;

- Period-specific, flowering and drought-tolerant perennials and shrubs that would relate to the park's cultural and historic landscape;
- Ornamental fruit trees within the Historic Area would relate to the future orchards that will be designed and developed between the two sites along Manila Drive;
- Interpretive displays and panels, wayfinding and directional signage that will integrate into other areas of the park and park trailheads;
- "Potential trail route if connection to the Norred Trail becomes possible in the future," This potential trail would connect to an existing trail within the park and provide a third access point to park trails.

Response 5-2 The comment related to additional interpretive signs for the project area which relates to natural features is not an environmental concern. However, it is anticipated that interpretive information and experiences related to natural features and to the use of native plants and animals by peoples who historically inhabited the area, such as the Ohlone, will be included in the interpretive plan which will be developed for the Historic Area. For example, the site plan proposes historically relevant plantings such as an herb vegetable garden in the Californio zone, and water theme elements throughout the site which reflect the importance and use of the spring (water). In addition, the Oak woodland and native grass restoration areas serve an interpretive function and potential material resources for hands-on demonstrations regarding the use of native grasses and acorns by the Ohlone.

Response 5-3 The County Parks Department considered all comments received in the site planning and environmental review process and, where feasible, incorporated the community's suggestions into the site plan. As a result of public input, the bus drop-off/ parking area was relocated from the west side of the Jacoba Bernal (Pyzak) house driveway to the east side of the driveway in order for school groups using the buses to be closer to the entrance of the parking lot/staging area, and a new access point to the Historic Area at Manila Way was incorporated into the site plan. This entry point located at the southern terminus of Manila Way provides a visual connection to the recently constructed Albertson Parkway trail which terminates at the intersection of Manila Way and Curie Drive.

In addition, at the request of the residents from the surrounding neighborhood, the County Parks Department will install fencing to restrict access at the existing entry point on Manila Drive below Santa Teresa Spring to prevent undesirable activities in the evenings.

Response 5-4 See Master Response 1.

Response 5-5 See Master Response 2.

Response 5-6 The County Parks Department's Natural Resource Management staff typically consults with California Department of Fish and Game (CDF&G) and other agencies on protocols to protect sensitive and endangered species. CDF&G

generally accepts a 50' radius buffer around active passerine and non-passerine bird nests, and allows Parks Resource Management staff discretion to reduce or expand the buffer area depending on the specific circumstances. These discretionary adjustments are typically only granted after consultation with CDF&G.

Response 5-7 See Response 5-1 and Master Response 4.

In regards to comments related to traffic hazards to pedestrians, bicyclists and vehicles on Manila Drive, Curie Drive and Heaton Moore, the Traffic and Parking Study prepared by Hexagon Traffic Consultants, Inc. did not indicate an increased level of service that would require additional traffic calming measures or other modifications to the proposed site plan improvements.

The proposed street improvements on Curie Drive and San Ignacio Avenue was requested by the City of San Jose to address long standing operational and neighborhood safety concerns along Curie Drive. In order to alleviate these concerns, the City of San Jose required that street improvements match the existing developed roadway sections west of the project site and to be constructed in conjunction with the implementation of the site plan. The County Parks Department will collaborate with the City of San Jose Transportation Department regarding the design details during the design development phase once the project is funded for implementation.

Response 5-8 In regards to comments related to inadequate on-site parking, the Traffic and Parking Study prepared by Hexagon Traffic Consultants, Inc. evaluated the proposed parking area for the historic site and did not indicate that additional parking would be needed to accommodate the anticipated park visitors to the developed site.

Currently, the City of San Jose does not allow on-street parking along the south side of Curie Drive. The site plan does not recommend on-street parking after street improvements are completed. On-street parking issues including regulatory signage are under the City of San Jose's jurisdiction. The County Parks Department will forward these comments and concerns to the City of San Jose.

The regular park hours of operation for the existing Bernal-Gulnac-Joice Ranch site and the future developed historic site are 8:00 am until sunset seven days a week.

In regards to the current access to the parking lot at the Bernal-Gulnac-Joice Ranch site, the County Parks Department will review the resources and staff availability for hours of site access when the entry gate to the parking area is open. The commenter refers to the County Parks Department's operational closure of unauthorized entry points and volunteer trails. Implementation of these project goals is necessary to address park boundary and liability issues associated with unauthorized trail use.

Response 5-9 The County Parks Department met with the commenter and president of the Santa Teresa Foothills Neighborhood Association on February 6, 2009 at the County Parks Administration building to better understand concerns and comments from the

association. As a result of that meeting, issues regarding access to the park and park trails, security of the site as it currently exists, interpretation of the park's natural resources, limited trail access/uses in Historic Area, County Parks Department coordination efforts with the City of San Jose regarding Albertson Parkway, the community's desire to extend the proposed City of San Jose's Coyote-Alamitos Cana Trail project through Santa Teresa County Park, environmental constraints in and adjacent to the Historic Area, and additional future opportunities for public input and comment were addressed and clarified. In addition, the association representatives were provided a copy of the Draft Final Site Plan in advance of the public distribution. The Draft Final Site Plan provided details on the design elements including a potential trail route from the site to the existing Norred trail.

# Comment Letter 6

## Summary of Public Comments Received at Parks and Recreation Commission Meeting – September 2, 2009

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### Public comments:

Lynn Paulson, Board Member of Santa Teresa Foothills Neighborhood Assoc., (A)

- Commenter reiterated her concerns from her written submission to the Clerk and staff. See Comments letter 5.

6A-1

Roland Lebrun (B)

- Commenter highlighted three of the twelve areas of concern previously identified in written comments submitted on August 28, 2009. See Comment letter 3.
- Commenter felt that information provided in the initial study did not address issues he raised in his comment letter and as a result an EIR should be prepared per CEQA guideline 15064.3.

6B-1

6B-2

Kitty Monahan (C)

- Commenter requested inclusion of a horse "element" in the site plan to allow horses on the site as part of an annual event such as Fandago.
- Commenter requested to provide equestrian trailer access and parking in the proposed parking lot/staging area.
- Comment regarding equestrian use of proposed trail link to Norred trail from the project site.

6C-1

6C-2

6C-3

Mike Boulland (D)

- Commenter requested to ensure the Jacob Bernal House, a historic structure, is maintained to prevent further deterioration.
- Commenter requested that the Coyote-Alamitos canal be acquired by the Parks department, and CEQA plan should have a long range effect.

6D-1

6D-2

Ed Jackson (E)

- Comment regarding graffiti on canal and vandalism at Santa Teresa Spring.
- Commenter requested dog and bike access within the park along Manila Drive and Manila Way.

6E-1

6E-2

Responses to Public Comments at the Santa Clara County Parks and Recreation Commission Meeting, September 2, 2009. Official meeting minutes for the September 2, 2009 County Parks and Recreation Commission meeting are contained in the Commission Agenda for the November 4, 2009 meeting available through the County Office of the Clerk of the Board.

- Response 6A-1 Commenter reiterated her concerns from her written submission to the Clerk and staff. See Comment letter 5 and Response to Comment Letter 5.
- Response 6B-1 Commenter highlighted three of the twelve areas of concern previously identified in written comments submitted on August 28, 2009. See Comment letter 3 and Response to Comment Letter 3.
- Response 6B-2 California Environmental Quality Act (CEQA) guidelines (Section 15602g, 15604b, d) define a significant effect on the environment as a substantial adverse change in the physical conditions which exist in the area affected by the project. CEQA also states that that determination is made by the lead agency based upon substantial evidence in the record (Section 15604f). The Initial Study prepared for the project evaluated the potential effects of the proposed project and based on substantial evidence in the record, the County Parks Department, the lead agency under CEQA, determined that the project as mitigated would not have a substantial adverse impact on the environment. These findings were based, in part, on the Existing Setting and Constraints Report which includes the Biotic Constraints Report, Archaeological Literature Review, Historic Resources Constraints Analysis, and Transportation Constraints Analysis.
- The County Parks Department considered the comments submitted by the commenter and determined that there is no supporting evidence that the project would have a significant effect on the environment (Section 15604 f; 21082.2).
- Response 6C-1 As part of the Department's special events and interpretive programs, horses may be permitted to participate.
- Response 6C-2 Comment noted.
- Response 6C-3 See Master Response 2
- Response 6D-1 In 2008 a comprehensive assessment of the Jacoba Bernal house and garage was completed in order to evaluate the structural integrity of the structures and completed various improvements with the intent of preparing the structures for continued staff occupation through the Parks Residence Program. This assessment included an evaluation by an architect specializing in historic structures. The assessment and evaluation determined that the house, and to a lesser extent the garage, had sustained major damage throughout. In order to prevent further damage, the County Parks Department proceeded with "mothballing" the house to stabilize and protect its current condition. This stabilization process was detailed in the September 30, 2008 assessment. The County Parks Department has covered the roof in order to prevent further damage and has made security provisions for the



house including boarding the windows, alarming the house, with regular patrols by Parks' Operation staff and the San Jose Police Department.

In addition, the County Parks Department will evaluate future recommendations for this historic house as part of the system-wide unused structures inventory project which will include historic structures within County parks.

Response 6D-2 Comment noted. Also see Master Response 3.

Response 6E-1 Comment noted.

Response 6E-2 See Master Response 4.  
In addition, the County Parks Department will consider a future new decomposed granite shared-use pathway to accommodate hikers, dog walkers and bicyclists within the perimeter of the Historic Area. An access point to the Historic Area is proposed at Manila Way to the Albertson Parkway trail which lies at the northern terminus of Manila Way at Curie Drive.

# Comment Letter 7

Roland Lebrun  
Manila Drive  
San Jose  
CA 95119  
11 November 2009

**Comments re:  
Santa Teresa County Park Historic Area Traffic and Parking Study dated 10/2/2008**

- Page 3: Santa Teresa Boulevard: the correct spelling for “Baily Avenue” is “Bailey Avenue”. 7-1
  
- Page 5: Albertson Parkway is not a “pedestrian and bike path”. It is a trail in the City of San Jose’s multiuse trail system:  
<http://www.sjparcs.org/Trails/Albertson/AlbertsonParkway.asp> 7-2
  
- Page 6: Manila Drive: following the opening of Albertson Parkway, the City of San Jose plans the following improvements to the north side of Manila Drive:
  - o Handicap ramps on both sides of Manila Way & Camino Verde.
  - o Camino Verde will be stop-controlled at Manila Drive.
  - o Parking will not be allowed within approximately 30 feet of the Camino Verde/Manila Drive intersection on both sides of Camino Verde and on the north side of Manila Drive.7-3
  
- Page 6: Transit Services and Bicycle Facilities: Albertson Parkway is not a “pedestrian and bike path”. It is a trail in the City of San Jose’s multiuse trail system: <http://www.sjparcs.org/Trails/Albertson/AlbertsonParkway.asp> 7-4
  
- Page 7: Hiking trails “25 to 50 hikers using the trails”. This statement is over simplistic because it refers to the least popular of all trail experiences available in and around the Bernal-Gulnac-Joice Ranch site. Please refer to the picture below, which depicts an Albertson Parkway trail user approaching the park entrance at Manila Way  
<http://www.sjparcs.org/Trails/Albertson/AlbertsonParkwayPhotos.asp> 7-5



This picture depicts 4 different trail experiences as follows:

- 1) The valley floor. Examples are Albertson Parkway and the Santa Teresa Spring trail. These trails are used daily by 100-200 local residents and the traffic is increasing daily following the opening of Albertson Parkway. 100% of users arrive by walking or bicycling from the nearby neighborhood.
- 2) The Coyote Alamitos Canal Trail (<http://www.sjparcs.org/Trails/CoyAlamitos/CoyoteAlamitos.asp>) is barely visible above the trees in the middle of the picture. Over 100 residents, half of which are dog owners, currently use this trail. 100% of users arrive by walking or bicycling. 75% of users are from the immediate neighborhood and the remainder walk, jog or cycle as far as 2 miles to the park entrance at the top of the ranch parking lot.
- 3) The Norred trail, which is visible ½ way up the hill. Approximately 50-100 trail users, 2/3rd of which are local residents, frequent this trail.
- 4) The trail system within the section of Santa Teresa County Park bounded by Bernal Road, Heaton Moor Drive and Manila Drive. Examples are the Joyce & Mine trails and the Vista Loop. 25-50 people, half of which are local residents, frequent these trails.

- Page 7: "According to ranch site staff, most visitors utilize street parking on Manila Drive". This is incorrect: I personally polled a dozen or so visitors who drove to the ranch and asked them if their preference was to park on Manila Drive or in the ranch parking lot. The response was unanimous: everyone I asked would prefer to park in the ranch parking lot but are unable to do so because the gate is closed. 7-7
  
- Page 10: "The number of pedestrian and bicycle trips in the vicinity of the project would increase slightly". This is incorrect: the number of pedestrian and bicycle trips in the vicinity of the project is expected to increase significantly. 7-8
  
- Page 10: The addition of curb, gutter and sidewalk improvements on the unimproved side of Curie Drive does not improve the safety of children riding bicycles to school and does not address the recreational needs of the community. 7-9
  
- Page 11: "No additional demand for the park's trails is anticipated as a result of the project". This is incorrect: there is a severe lack of access to a community park in the immediate vicinity of the project and it is expected that the new decomposed granite trails within the project site will become de facto extensions of the local trail system. It is expected that the local trail traffic will increase by approximately 200 users a day over a period of time. 7-10
  
- Page 11: The project peak parking demand of 30 parking spaces can be easily accommodated by the parking lot (45 spaces), thereby eliminating the need for an additional 20 parking spaces on Curie Drive. The widening of Curie drive should be reserved for a park strip, which would preserve the rural aspect of the street and isolate pedestrians and bicyclists from oncoming traffic. 7-11

Response to Comment Letter 7 – Roland Lebrun 11/11/09

- Response 7-1      Comment noted.
- Response 7-2      Comment noted. The County Parks Department acknowledges that the City of San Jose considers all citywide trails as multi-use trails.
- Response 7-3      Comment noted. See Response 3-11.  
The Santa Teresa County Park Historic Area Parking and Traffic Study was completed prior to the completion of the Albertson Parkway and describes the existing roadway conditions at the time. The commenter refers to the City of San Jose’s planned street improvements along the north-side of Manila Drive, which are under the City’s jurisdiction. The County Parks Department will continue to coordinate with the City of San Jose regarding proposed street improvements for streets that border the park. The project does not propose street improvements on the south side Manila Drive.
- Response 7-4      See Response 7-2.
- Response 7-5      Comment noted. Santa Teresa County Park served an estimated average of 38,638 park visitors per year during the 2006, 2007, and 2008 (County Parks Weekly Activity Report Summary). This estimate includes frequent park activities including hiking/running, equestrian, bikes, picnicking, special events, and attendance at the interpretive site. Approximately 37% of the average annual visitors to the park using the park’s trails were hikers/runners (County Parks Weekly Activity Report Summary). The number of hikers using the trails is an estimate of trail use originating from the Bernal-Gulnac-Joice Ranch site based on the best available data.
- Response 7-6      Comment noted regarding nearby trails and neighborhood use of these trails. See Response 7-5 and Master Response 4.  
In regards to comment related to the use of the Coyote-Alamitos Canal maintenance road as a trail, the canal and canal maintenance road is owned by SCVWD, and it is not officially designated as part of the trails system for Santa Teresa County Park.
- Response 7-7      Comment noted. In regards to the current access to the parking lot and to address the vehicular entry gate at the Bernal-Gulnac-Joice Ranch site, the County Parks Department will review resources and staff availability associated with providing vehicular access to the parking area with Park Rangers opening the vehicular entry gate.
- Response 7-8      Comment noted. See Master Response 2.  
The proposed plan provides new trails within the Historic Area. It also provides access points and bicycle racks including a proposed new entry point at Manila Way which is intended to provide continuous pedestrian connections with Albertson Parkway. The County Parks Department has recommended two, new shared use decomposed granite pathways within the perimeter of the Historic area and a new

neighborhood-serving recreational trail loop. Future implementation of the site plan would also provide improved roadway access for bicyclists and sidewalks for pedestrians and dog walkers to access the park. Once the roadway and pathway improvements are implemented, pedestrians, dog walkers, and bicyclists would also be able to access the shared-use pathways. A decrease in vehicular use as a result of an increase in the number of pedestrian and bicycle trips to the site would be a beneficial impact.

Response 7-9 Comment noted. See Master Responses 2 and 4, and Responses 3-11, 4B-2, and 5-1, 5-7.

In regards to the comment related to street improvements along Curie Drive, the proposed street improvements on Curie Drive at San Ignacio Avenue was requested by the City of San Jose to address long standing operational and safety concerns along Curie Drive. In order to alleviate these concerns, the City of San Jose has required that the project's proposed street improvements match the existing developed roadway sections west of the project site and to be constructed in conjunction with the implementation of the site plan. These improvements would be a benefit to the entire community.

In addition, the County Parks Department has recommended two new shared use decomposed granite pathways within the perimeter of the Historic area to accommodate pedestrians, bicyclists and dog walkers. This new, shared-use pathway for pedestrians, dogs on-leash and bicyclists is intended to provide an additional recreational trail experience and an alternate non-motorized route to the vehicular roadway along Curie Drive.

Response 7-10 Comment noted. See Responses 5-1 and 7-5.

Response 7-11 Comment noted. See Responses 3-11, 5-8 and 7-3.

Currently, the City of San Jose does not allow on-street parking along the south side of Curie Drive. The site plan does not recommend on-street parking after street improvements are completed. On-street parking issues including regulatory signage are within the City of San Jose's jurisdiction. The County Parks Department will continue to coordinate with the City of San Jose regarding proposed street improvements for streets that border the park.

# Comment Letter 8

11-12-09

To: Antoinette Romeo, Park Planner

From: Lynne Paulson  
Santa Teresa Foothills Neighborhood Association  
Email [LCPaulson@comcast.net](mailto:LCPaulson@comcast.net)  
Phone 408 226 3521

Subject: Comments on Santa Teresa County Park Historic Area Traffic and Parking Study, Memorandum by Hexagon Transportation Consultants, Inc. (October 2, 2008)

The subject document does not take into account community needs and comments on the following areas:

1. The document is inadequate in reference to resolution of community concerns regarding safety for pedestrians, bicyclists and vehicles. The planned project increases traffic including an increase in bus traffic. The flavor of the area is rural at present. To resolve the concerns, the project plan will need to establish safe pathways for pedestrians and bicyclists including protection measures at intersections and streets adjacent to the project area. The community has also requested a trail plan that includes a looped trail for all pedestrians and bicyclists with connections to upper trails in the park.
2. The traffic plan indicates that there would be only slight increase in the number of pedestrian and bicycle trips in the vicinity of the project and only a slight increase in the use of the trails. The basis for this assumption is not provided. It would be desirable to conservatively assume an additional increase in visits from both neighborhood residents and more distant visitors. This would allow the project trail design to support safe passage into and through the project area to meet the needs of the community.

8-1

8-2

3. The parking lot at the Bernal-Gulac-Joice Ranch has very restrictive hours as depicted in the below photo. The parking may be inadequate unless both the Bernal-Gulac-Joice Ranch parking lot and the new parking lot have more available hours that meet the community and visitor needs.

8-3



In addition, the report does not state the basis for number of hikers using the trails. Is this based on observation, if so under what circumstances?

8-4



Response 8-1 Comment noted. See Master Responses 2 and 4, Response 3-7, 3-10, 3-11,3-15, 4B-2, 4B-5, 5-1, 5-3, 5-7, 5-9, 6E-2.

The purpose of the Santa Teresa County Park Historic Area Parking and Traffic Study was to provide an assessment of the characteristics of the surrounding roadway network and to provide analysis with regards to trip generation, site access, and parking. In regards to comments related to potential traffic hazards to pedestrians, bicyclists and vehicles on Manila Drive, Curie Drive and Heaton Moore, the Traffic and Parking Study prepared by Hexagon Traffic Consultants, Inc. did not indicate an increased level of service that would require modifications to the proposed site plan improvements.

The proposed street improvements on Curie Drive at San Ignacio Avenue was requested by the City of San Jose to address long standing operational and safety concerns along Curie Drive. In order to alleviate these concerns, the City of San Jose has required that the project's proposed street improvements match the existing developed roadway sections west of the project site and to be constructed in conjunction with the implementation of the site plan. The County Parks Department will collaborate with the City of San Jose Transportation Department regarding the design details during the design development phase once the project is funded for implementation.

Issues regarding street improvements, on-street parking, street safety and protection measures such as crosswalks and regulatory signage on streets adjacent to the park are under the City of San Jose's jurisdiction. The County Parks Department will collaborate with the City of San Jose Transportation Department regarding the design details during the design development phase once the project is funded for implementation.

On October 28, 2009, the County Parks Department met with representatives of the Santa Teresa Foothills Neighborhood Association, neighbors and park advocates to discuss the site plan recommendations and proposed additional decomposed pathways which include a new neighborhood-serving recreational loop. The community supported the Parks Department's recommendations which resolved the communities' concerns about safety and their recreational trail needs.

The community will be provided additional opportunity to review design details when the County Parks Department prepares the design and construction documents during the project implementation phase.

Response 8-2 Comment noted. See Responses 3-11, 4B-2, 4B-5, 5-1, 5-7.

The proposed plan provides new trails within the Historic Area. It also provides access points and bicycle racks at entry points. The County Parks Department has recommended two, new shared use decomposed granite pathways within the perimeter of the Historic area and a new neighborhood-serving recreational trail loop. Future implementation of the site plan would also provide improved roadway

access for bicyclists and sidewalks for pedestrians and dog walkers to access the park. Once the roadway and pathway improvements are implemented, pedestrians, dog walkers, and bicyclists would also be able to access the shared-use pathways. A decrease in vehicular use as a result of an increase in the number of pedestrian and bicycle trips to the site would be a beneficial impact.

In regards to the comment related to the basis of the assessment that there would be only slight increases to the use of trails and pedestrian and bicycle trips, the assessments are based on professional transportation and traffic analyses.

Response 8-3      Comment noted. The County Parks Department will review the resources and staff availability for addressing additional hours of vehicular access to open and close the entry gate to the existing parking area at the Bernal-Gulnac-Joice Ranch site.

The proposed staging area/parking lot in the project area will be open during regular park hours which are between 8:00 am and sunset seven days a week.

Response 8-4      In regards to the estimated number of trail users referred on page seven of the report, the number of hikers is an estimate of trail use originating from the Bernal-Gulnac-Joice Ranch site based on the best available data. Santa Teresa County Park served an estimated average of 38,638 park visitors per year during the 2006, 2007, and 2008 (County Parks Weekly Activity Report Summary). This number includes frequent park activities including hiking/running, equestrian, bikes, picnicking, special events, and attendance at the interpretive site. Approximately 37% of the average annual visitors to the park using all park trails were hikers/runners (County Parks Weekly Activity Report Summary).

## Appendix D

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### Summary of edits and revisions to the Initial Study/Mitigated Negative Declaration

Where responses indicate additions or deletion to the text of the Initial Study/Mitigated Negative Declaration, additions are indicated in underline and deletions are indicated in ~~striketrough~~.

#### **Mitigated Negative Declaration, II. Project Description, D. Project Objectives, Public Involvement. (Page 10).**

Since ~~October~~ April of 2007, the County Parks Department facilitated a public involvement process for the development of this site plan, which included regular meetings with a Project Team comprised of staff representatives from County Parks, including Administration, Planning, Customer and Business Services, Operations, Maintenance, Construction Services, Interpretive Program; County Planning; and a representative from the National Park Service Juan Bautista de Anza National Historic Trail Program.

#### **Mitigated Negative Declaration, II. Project Description, Planned Site Improvements (page 11-12).**

Prior to the implementation of long-range planned roadway improvements, the County Parks Department will identify, evaluate and develop a new shared-use pathway within the perimeter of the Historic Area to provide an additional recreational experience along Curie Drive.

#### **Mitigated Negative Declaration, II. Project Description, Long Range Planned Improvements (page 12-13).**

##### **Future New Shared Use Perimeter Pathway**

The County Parks Department will consider a future new decomposed granite shared-use pathway to accommodate hikers, dog walkers and bicyclists within the perimeter of the Historic Area.

#### **Initial Study/Mitigated Negative Declaration, G. Transportation, Regulatory Framework. (page 72)**

The Cottle Road and Curie Drive intersection is ~~signalized~~ a four way stop.

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