



Midpeninsula Regional
Open Space District

R-24-32
Meeting 24-07
March 13, 2024

AGENDA ITEM 4

AGENDA ITEM

Mitigation Cooperative Agreement at Miramontes Ridge Open Space Preserve with the California Department of Transportation (Caltrans)

GENERAL MANAGER'S RECOMMENDATIONS

Approve the proposed third-party compensatory mitigation project at Miramontes Ridge Open Space Preserve to restore 1.66 acres (953 linear feet) of riparian habitat along Madonna Creek and authorize the General Manager to negotiate a mitigation agreement with Caltrans who will supply the necessary funding to complete this work (estimated at \$300,000 to \$400,000 over 10 years).

SUMMARY

The California Department of Transportation (Caltrans) has proposed funding a mitigation project at Miramontes Ridge Open Space Preserve (Preserve) for invasive plant removal and restoration along Madonna Creek to mitigate impacts from their work within the Coastside on State Routes 1 and 84. Caltrans would provide up-front funds for all aspects of the proposed mitigation project, including design, peer review, implementation, monitoring, and reimbursement funds for Midpeninsula Regional Open Space District (District) staff time, resulting in a zero fiscal impact to the District. The General Manager recommends approving the proposed third-party compensatory mitigation project and authorizing the General Manager to negotiate the terms of a mitigation cooperative agreement with Caltrans for this work. If approved, the General Manager would return to the Board of Directors for approval of the mitigation agreement and final funding contribution amount. This work would begin as early as Fiscal Year 2024 based on capacity.

BACKGROUND

External agencies regularly approach the District seeking to provide funding and/or requesting the ability to implement mitigation work on District lands to compensate for impacts caused by their offsite projects. In 2022, the Board of Directors (Board) adopted a Mitigation Chapter as part of the comprehensive [Resource Management Policies](#) that directs staff to evaluate and recommend third-party compensatory mitigation when it fulfills District goals and meets District criteria. External mitigation valued above the General Manager's purchasing authority requires Board approval. The General Manager finds that the proposed Caltrans mitigation project would create long-term benefits for the Preserve's sensitive riparian habitat.

Caltrans

Caltrans manages more than 50,000 miles of California highway and freeway lanes with a mission to “Provide a safe and reliable transportation network that serves all people and respects the environment.”

Caltrans has been pursuing the State Route 1 and State Route 84 Structures and Scour Mitigation Project (Scour Project) to address erosion and scouring at three bridge locations in San Mateo County. Two bridges are on northbound and southbound State Route 1 in the City of Half Moon Bay over Pilarcitos Creek; the third is on State Route 84 in the Town of La Honda over San Gregorio Creek. The proposed repair measures that are part of the Scour Project will require the removal of 0.55 acres of riparian habitat. Onsite restoration at the bridge locations on State Route 1 is not expected to be successful due to the large population of unsheltered residents living in the immediate area. Onsite restoration at the Highway 84 location is suitable, but there is not adequate room to fully implement the entirety of the mitigation requirements, which in part require planting trees at a 3 to 1 ratio. A portion of the plantings will occur at the Highway 84 location, but the remainder would be planted as part of this proposed mitigation work.

The California Department of Wildlife, the State Water Resources Control Board (San Francisco), the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the San Mateo County Local Coastal Program (City of Half Moon Bay) require Caltrans to mitigate the impacts of their projects. Caltrans requests to restore 1.66 acres of riparian habitat, corresponding to 953 linear feet, at Miramontes Ridge Open Space Preserve along Madonna Creek. District staff suggested this location due to current and ongoing restoration planning efforts along this creek and its proximity to the Scour Project.

Madonna Creek

Madonna Creek flows through the 564-acre Madonna Creek Ranch Property, which was purchased by the District in 2012 from Peninsula Open Space Trust (POST) at a bargain sale price of \$600,000 ([R-12-10](#), [Minutes](#)). This property became an addition to Miramonte Ridge Open Space Preserve. The District leases a 27-acre portion of the property to a farmer for irrigated and dry farm row crops and for a small equestrian boarding facility. The property has remnants of former dairy-era infrastructure, including concrete slabs and foundations, now hidden by dense vegetation. Historic aerial photos show that the dairy operation channelized a 1,000-foot segment of Madonna Creek, which was crossed by several bridges and culverts. There is one remaining vehicle bridge used for patrol, maintenance and emergency access. At the time of purchase, the District withheld a portion of the property from dedication as public open space, including part of the mitigation area (subject of this report), to allow for the potential sale of the agricultural area in the future. In the event the District sold the property, riparian protections would be placed on the property prior to sale.

DISCUSSION*Proposed Mitigation at Miramontes Ridge Open Space Preserve*

The proposed mitigation work at the Preserve would enhance the natural resource values of a sensitive riparian corridor. The Mitigation site is approximately 0.75 miles from the nearest

public road with limited visibility due to the site's topography and natural screening¹ from the remaining native tree species. The removal of invasive species rated as “High” by the California Invasive Species Council (e.g., jubata grass, cape ivy) and species of concern identified in the Wildland Fire Resiliency Program (e.g., eucalyptus, cypress, acacia) will make room for the planting and seeding of local native species from the region. Approximately 82 eucalyptus, cypress, and acacia trees² are marked for removal; these trees are invasive, non-native or cultivar, and highly combustible. In addition, two concrete slabs associated with the former dairy operation are impacting the watercourse and may be removed. The project cost estimate for the mitigation is between \$300,000 to \$400,000 over ten years, including reimbursement for staff time.

Evaluation Criteria

The District's Mitigation Policy directs staff to evaluate and recommend third-party compensatory mitigation when it fulfills District goals and meets District criteria. The Mitigation Policy outlines the following analysis:

Alignment with District Mission, Policies, and Goals

The Scour Project maintains the safety of an important public roadway while minimizing its impacts. The proposed mitigation work aligns with the District's mission and policies and provides a public benefit by enhancing the quality of the natural resources while reducing wildland fire risk. Neither the Scour Project nor the mitigation work would infringe on neighbor privacy or induce growth into existing open space or natural lands.

Proximity to District Lands and Regional Context

The proposed Scour Project is located within District boundaries. The Scour Project and mitigation work are both small and appropriate in scope and scale for the site and region. The mitigation work would be located within existing District holdings and provide ecological benefits to the natural resources. The Scour Project is located along perennial reaches of Pilarcitos Creek and San Gregorio Creek within the San Francisco Coastal South watershed. The mitigation site along Madonna Creek, in the Preserve, is within the Pilarcitos Creek watershed. Pilarcitos Creek flows about 12 miles from its headwaters to the Pacific Ocean at Half Moon Bay and is heavily impacted by instream diversions and development, but the Madonna Creek subwatershed is relatively unaltered and consists largely of mostly natural open space. The additional mitigation work within the Highway 84 right-of-way that Caltrans will complete falls within the San Gregorio Creek watershed, which is the second-largest watershed in San Mateo County. This is an important watershed for the District given that District lands encompass approximately one third of the total watershed land area.

Public, Partner, and Social Implications

Per the Caltrans Initial Study with a Mitigated Negative Declaration, the Scour Project would not affect Native American communities or their resources. The public has expressed no known concerns over the Scour Project. The Scour Project benefits the District by establishing a funding partnership with an outside public agency to enhance the biological diversity and function of the riparian plant community along Madonna Creek within the Preserve. The mitigation work would

¹ Approximately 1,000 linear feet of natural riparian vegetation will remain between the project site and the nearest public road.

² Trees range in size between 6 inches and 67 inches in diameter at breast height (median size is 18 inches).

also contribute toward the District's Wildland Fire Resiliency and Integrated Pest Management goals by reducing fire risk through the removal of invasive, highly combustible trees. The mitigation project may temporarily impact the agricultural lease area during ingress/egress to the project site; however, the tenant has expressed support for the eucalyptus tree removal. Neither the Scour Project nor the mitigation work would affect public recreational access.

Low-impact Project Design and Appropriate Mitigation

The District and regulatory agencies have identified, planned, and reviewed the mitigation project. The Scour Project was deemed the least impactful project alternative and designed to avoid and minimize environmental impacts to the greatest extent possible. The impacts associated with the Scour Project are minor and temporary, and the resulting mitigation work would fully offset them. Caltrans has demonstrated compliance with all environmental laws and regulations.

Ecological Impact versus Value

The proposed mitigation work would compensate for riparian habitat impacts that may result from Caltrans' Scour Project by implementing habitat restoration and improvements at the Preserve. The proposed mitigation work is located within critical habitat for the federally threatened California red-legged frog (CRLF) and the riparian habitat enhancement would benefit this species in the long term. The proposed mitigation would also regionally benefit valuable ecological resources that rely on riparian habitat, promote the long-term health of the larger ecosystem, and support the goals of regional conservation plans (e.g., [Recovery plan for the California Red Legged Frog](#)).

Based on the above evaluation, the General Manager finds that the proposed Scour Project and accompanying mitigation work would result in long-term natural resource benefits and recommends the Board authorize the General Manager to execute a mitigation cooperative agreement with Caltrans. Funding for the mitigation project would be provided through the cooperative agreement. Caltrans would provide funds for the design, peer review, implementation, and monitoring of the mitigation work, including reimbursement of District staff time to manage all aspects of the project.

FISCAL IMPACT

If approved, the resulting Mitigation Cooperative Agreement will result in a net-zero fiscal impact, with all costs for the mitigation work funded by Caltrans.

PRIOR BOARD AND COMMITTEE REVIEW

On March 23, 2022, the Board adopted a new Mitigation Policy and associated revisions to the Resource Management Policies to guide future decisions on outside agency mitigation requests and inform mitigation efforts for internal projects ([R-22-41](#), [Minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Caltrans, as the lead agency, prepared an Initial Study with a Mitigated Negative Declaration for the State Route 1/84 Structures and Scour Mitigation Project and issued a Notice of Determination in May 2021. CEQA documents can be found on the State of California's CEQA webpage at <https://ceqanet.opr.ca.gov/Project/2020070177>.

Pursuant to Section 15168 of the CEQA Guidelines, the District has determined that the off-site mitigation actions proposed in Miramontes Ridge Open Space Preserve associated with the State Route 1/84 Structures and Scour Mitigation Project as contemplated herein is within the scope of the approved Integrated Pest Management Program, and the Final Environmental Impact Report to the Integrated Pest Management Program, adopted by Board Resolution No. 14-37 on December 10, 2014. Furthermore, in accordance with Sections 1304 (Minor Alterations of Land) and 15333 (Small Habitat Restoration Projects) of the State CEQA Guidelines the mitigation actions as described herein are categorically exempt from CEQA.

NEXT STEPS

If approved, staff will work with Caltrans to draft a mitigation agreement and the General Manager would return to the Board for consideration in approving the mitigation agreement and accepting funding to implement the project. A Mitigation and Monitoring Plan would be prepared that relies on existing Preserve management documents prepared by the District. Staff would update the Board on this project through the annual Comprehensive Vegetation Management Report.

Attachment(s)

1. Project location
2. Project Site – Tree Map
3. Representative Photos

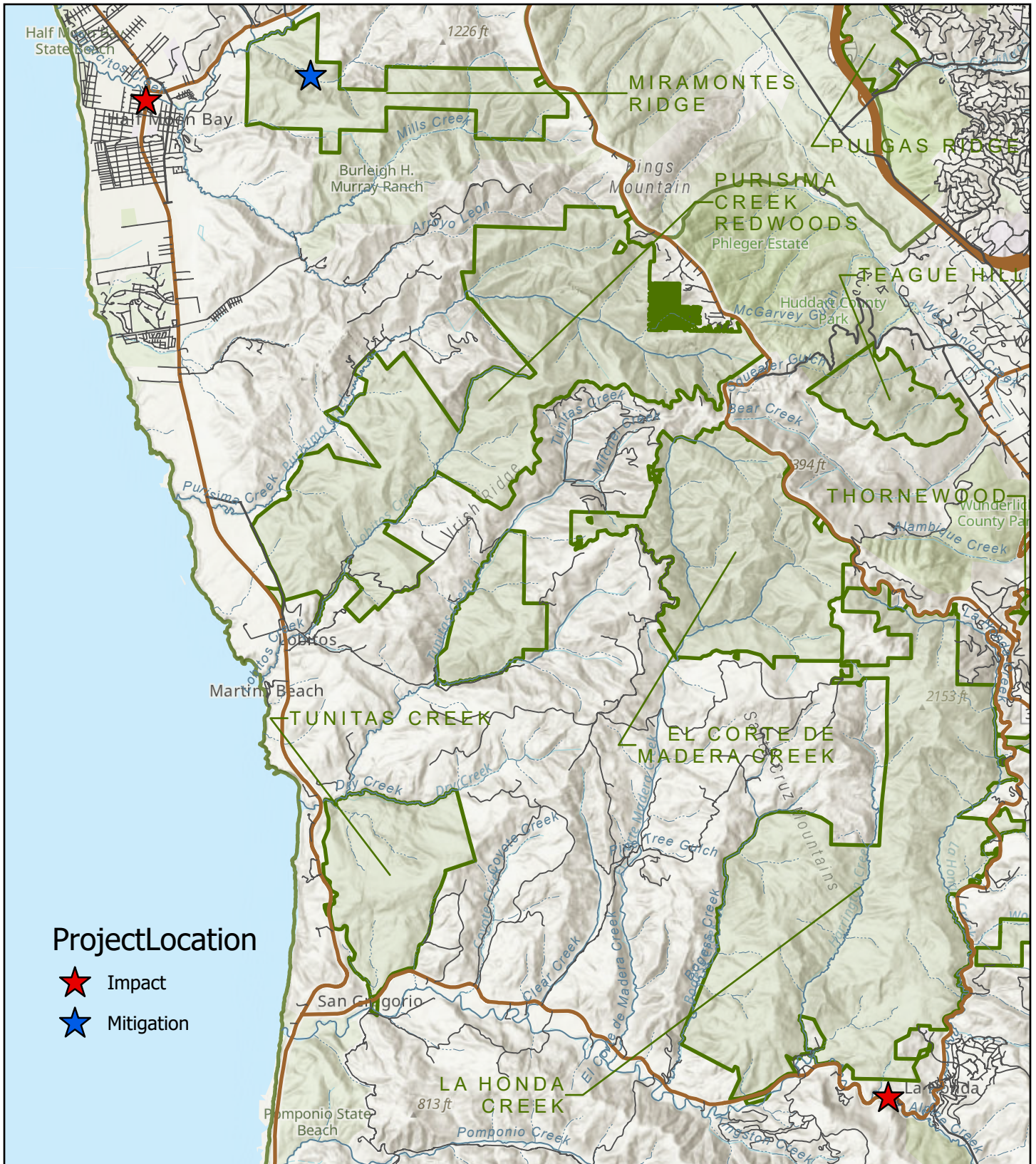
Responsible Department Head:
Kirk Lenington, Natural Resources

Prepared by:
Coty Sifuentes-Winter, Senior Resource Management Specialist, Natural Resources
Meredith Manning, Resource Management Specialist III, Natural Resources

District Contact:
Meredith Manning, Resource Management Specialist III, Natural Resources

Caltrans Contact:
Elizabeth Leyvas, Associate Environmental Planner, Caltrans

Graphics prepared by:
Coty Sifuentes-Winter, Senior Resource Management Specialist, Natural Resources



Project Location

- ★ Impact
- ★ Mitigation

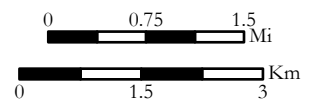


Attachment 1: Project Map

California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, USFWS, Esri, NASA, NGA, USGS, FEMA, County of Santa Clara, California State Parks, Esri, TomTom, Garmin, FAO, NOAA, USGS, Bureau of Land Management, EPA, NPS, USFWS, Esri, USGS

2024

Coordinate System: NAD 1983 StatePlane California III FIPS 0403 Feet





Madonna Creek Ranch Property

Mitigation Area

- Approximate Canopy Removal Extent (1.47 ac)
- Approximate Pavement Removal Extent (0.20 ac)

Trees To Be Removed/Treated

- Monterey cypress (6 tags)
- silver wattle (1 tag)
- living blue gum (84 tags, 1 without tag)
- potentially dead blue gum (8 without tags)

Aerial Source: Esri (2024)

0 100 200
Feet

N



Figure 3. Madonna Creek Ranch Mitigation Plan
 State Route 1 and State Route 84 Structures and Scour
 Mitigation Project
 04-SM-1 - PM 28.9; 04-SM-84 - PM7.55
 Caltrans, District 4
 Project Number: EA 04-2J790/ID 0415000014

Agenda Item 4

Mitigation Cooperative Agreement at Miramontes Ridge Open Space Preserve with the California Department of Transportation (Caltrans)



This is a view from Highway 92 in Half Moon Bay. Blue indicates trees to remain, and red indicates the project area.



Representative photo from the general project area. Red indicates tree species of concern and slated for removal (Eucalyptus, cypress).