COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: May 28, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Coastal Development Permit and Grading Permit to allow coastal trail access improvements located within the Año Nuevo State Reserve along the Año Nuevo Point Trail. The trailhead is located approximately ten miles south of Pescadero in the unincorporated Pescadero West area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00484
(State Parks and Recreation Department)

PROPOSAL

The California Department of Parks and Recreation (DPR) is proposing accessibility improvements in compliance with Americans with Disabilities Act (ADA) Standards to the Año Nuevo Point Trail within the Año Nuevo State Reserve.

The project will occur over two seasons (June through September) for the protection of sensitive habitats and in two phases to accommodate public trail usage. Project elements include trail demolition and restoration, trail segment reroutes, coastal bluff repair, and overall trail repair meeting ADA Standards. Construction methods include the use of hand tools, wheelbarrows, motorized walk-behind vibroplate compactor, mini dump truck, drivable mini vibro roller, and front end loader.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit and Grading Permit, County File PLN 2013-00484, by making the required findings and adopting conditions of approval as listed in Attachment A.

SUMMARY

Setting: The 476.89-acre parcel is located off Highway 1, approximately 10 miles south of the Town of Pescadero and approximately 1-mile north of the Santa Cruz County border. Existing development includes public trails, a pond, a visitor center, a parking lot, and other outbuildings. Adjacent northern and southern parcels are currently in

agricultural production consisting of row crops. The adjacent northern parcel is under a Williamson Act contract.

Sensitive Habitats: California red-legged frog (CRLF) and San Francisco garter snake (SFGS) are present within the project area; California red-legged frog can be found primarily within the area of the visitor's pond. Review of the project was completed by the United States Fish and Wildlife Service (USFWS) and the State Department of Fish and Wildlife (DFW) for potential impacts to sensitive habitats, which resulted in the incorporation of mitigation measures in the project proposal in compliance with General Plan (GP) and Local Coastal Program (LCP) policy. Measures include ground excavation by hand, no interference with SFGS during construction, and on-site approved USFWS and DFW qualified biologist monitors to oversee DPR construction staff.

Historical and Archaeological Resources Policies: Punta del Año Nuevo is a San Mateo County State listed National Register of Historic Places natural and cultural resource. As such, the project was referred to the California Historical Resources Information System Northwest Information Center (CHRIS) for potential natural and cultural resources. In response, the applicant submitted an Archaeological Review in compliance with GP and LCP policy stating that neither cultural nor archaeological resources were found within the project area as a result of research and field investigation. Thus, no mitigation measures were proposed. Staff, however, does recommend two conditions of approval in the unlikely event resources are discovered, or in the event the project scope should significantly change.

Park and Recreation Resources Policies: This proposal is part of DPR's 2001 Transition Plan for Accessibility in California State Parks. DPR solicited visitor input to address accessibility conditions at its more than 266 parks resulting in a greater need for ADA accessibility at this location among others. The project scope seeks to provide greater recreational opportunities for all visitors to Año Nuevo in compliance with LCP Park and Recreation Resources Policies.

Shoreline Access Component: Año Nuevo State Reserve is a shoreline access reserve. This component recommends trails within this reserve for consolidation to the bluff. Removal and restoration of one trail section will satisfy this policy recommendation.

Environmental Review: State of California Department of Parks and Recreation, as lead agency, has determined this project to be Categorically Exempt under Sections 15301 (Class 1), 15302 (Class 2), 15303 (Class 3), and 15304 (Class 4), and has prepared a Notice of Exemption.

MR:pac - MARY0333_WPU.DOCX

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

DATE: May 28, 2014

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of a Coastal Development Permit and Grading Permit, pursuant to Section 6328.4 of the County Zoning Regulations and Section 8600 of the County Grading Ordinance, to allow coastal trail access improvements located within the Año Nuevo State Reserve along the Año Nuevo Point Trail. The trailhead is located approximately ten miles south of Pescadero in the unincorporated Pescadero West area of San Mateo County. This project is appealable to the California Coastal Commission.

County File Number: PLN 2013-00484
(State Parks and Recreation Department)

PROPOSAL

The California Department of Parks and Recreation (DPR) is proposing accessibility improvements to comply with Americans with Disabilities Act (ADA) Standards.

The project will occur over two seasons (June through September) for the protection of sensitive habitats and in two phases to accommodate public trail usage. The first phase includes the demolition and restoration of two steep and eroded trail sections totaling 3,977 linear feet, construction of a 620 linear foot (Reroute #1) connecting segment leading west from the parking lot and visitor center, and construction of a 490 linear foot (Reroute #2) connecting trail segment west of the existing visitor pond. The second phase includes trail surface repair and drainage improvements within the existing trail footprint, replacement of culverts crossing the trail, repair of four overlooks within the same footprint and installation of benches, construction of 2-foot tall rock retaining walls where needed along the trail to accommodate improvements (e.g., Reroute #2), relocation of an on-site ship monument, installation of ADA compliant benches at the overlooks, grade leveling of the picnic site for ADA access, installation of ADA picnic tables and telescopes, and installation of interpretive signs along the trail.

Construction methods include the use of hand tools, wheelbarrows, motorized walk-behind vibro plate compactor, mini dump truck, drivable mini vibro roller, and front end loader.

The trail system at this reserve will be reduced by 3,449 linear feet (19,518 sq. ft.) in exchange for a net habitat gain of 3,627 linear feet (19,518 sq. ft.).

Trail rehabilitation will match and in some areas reduce wider sections of trail (widths range from 3 feet to 12 feet; some areas will be reduced from 12 feet to 8 feet). Minor vegetation pruning is proposed along the edges of the trail to accommodate improvements and all disturbed areas will be restored to native habitat. Grading quantities include 1,137 cubic yards of cut and 825 cubic yards of fill. No trees will be removed or disturbed as part of this project (Reroute #2 will be constructed around a fallen tree).

Rehabilitation of Año Nuevo Point Trail is located in a sensitive habitat area for California red-legged frog (CRLF) and San Francisco garter snake (SFGS). Staging areas will be located in non-grassy previously disturbed areas and work will be conducted by State Parks and Recreation staff. Approved United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (DFW) qualified biological monitors will be on-site.

RECOMMENDATION

That the Planning Commission approve the Coastal Development Permit and Grading Permit, County File Number PLN 2013-00484, by adopting the required findings and conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Melissa Ross, Senior Planner, Telephone 650/599-1559

Applicant/Owner: State of California Department of Parks and Recreation

Location: Año Nuevo State Reserve, Año Nuevo Point Trail

APN: 089-230-470

Size: 476.89 acres

Existing Zoning: PAD/CD (Planned Agricultural District/Coastal Development District)

General Plan Designation: Public Recreation

Local Coastal Plan Designation: Agriculture and Public Recreation

Williamson Act: This parcel is not under a Williamson Act Contract.

Parcel Legality: Undetermined. Project scope does not meet the definition of development (Zoning Regulations Section 6105.0 Legal Lot Requirement) requiring a

determination of parcel legality since development is defined, for this part, to exclude "non-structural uses of property including but not limited to roads."

Existing Land Use: State reserve and public trail.

Water Supply: Existing well. No expansion as part of this project.

Sewage Disposal: Existing septic. No expansion as part of this project.

Flood Zone: Zone D. Unstudied areas where flood hazards are undetermined, but flooding is possible. FEMA Community Panels 06081C0510E and 06081C0505E; effective October 16, 2012.

Environmental Evaluation: State of California Department of Parks and Recreation, as lead agency, has determined this project to be Categorically Exempt under Sections 15301 (Class 1), 15302 (Class 2), 15303 (Class 3), and 15304 (Class 4), and has prepared a Notice of Exemption.

Setting: The 476.89-acre parcel is located off Cabrillo Highway (Highway 1), approximately 10 miles south of the Town of Pescadero and approximately 1-mile north of the Santa Cruz County border. Existing development includes public trails, a pond, a visitor center, a parking lot, and other outbuildings. Adjacent northern and southern parcels are currently in agricultural production consisting of row crops. The adjacent northern parcel is under a Williamson Act contract.

History: Punta del Año Nuevo is a San Mateo County State listed National Register of Historic Places natural and cultural resource. Home to one of the largest northern elephant seal breeding grounds as well as habitat to various native plant and animal species including San Francisco garter snake and California red-legged frog, Punta del Año Nuevo was one of the first landforms in California to receive a Spanish name when the point was sited on New Year's Day in 1603. During the late 1800s, the Dickerman (also Dickerman-Steele) Barn, among other structures in the vicinity, was constructed to support a large dairy then agricultural crop operation through the 1950s. The Dickerman Barn was listed in 1982 in the National Register of Historic Places (#82002259). Prehistoric archaeological sites are also located throughout the reserve as these lands were home to the Ohlone (Costanoan) people.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan and Zoning Regulations

Pursuant to Section 53091 of the California Government Code, zoning ordinances of a county shall not apply to "local agencies" which are defined under Government Code Section 53090 as exclusive of the state, city or

county. Therefore, projects undertaken by the State of California Department of Parks and Recreation are not subject to zoning permit requirements. General Plan requirements are, however, not exempted. Applicable General Plan Policies are discussed below.

a. Vegetative, Water, Fish and Wildlife Resources

Policy 1.28 (*Regulate Development to Protect Sensitive Habitats*) regulates land uses and development activities within and adjacent to sensitive habitats in order to protect critical vegetative, water, fish and wildlife resources; protect rare, endangered and unique plants and animals from reduction in their range or degradation of their environment; and protect and maintain the biological productivity of important plant and animal habitats. According the 2012 Año Nuevo Point Trail Accessibility Improvements Project Biological Report (Biological Report), past biological surveys for California red-legged frog (CRLF) and San Francisco garter snake (SFGS) conducted in the project area have been positive for both species particularly in the area of the visitor's pond. Where CRLF are known to move within terrestrial areas outside of the breeding season, data collected during these surveys has indicated that the majority of the CRLF found within the vicinity of the visitor's pond have remained along the water's edge, and thus, are not expected to be found within the construction area particularly since the distance to the water line will increase during the dry summer months (construction period). Where CRLF are not commonly observed by staff or park visitors outside of the pond, SFGS are regularly seen and have migrated from the visitor's pond in search of burrows and basking locations. Because of the potential for adverse impacts to protected species, DPR has consulted with the USFWS and DFW and has incorporated plan modifications in the project proposal to avoid impacts to sensitive habitats. These measures include trail work to be conducted under the supervision of approved USFWS and DFW qualified biologist monitors, one way exit snake and frog fencing, ground excavation by hand, and no interference with SFGS during construction among other measures staff has identified in Attachment A (Conditions of Approval Nos. 17-22) taken from DPR's August 2012, Biological Report. Incorporation of these measures will ensure that protected species and their environment will not be affected by the scope of work.

b. Soil Resource Policies

Policy 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) aims to minimize soil erosion and sedimentation by minimizing the removal of vegetative cover, ensuring stabilization of disturbed areas, protecting and enhancing natural plant communities

and nesting and feeding areas of fish and wildlife. Total project grading includes 1,137 cubic yards of cut and 825 cubic yards of fill in previously disturbed areas. Demolition of the eroded trail segment will be accomplished with minimal vegetation removal and deconstructed in a manner that will create a gentle slope to follow the existing surrounding topography, to minimize soil erosion along the removed trail section. Excavation by hand and sensitive habitat fencing will reduce disturbance to sensitive species. Disturbed areas will be reseeded with native plant species, thereby restoring and enhancing the surrounding natural plant community. Similar methods will be employed for the second phase of trail rehabilitation, which also includes overlook repair and culvert replacement. To further minimize erosion and sedimentation, Condition of Approval No. 14 has been added requiring the applicant to adhere to the San Mateo County Stormwater Pollution Prevention Program General Construction and Site Supervision Guidelines, in addition to an application for a National Pollutant Discharge Elimination System permit from the Central Coast Region of the State Water Resources Quality Control Board.

c. Visual Quality Policies

Policy 4.17 (*Protections for Coastal Features*) regulates coastal development to protect and enhance natural landscape features and visual quality through measures that ensure the basic integrity of sand dunes, cliffs, bluffs and wetlands. A variety of coastal features are present within the reserve and some within the work area. According to the 2008 Año Nuevo State Park General Plan Wildlife Habitat Map, mapped open fresh water wetlands surround the visitor's pond near proposed Reroute #2, while Montane riparian (*riparian deciduous*) areas are mapped just north of the pond but south of a small portion of the larger trail section to be removed and restored. Though these areas are not identified as being adjacent to proposed work areas in the Biological Report, measures including field staking prior to the start of construction are included to avoid potential impacts and protect mapped wetlands and riparian areas. Temporary wetland impacts, however, will occur in four locations identified on the project plans along the westerly section of the trail (restricted public access area) during culvert replacement and will be mitigated by the short replacement duration, minimal vegetation removal, and construction during the summer months. Within the trail section, one overlook located on an eroded bluff will be repaired using a one- to two-tier rock wall to level the overlook, and construction of a drain lense (drain rock base allowing for better water percolation) will alleviate top soil erosion and reduce future surface runoff from this overlook into the ocean. Culvert and bluff repair will occur during the dry summer months to minimize erosion and sediment runoff. Construction will be carried out

by hand and small mechanical equipment, with the least amount of ground disturbance to ensure coastal feature integrity.

Policies 4.48 (*Topography and Vegetation*) and 4.52 (*Colors and Materials*) employ colors and materials that blend with or complement the surrounding natural environment. Trail reroutes and rehabilitation will utilize the same trail aggregate base and color as the existing trail to blend with the environment.

d. Historical and Archaeological Resources Policies

Policy 5.20 (*Site Survey*) determines if sites proposed for new development contain archaeological/paleontological resources. Prior to approval of development for these sites, require that a mitigation plan, adequate to protect the resource and prepared by a qualified professional, be reviewed and implemented as a part of the project. Due to the known and potential natural or cultural resources, a referral of the project was sent to the California Historical Resources Information System Northwest Information Center (CHRIS) for potential resource impacts. In response to the CHRIS recommendation, the applicant submitted a Historic and Archaeological Review, prepared by a state historian and state archaeologist, which concluded that no historic, cultural or archaeological resources were found within the project area based on records, site history research and field site survey; thus, no mitigation plan is required. In the unlikely event such resources are found, staff recommends Condition of Approval No. 10, and in the event the project scope should deviate from the approved scope of work, Condition of Approval No. 11 is also recommended.

e. Park and Recreation Resources Policies

Policy 6.5 (*Access to Park and Recreation Facilities*) attempts to provide appropriate access and conveniences for all people in park and recreation facilities. DPR's 2001 Transition Plan for Accessibility in California State Parks evaluated the State's 266 parks for access improvements based on field surveys and visitor input. Año Nuevo Reserve is identified by the State as a Level 2 park (of five; Level 1 being the most frequented) for visitors served, and currently provides one area of accessible boardwalk (approximately 0.5-mile) at the western edge of the property for elephant seal viewing. This equal access boardwalk, however, is only accessible by ranger or docent driven escort along the service road bordering the northern property and is disjointed from the main trail section. Daily use and erosion of the main trail section has reduced overall quality resulting in uneven trail surface and large depressions that pond during the wet season

and, in some areas, erosion has exposed culverts crossing below the trail. Trail repair will create an increased length of available accessible trail and improved quality for all visitors in compliance with the above policy and Policy 6.29 (*Protection, Operation and Maintenance*), which provides for the protection, operation and maintenance of park and recreation systems. Further, creation of an accessible path from the visitor's center to the picnic area will provide easier access and a greater enjoyment of the area with the installation of ADA picnic tables and telescopes.

f. General Land Use Policies

Policy 7.18 (*Land Use Objectives for Rural Areas*) locates land use designations in rural areas in order to (1) preserve natural resources, (2) provide for the managed productive use and monitoring of resources, (3) provide outdoor recreation, and (4) protect public health and safety. Use of the land as a public trail will continue as will the daily docent led walks and the restriction of the number of visitors during the elephant seal breeding season, thereby preserving natural resources, providing outdoor recreation, and preserving the health and safety of the public.

g. Rural Land Use Policies

Policy 9.35 (*Encourage Existing and Potential Public Recreation Land Uses*) encourages the continuation and expansion of existing public recreation land uses on non-agricultural lands, including but not limited to public beaches, parks, recreation areas, wild areas, and trails. Año Nuevo is a General Plan Public Recreation designated land use. Implementation of the project will continue the existing use while reverting steep and eroded trail sections to habitat.

h. Geotechnical Hazard Policies

Policy 15.19 (*Appropriate Land Uses and Densities in Geotechnical Hazard Areas*) in rural areas, consider lower density land uses that minimize the exposure of large numbers of people to significant geotechnical hazards. Existing structures and trail are located in mapped Alquist-Priolo Special Studies Zone (State of California Special Studies Zone Map, Año Nuevo Quadrangle); however, none of the development is habitable, nor is camping allowed at this reserve, thus, further minimizing impacts. According to the San Mateo County Geotechnical Hazards Synthesis Maps, overlooks located on cliffs are rated "High Stability" (less than 1-foot per year with moderate to high erosion resistance) and tsunami inundation areas are mapped along the westernmost coastline to the edge of trail end. Año Nuevo is a

controlled access preserve in that reservations are required to visit the preserve and access is further restricted from December to March during elephant seal breeding season. The controlled access to the park further minimizes the public's exposure to potential hazards.

2. Conformance with the Local Coastal Program (LCP)

Staff has reviewed the project and found it to be in compliance with the policies of the Local Coastal Program. The relevant policies are discussed below.

a. Locating and Planning New Development Component

Policy 1.25 (*Protection of Archaeological/Paleontological Resources*) requires a determination as to whether or not sites proposed for new development are located within areas containing potential archaeological/paleontological resources and, if so, require submittal of a mitigation plan for review and approval. As discussed previously under Section A.1.d, no historic or cultural resources were found during field investigations conducted by the State historian and State archaeologist; therefore, no mitigation plan is required. Staff recommends Conditions of Approval Nos. 10 and 11 in the event resources are found during the course of work or in the event the project scope should change.

b. Agriculture Component

Policy 5.6(b) (*Permitted Uses on Lands Suitable for Agriculture Designated as Agriculture*) conditionally permits public recreation and shoreline access trails on agricultural land designed for agriculture. Local Coastal Program land use designations bisect the project area into Agriculture (northern portion) and Public Recreation (southern portion) with the majority of the trail and the entire picnic area in Public Recreation. Trail removal and restoration will eliminate that section of trail within the Agriculture designation, thereby leaving the majority of the trail system within Public Recreation. A smaller portion of existing trail between the visitor's pond and kiosk, approximately 1,300 linear feet, will remain in the Agriculture designated area and will be rehabilitated within the existing footprint. As this section is not expanding and is not in conflict with adjacent uses, no conditions of approval are recommended.

LCP Policy 5.33 (*Lease-Back of State Parks and Recreation Lands*) requires the State, where legally feasible, to lease agricultural lands for agricultural purposes provided such activities would not endanger existing sensitive habitats. Prior to the State's acquisition, Año Nuevo

was historically used as a farming and grazing operation which ceased once the lands were converted to a State park. Given the diversity of protected flora and fauna within the reserve, the State has found agricultural operations to be infeasible and incompatible at this location. The State does, however, lease other State-owned properties within San Mateo County for agricultural purposes.

c. Sensitive Habitats Component

LCP Policies 7.1 (*Definitions of Sensitive Habitats*), 7.3 (*Protection of Sensitive Habitats*) and 7.5 (*Permit Conditions*) define and outline protections within sensitive habitat areas with specific emphasis on SFGS in Policy 7.36 (*San Francisco Garter Snake*). For general discussion, please refer to the sensitive habitats discussion found in Section A.1.a, above.

The following discussion is outlined to address the potential impacts for three specific locations within the project area.

Wetlands – Restricted Access Area

LCP Policy 7.16 (*Permitted Uses in Wetlands*) allows for nature education as a permitted use in wetlands. As previously discussed in Section A.1.b, above, temporary wetland impacts will occur within a restricted public access area during culvert removal and replacement and shortly thereafter until hydrology is reestablished. These impacts are localized to areas where culverts have breached the trail surface or are in general need of repair. Disturbed areas will be kept to a minimum, vegetation will be restored, and construction will take place during daylight hours in compliance with Policy 7.17 (*Performance Standards in Wetlands*). This segment of trail is a restricted access area for protection of the elephant seal which is identified in Policy 7.47 (*Elephant Seal*) as a unique species where the County encourages affected public agencies to control access to areas where elephant seals congregate and to enforce trespass laws restricting access to breeding areas. As the primary purpose of this trail segment is to provide a safe public route for nature education purposes, the use is in compliance.

Wetlands Buffer Zone – Visitor's Pond

Policies 7.18 (*Establishment of Buffer Zones*) and 7.19 (*Permitted Uses in Buffer Zones*) require a minimum of 100 feet landward from the outermost line of wetland vegetation and allows public trail usage within buffer zones. Trail rehabilitation and construction of Reroute #2 will occur within the wetland buffer zone. Biological monitors will

survey and field stake the work area prior to work. Vegetation removal will be minimized and disturbed areas will be restored with native vegetation.

Riparian Corridor and Buffer Zone – Deconstructed and Restored Trail Section

Policies 7.9 (*Permitted Uses in Riparian Corridors*), 7.10 (*Performance Standards in Riparian Corridors*), 7.11.c (*Establishment of Buffer Zones*), 7.12 (*Permitted Uses in Buffer Zones*) and 7.13 (*Performance Standards in Buffer Zones*) discuss minimum standards for uses and conducting work within riparian corridors and buffer zones. Montane riparian areas are mapped in the 2008 Año Nuevo State Park General Plan Wildlife Habitat Map in the location of a small trail segment to be removed and restored. Uses allowed within riparian corridors include fish and wildlife management activities, provided vegetation removal and topography modifications for purposes of erosion and sediment control are minimized. Field staking of the work area will reduce the impact exposure to sensitive habitats. Further, the deconstructed trail section will be restored to native habitat and gently graded to minimize erosion in this area. Uses and performance standards allowed within the riparian corridor buffer zones include those allowed in riparian corridors (e.g., trails) and the same performance measures (e.g., minimize vegetation removal) will be incorporated within those buffer zones.

d. Visual Resources Component

Policy 8.4 (*Cliffs and Bluffs*) requires development to be set back sufficiently far enough to ensure it is not visually obtrusive when viewed from the shoreline. Minor repair of the existing four overlooks include construction of one- to two-tier rock walls to provide a level aggregate surface for public safety since the grade at the overlooks slope downward from the trail. Installation of benches at each of the overlooks presents a minimal visual impact when viewed from along the shoreline to the southeast, and benches will be setback a distance for public health and safety.

Policy 8.31 (*Regulation of Scenic Corridors in Rural Areas*) regulates setbacks. The reserve is located within the Cabrillo Highway (Highway 1) State Scenic Corridor; however, due to the type of development, vegetation along Highway 1 and the viewing distance from the roadway, the development will not be visible from the roadway.

Policy 8.17 (*Alteration of Landforms: Road and Grading*) requires development in rural lands to minimize the alteration of landforms as a consequence of grading, and restore pre-existing topographic contours. Trail rehabilitation will utilize the existing trail footprint to minimize land alterations, and trail deconstruction will match the surrounding topography while contouring the steep and eroded sections to minimize future erosion.

e. Hazards Component

Please refer to the General Plan Hazards Policies, Section A.1.h of this staff report, for a discussion on mapped hazards.

f. Shoreline Access Component

Policy 10.21 (*Access for the Disabled*) provides shoreline access for the disabled by building paths and ramps for wheelchairs without altering major landforms particularly for the identified parks listed in the Local Coastal Program, Table 10.6 (*Site Specific Recommendations for Shoreline Destinations*), which recommends that this park consolidate trails to the bluff. As proposed, trail consolidation will occur with the deconstruction of the steep and eroded trail segment. Project implementation will increase the safety of the lateral shoreline access via bluffs to a greater visitor population.

3. Compliance with the Grading Ordinance

The following findings must be made by the Planning Commission pursuant to Section 8604.6 of the Grading Ordinance.

a. That the granting of the permit will not have significant adverse effect on the environment.

The project scope has been conditioned to minimize ground vegetation removal and provide for protections to sensitive habitats in the form of USFWS and DFW approved biological monitors, sensitive habitat exclusion fencing, and grading during the dry summer months.

b. That the project conforms to the criteria of this chapter, including the standards referenced in Section 8605.

The project has been conditioned to include erosion and sediment control measures to be placed prior to grading activities and must be maintained during construction. In addition, the project has also been conditioned to include dust control measures as needed to mitigate excessive dust generation resulting from grading activities.

c. That the project is consistent with the General Plan.

The project has been reviewed and found to be in compliance with the applicable policies of the General Plan, specifically Soil Resource Policy 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) discussed in Section A.1.b of this staff report.

B. ENVIRONMENTAL REVIEW

State of California Department of Parks and Recreation, as lead agency, has determined this project to be Categorically Exempt under Sections 15301 (Class 1), 15302 (Class 2), 15303 (Class 3), and 15304 (Class 4) and has prepared a Notice of Exemption. The County, acting as a responsible agency, has reviewed and considered the State's Notice of Exemption.

C. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Environmental Health Division
Geotechnical Section
Cal-Fire
California Coastal Commission
Department of Fish and Wildlife
United States Fish and Wildlife Service
California Historical Resources Information System Northwest Information Center

ATTACHMENTS

A. Recommended Findings and Conditions of Approval
B. Project Plans
C. Biological Report
D. California Environmental Quality Act (CEQA) Categorical Exemption
E. 2008 Año Nuevo State Park General Plan Wildlife Habitat Map

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Attachment A

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2013-00484 Hearing Date: May 28, 2014

Prepared By: Melissa Ross, Senior Planner For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the Planning Commission, acting as a responsible agency, has reviewed and considered the Notice of Exemption, prepared by the State Department of Parks and Recreation.

Regarding the Coastal Development Permit, Find:

2. That the project, as described in the application and accompanying materials required by Section 6328.7 of the San Mateo County Zoning Regulations and as conditioned in accordance with Section 6328.14 of the San Mateo County Zoning Regulations, conforms to the plans, policies, requirements and standards of the San Mateo County Local Coastal Program as described in Section A.2 of this staff report.

3. That where the project is located between the nearest public road and the sea, that the project is in conformity with the Public Access and Public Recreation Policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code) in that the project will improve public access availability while protecting the existing recreational use of the oceanfront land.

4. That the project conforms to the specific findings required by policies of the San Mateo County Local Coastal Program relating to Agriculture, Sensitive Habitats, Visual Resources, Hazard, and Shoreline Access Components. The project incorporates mitigation measures to protect sensitive habitats by keeping ground disturbance to a minimum, restoring habitat and providing increased accessibility to park visitors.

Regarding the Grading Permit, Find:

5. That the granting of the permit will not have a significant adverse effect on the environment. The project scope has been conditioned to minimize ground vegetation removal and provide for protections to sensitive habitats in the form of USFWS and DFW approved biological monitors, sensitive habitat exclusion fencing, and grading during the dry summer months.

6. That the project conforms to the criteria of this chapter, including the standards referenced in Section 8605, and has been conditioned to require dust control and erosion and sediment control measures.

7. That the project is consistent with the General Plan as discussed in Section A.1 of this staff report.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and approval by the Planning Commission on May 28, 2014. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.

2. This permit shall be valid for two (2) years from the date of approval in which time the project shall be completed. Any extension of the permits shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.

3. The conditional approval of this grading permit shall be valid for two (2) years from the date of approval. If the grading permit (issued as the “hard card” with all necessary information filled out and signatures obtained) has not been issued within this time period, this approval will expire. An extension to this approval will be considered upon written request and payment of applicable fees sixty (60) days prior to expiration.

4. Prior to any construction or grading activities, the applicant shall implement erosion and sediment control methods including sensitive habitat exclusion fencing, stabilized construction entranceways, and fiber rolls or silt fencing. Photos of the installed measures shall be submitted to the Planning Department for review and approval. Measures shall be installed prior to the issuance of the grading permit “hard card” and shall be maintained for the duration of the construction activities. Erosion control measure deficiencies, as they occur, shall be immediately corrected.

Grading activities shall not commence until the grading "hard card" has been issued.

5. Unless approved in writing, by the Community Development Director, no grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion. The applicant shall submit a letter to the Planning Department, a minimum of two (2) weeks prior to commencement of grading, stating the date when grading will begin if grading is proposed during this time.

6. Upon the start of excavation activities and through to the completion of the project, the applicant shall be responsible for ensuring dust control measures are implemented as needed. The intent of the plan shall be to mitigate excessive dust generation resulting from any and all excavation and earth-moving operations.

7. For the final approval of the grading permit, the applicant shall submit to the Planning Department a letter of project completion.

8. Vegetation removal or grading outside of the project scope shall require a separate Land Clearing Permit or amended Grading Permit subject to an application, payment of applicable fees, and consideration at a public hearing. If grading quantities (cut or fill) change or additional vegetation has been removed, the applicant shall cease construction and submit revised plans to the Planning Department for review.

9. Per San Mateo County Ordinance Code Section 8605.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.

10. An archaeological or historical monitor shall have the authority to temporarily halt any ground disturbing construction to identify and evaluate any archaeological, historical or cultural materials inadvertently exposed during construction. The exposure of significant resources could result in the development of a treatment program including scientific removal, analysis and reporting. The exposure of any Native American burials shall be handled in accordance with State law.

11. In the event the project scope is significantly modified, the applicant shall submit to the Planning and Building Department a revised historical and archaeological evaluation for review by the Planning Department.

12. This permit does not allow for the removal of any trees. Removal of any trees with a diameter greater than 12 inches as measured 4.5 feet above the ground shall require a separate tree removal permit.

13. The disturbance or removal of native vegetation shall not exceed the minimum necessary to construct or deconstruct trail sections.

14. The applicant is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," Items 14.a through 14.l, below.

    Additionally, the applicant shall apply for a National Pollutant Discharge Elimination System (NPDES) permit from the Central Coast Region State Water Resources Quality Control Board. A copy of this permit shall be submitted to the Planning Department and the Department of Public Works.

    a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.

    b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.

    c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.

    d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.

    e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.

    f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.

    g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.

    h. Performing clearing and earth-moving activities only during dry weather.

    i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.

    j. Limiting construction access routes and stabilizing designated access points.

k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.

l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction best management practices.

15. Noise levels produced by proposed construction activities shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday. Construction operations shall be prohibited on Saturday and Sunday and any national holiday.

16. Construction equipment shall comply with the County's Energy Efficiency Climate Action Plan (EECAP) for construction idling as applicable considering the sensitive nature of the project area. Specifically, Bay Area Air Quality Management District Best Management Practices for Mitigating Criteria Air Pollutants and Precursors:

    a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be two times per day.

    b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

    c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day.

    d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.

    e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.

    f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be check by a certified visible emissions evaluator.

    g. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action with 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

United States Fish and Wildlife Service and California Department of Fish and Wildlife (Avoidance Measures)

17. Trail work shall take place under the supervision of a United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (DFW) approved biologist, biological monitors, or their representative as identified in the Memorandum of Understanding between State Parks and Recreation and the California Department of Fish and Wildlife. Biological monitors shall be approved prior to the commencement of construction activities.

18. The two trail reroutes (significant ground disturbance) shall be fenced off with one way exits for any entrapped snakes or frogs. As long as the trail work that is taking place elsewhere does not include significant ground disturbance, those areas need not be fenced. The qualified biologist shall monitor for SFGS and CRLF while work is being done within the exclusion zone, for approximately 1 week after vegetation removal, in the event any animals emerge from burrows or other cover.

19. Ground excavation shall be done by hand, not by mechanical means, and in a slow manner that will allow for the identification and relocation of any sensitive species. San Francisco garter snakes shall not be relocated as this is not a research or recovery project, and they must be allowed to leave an area on their own.

20. All vegetation removed and not used for revegetation or slash shall not be stockpiled on the ground and shall be placed directly into a disposal vehicle and removed from the site; vegetation shall not be piled on the ground unless it is later transferred, piece by piece, under the direct supervision of the biological monitor.

21. All vehicles parked on site for more than 15 minutes shall be inspected by the biological monitor or trained staff monitor before being moved and the parking sites themselves shall be checked in advance.

22. The applicant shall implement erosion control measures prior to the beginning of grading or construction operations. Revegetation of denuded areas shall begin immediately upon completion of grading/construction operations.

Department of Public Works

23. Prior to construction, the applicant shall apply to the State Water Resources Control Board Central Coast Region for a National Pollutant Discharge Elimination System (NPDES) permit. A copy of this permit shall be submitted to the Planning Department and the Department of Public Works.

24. Within thirty (30) days of approval (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis

of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.

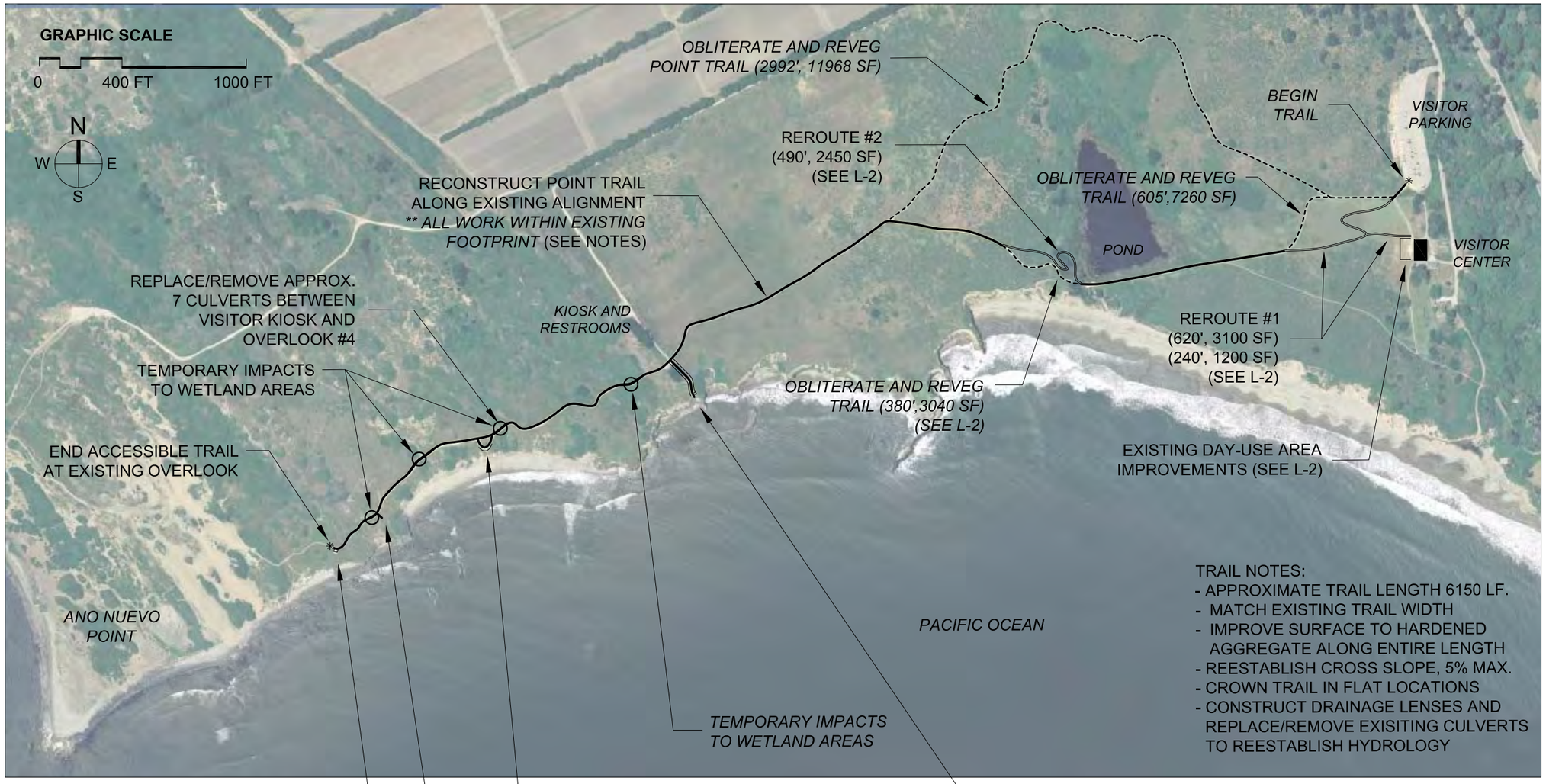
MR:pac - MARY0334_WPU.DOCX

County of San Mateo - Planning and Building Department

ATTACHMENT B

ANO NUEVO POINT TRAIL
ACCESSIBILITY IMPROVEMENTS

LEGEND:
- IMPROVE AND REPAIR EXISTING TRAIL
- CONSTRUCT NEW TRAIL REROUTE
- OBLITERATE AND REVEGETATE TRAIL



OVERLOOK #4
- CONSTRUCT SINGLE TIER ROCK WALL TO LEVEL, AGG. BASE SURFACE
- INSTALL NEW BENCH

*** ALL WORK WITHIN EXISTING FOOTPRINT*

OVERLOOK #3
- CONSTRUCT SINGLE TIER ROCK WALL TO LEVEL, AGG. BASE SURFACE

*** ALL WORK WITHIN EXISTING FOOTPRINT*

OVERLOOK #2
- CONSTRUCT 1-2 TIER ROCK WALL TO ELEVATE/LEVEL OVERLOOK, INCLUDE DRAINAGE LENSE AGG. BASE SURFACE
- REPAIR EROSION DAMAGE ON BLUFF
- REPLACE HAND RAILING
- INSTALL NEW BENCH

*** ALL WORK WITHIN EXISTING FOOTPRINT*

OVERLOOK #1
- CONSTRUCT APPROX. 175' ROCK/WOOD CAUSEWAY OVER SANDY CONDITIONS, AGG. BASE SURFACE (SEE DETAIL D-1)
- CONSTRUCT 4'x6' LEVEL LANDING AT EXISTING INTERP. PANEL, AGG. BASE SURFACE
- REPLACE 2 EXISTING BENCHES AT KIOSK

*** ALL WORK WITHIN EXISTING FOOTPRINT, EXCEPT FOR 4'X6' LANDING*

ACCESSIBILITY SECTION
One Capitol Mall
Sacramento, CA
95814-3229

CALIFORNIA STATE FIRE MARSHAL- APPROVED

Approval of this plan does not authorize or approve any omission of deviation from applicable regulations. Final approval is subject to field inspection. One set of approved plans shall be available on the project site at all times.

Reviewed by Date

DPR ACCESS COMPLIANCE REVIEW
ACCESSIBILITY SECTION
CERTIFICATION # APPROVED

Reviewed by J. SPANN Date 6-26-07

ACCESSIBILITY COMPLIANCE AND STATE FIRE MARSHAL SIGNED ORIGINALS ARE ON FILE AT THE DEPARTMENT OF PARKS AND RECREATION, NORTHERN SERVICE CENTER

DESIGNED:	S. NAWRATH
DRAWN:	S.NAWRATH
CHECKED:	XXX
DATE:	10-22-2012

REVISIONS

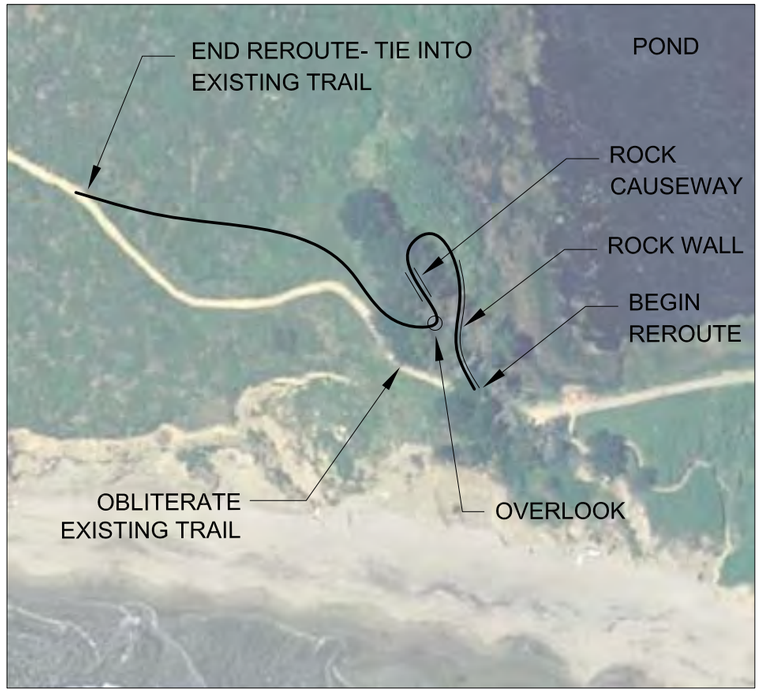
	DATE

ANO NUEVO STATE RESERVE
ANO NUEVO POINT TRAIL ACCESSIBLITY IMPROVEMENTS

LAYOUT SHEET

DRAWING NO.
XXXXX.XXX

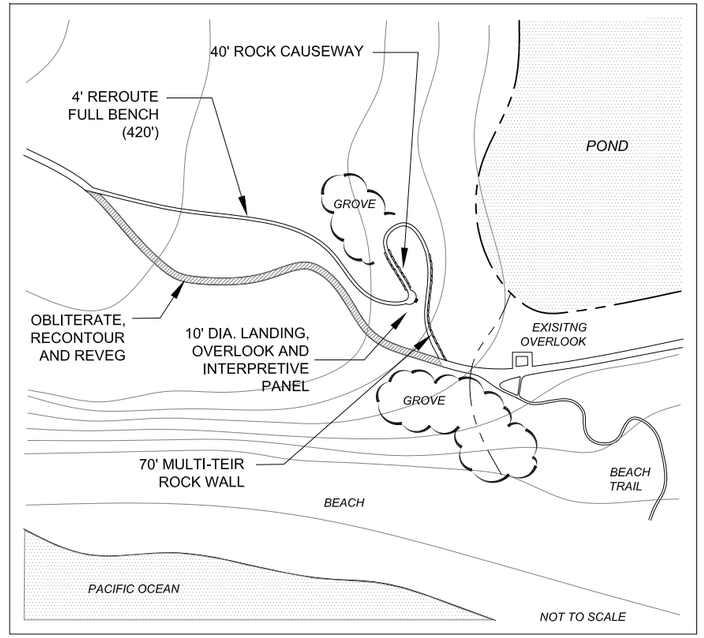
SHEET NO.
L-1
1 OF 7



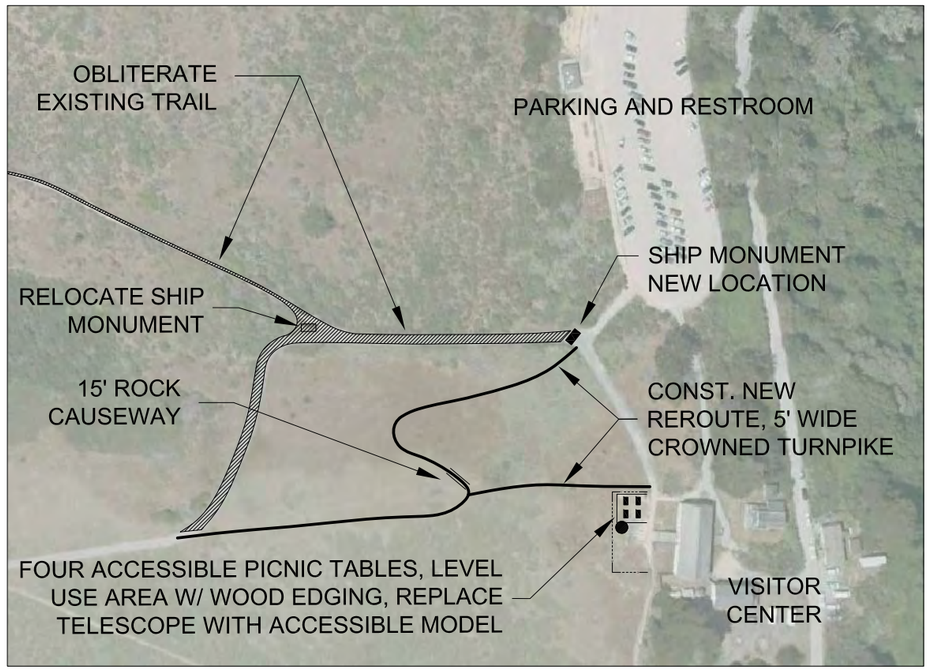
REROUTE #2

- CONST. NEW 5' WIDE FULL BENCH REROUTE TRAIL (500' APPROX)
- CONST. APPROX. 70' MULTI-TIER ROCK WALL, 2' HIGH AVE.
- CONST. APPROX. 40' SINGLE TIER ROCK CAUSEWAY AFTER WALL
- INSTALL NEW INTERPRETIVE PANEL OVER-LOOKING LAKE, PROVIDE 10' DIA. PULL-OUT
- OBLITERATE, RECONTOUR AND REVEGETATE ABANDONED 380' TRAIL SEGMENT
- REMOVE SPLIT RAIL FENCING

NOTE: EXACT ALIGNMENT WILL BE FIELD STAKED FOR ENVIRONMENTAL REVIEW PROCESS. ALIGNMENT SHOWN ON THIS PLAN IS REPRESENTATIONAL ONLY



REROUTE #2



REROUTE #1 & DAY USE IMPROVEMENTS

- CONST. NEW 5' WIDE CROWNED REROUTE TRAIL (860' APPROX)
- INSTALL ADA TELESCOPE W/ 60"X60" LEVEL PAD
- 40'X40" LEVEL AGGREGATE PAD WITH 4 ADA COMPLIANT PICNIC TABLES
- REPLACE ALL PICNIC TABLES IN CORAL TO ADA COMPLIANT DESIGN
- INSTALL NEW TRAILHEAD SIGNAGE
- MATCH EXISTING MATERIALS
- OBLITERATE, RECONTOUR AND REVEGETATE ABANDONED TRAILS

NOTE: EXACT ALIGNMENT WILL BE FIELD STAKED FOR ENVIRONMENTAL REVIEW PROCESS. ALIGNMENT SHOWN ON THIS PLAN IS REPRESENTATIONAL ONLY

ACCESSIBILITY SECTION
One Capitol Mall
Sacramento, CA
95814-3229

CALIFORNIA STATE FIRE MARSHAL- APPROVED

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ACCESSIBILITY SECTION
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Reviewed by J. SPANN Date 6-26-07

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ANO NUEVO STATE RESERVE
ANO NUEVO POINT TRAIL ACCESSIBLITY IMPROVEMENTS

LAYOUT SHEET

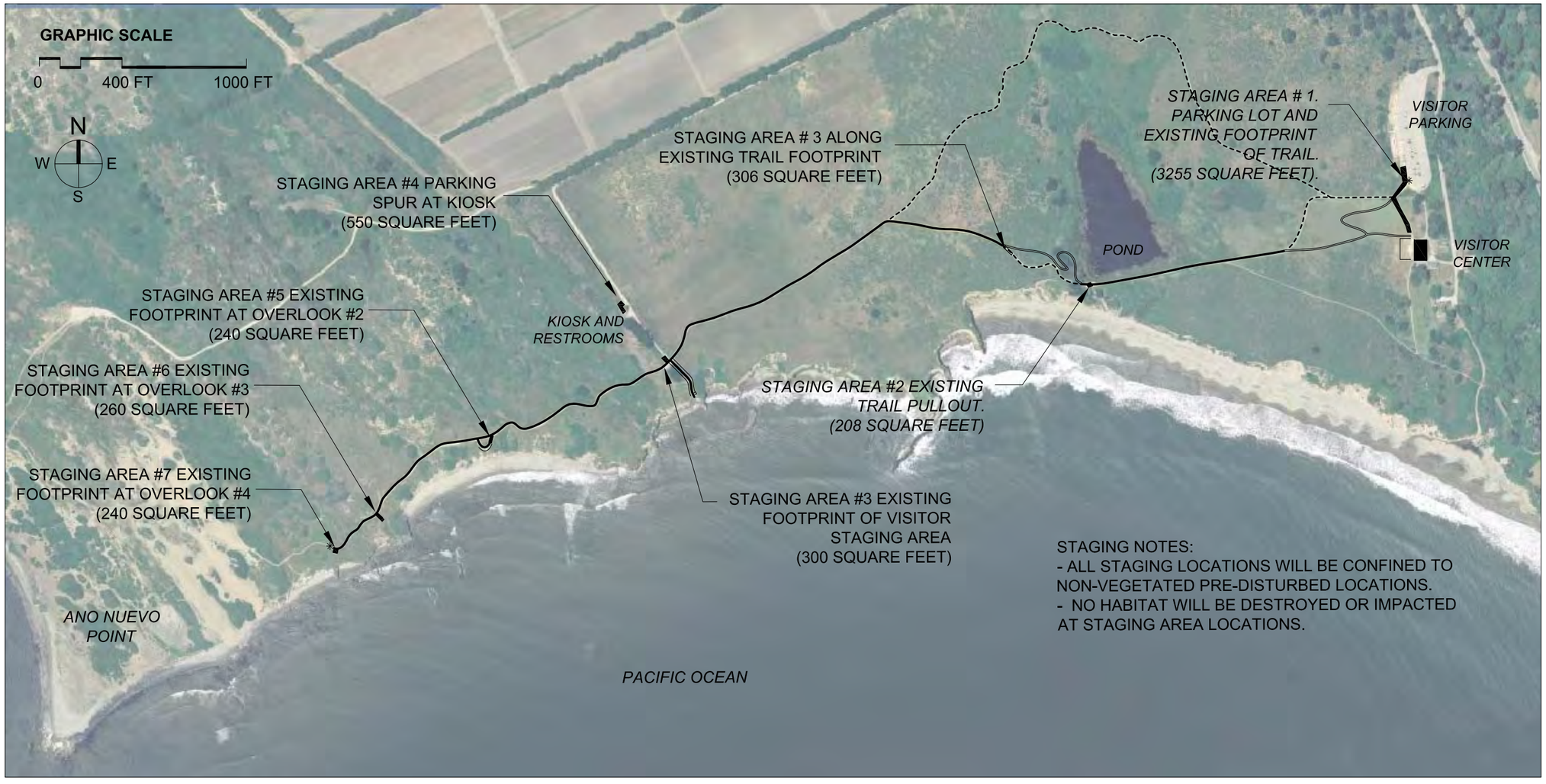
DRAWING NO.
XXXXX.XXX

SHEET NO.
L-2
3 OF 7

File: R:\Trails\08-09 Trail Projects\Ano Nuevo Point Trail - Ano Nuevo SR\Design\L-2 LAYOUT SHEET ANO2.dwg Layout: L-1 Layout Sheet Date: October 23 2012 - 2:27 pm User: tsegobart

ANO NUEVO POINT TRAIL
ACCESSIBILITY IMPROVEMENTS

LEGEND:
- IMPROVE AND REPAIR EXISTING TRAIL
- CONSTRUCT NEW TRAIL REROUTE
- OBLITERATE AND REVEGETATE TRAIL



STAGING NOTES:
- ALL STAGING LOCATIONS WILL BE CONFINED TO NON-VEGETATED PRE-DISTURBED LOCATIONS.
- NO HABITAT WILL BE DESTROYED OR IMPACTED AT STAGING AREA LOCATIONS.

ACCESSIBILITY SECTION
One Capitol Mall
Sacramento, CA
95814-3229

CALIFORNIA STATE FIRE MARSHAL- APPROVED

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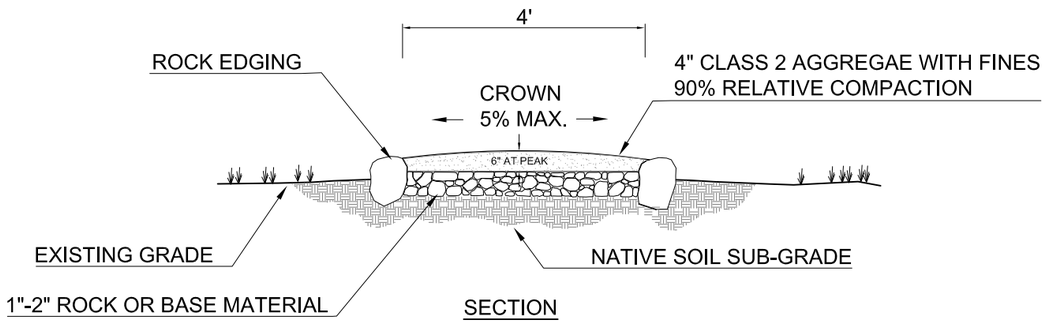
ANO NUEVO STATE RESERVE
ANO NUEVO POINT TRAIL ACCESSIBILITY IMPROVEMENTS

STAGING AREA PLAN

DRAWING NO.
XXXXX.XXX

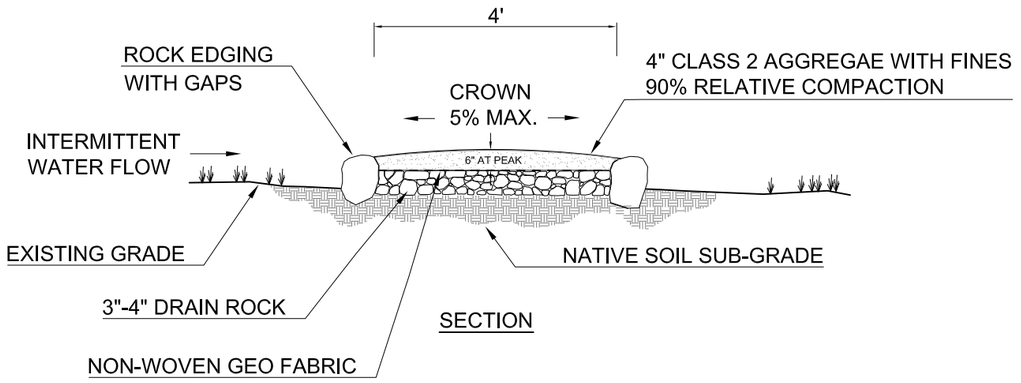
SHEET NO.
L-3
4 OF 7

File: R:\Trails\08-09 Trail Projects\Ano Nuevo Point Trail- Ano Nuevo SRI\Design\L-1 LAYOUT SHEET ANO2_Staging Areas.dwg Layout: L-1 Layout Sheet Date: October 23 2012 - 2:29 pm User: tsegebart



ROCK CAUSEWAY- TYPICAL

NOT TO SCALE

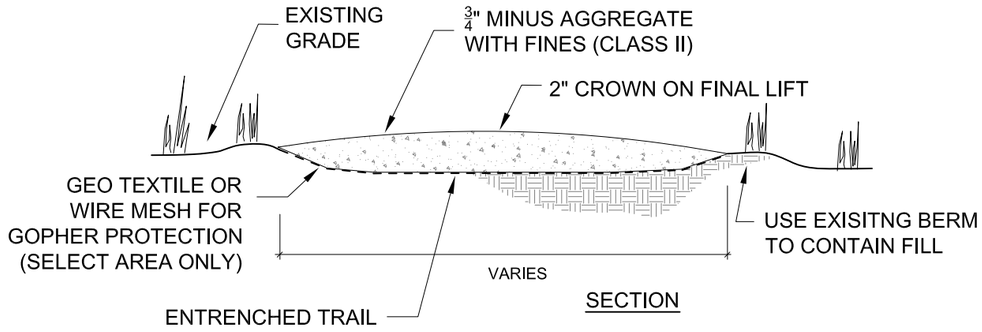


DRAIN LENSE- TYPICAL

NOT TO SCALE

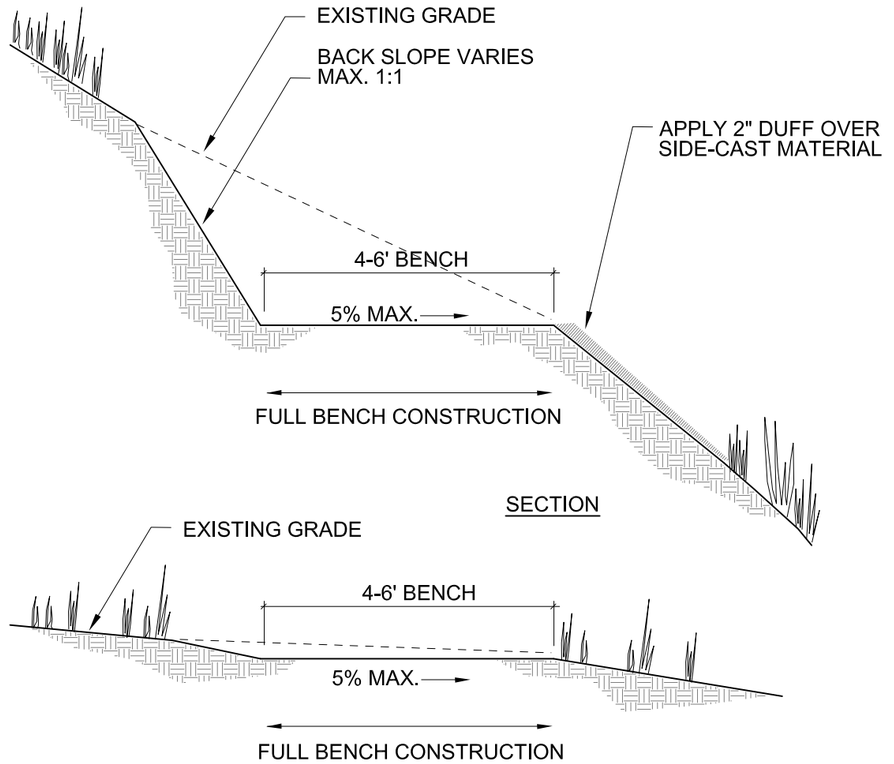
NOTES:

- CONSTRUCT AGGREGATE IN 3"-4" LIFTS. WET AND COMPACT EACH LIFT SEPARATELY TO 90%
- DUST FINSHED SURFACE WITH NATIVE SOIIL TO MATCH COLOR (QUANTIES DETERMINED IN THE FIELD)
- SCARIFY EXISTING GROUND UNDER NEW TRAIL TREAD MATERIAL PRIOR TO PLACEMENT
- IN ENTRENCHED AREAS USE EXISITNG BERMS AS WALL TO CONTAIN BASE MAETRAIL AS SHOWN IN DETAIL.
- REFER TO CALIFORNIA DEPARTMENT OF PARKS AND RECREATION TRAILS HANDBOOK FOR CONSTRUCTION STANDARDS



WALL-LESS CAUSEWAY - TYPICAL
ENTRENCHED CONDITION

NOT TO SCALE



NEW TRAIL/REROUTE - TYPICAL
SLOPED AND FLATTER CONDITION

NOT TO SCALE

CALIFORNIA STATE PARKS SINCE 1864

ACQUISITION &
DEVELOPMENT DIVISION
One Capitol Mall
Sacramento, CA
95814-3229

CALIFORNIA STATE FIRE MARSHAL- APPROVED

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ACCESSIBILITY SECTION
CERTIFICATION #

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DATE:	10-22-2012

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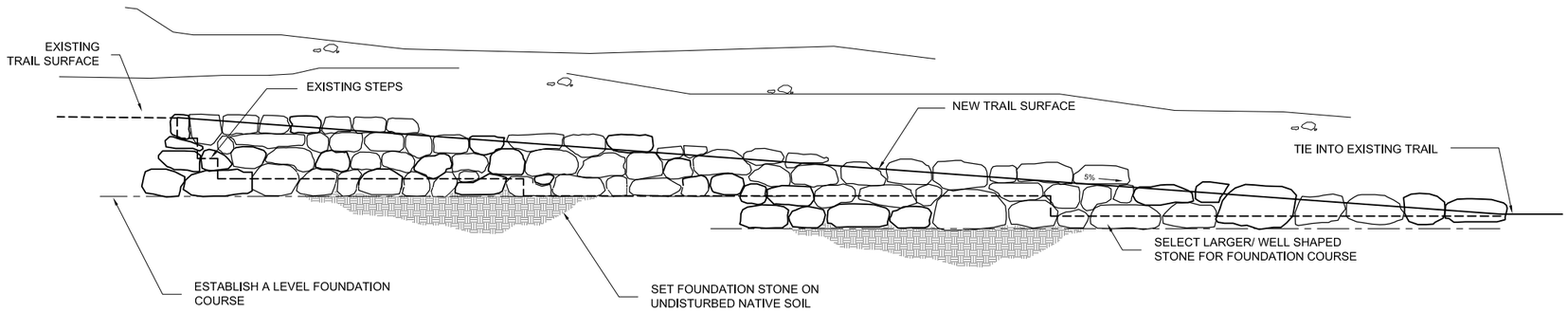
	DATE

ACCESSIBILITY SECTION
TRAIL CONSTRUCTION DETAILS

DETAIL SHEET

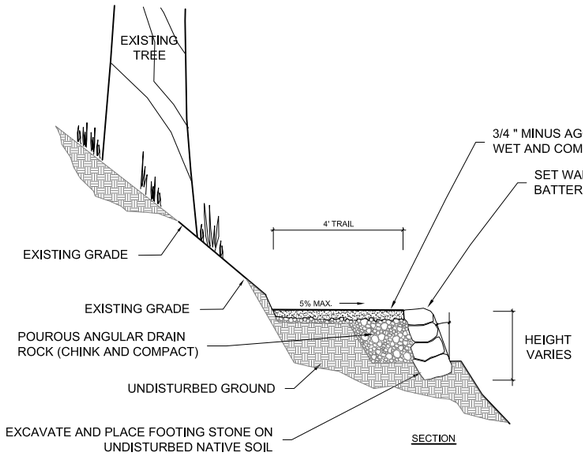
DRAWING NO.
XXXXX.XXX

SHEET NO.
D-1
5 OF 7



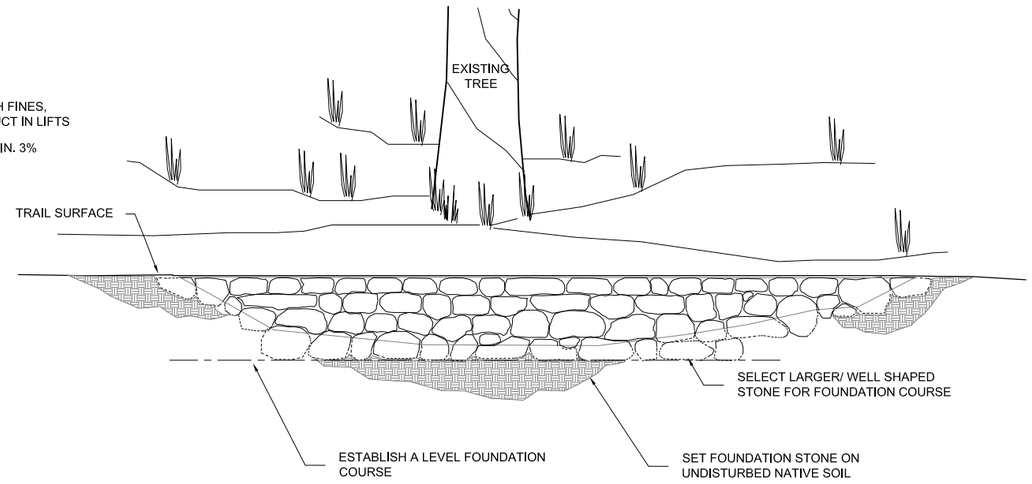
ROCK RETAINING WALL/RAMP- TYPICAL

NOT TO SCALE



DRY ROCK RETAINING WALL- TYPICAL

NOT TO SCALE

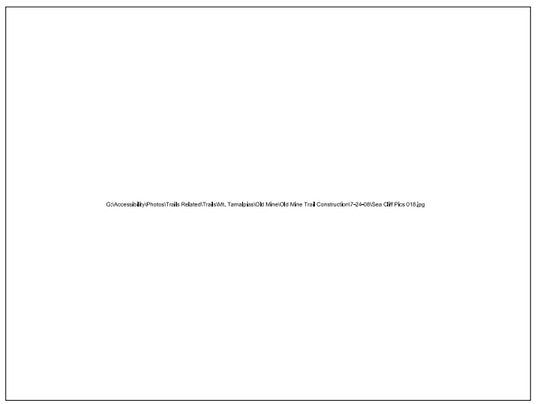


DRY ROCK RETAINING WALL- TYPICAL

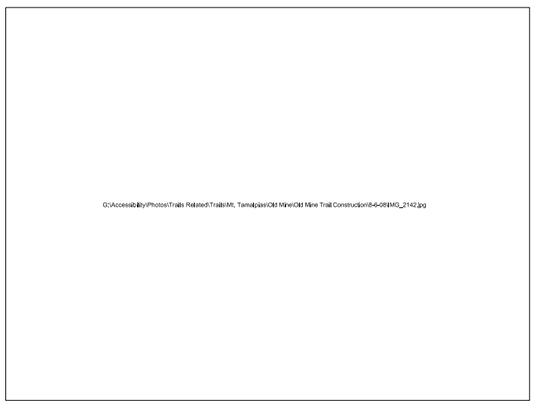
NOT TO SCALE

BASE COURSE

PARTIALLY CONSTRUCTED WALL



FINISHED WALL



CALIFORNIA STATE PARKS SINCE 1864

ACQUISITION &
DEVELOPMENT DIVISION
One Capitol Mall
Sacramento, CA
95814-3229

CALIFORNIA STATE FIRE MARSHAL- APPROVED

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DPR ACCESS COMPLIANCE REVIEW
ACCESSIBILITY SECTION

CERTIFICATION #

Reviewed by Date

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DATE:	10-22-2012

REVISIONS

	DATE

ACCESSIBILITY SECTION
TRAIL CONSTRUCTION DETAILS

ROCK RETAINING WALL
MULTI TIER

DRAWING NO.
XXXXX.XXX

SHEET NO.
D-2

6 OF 7

PHOTO OF OVERLOOK #2

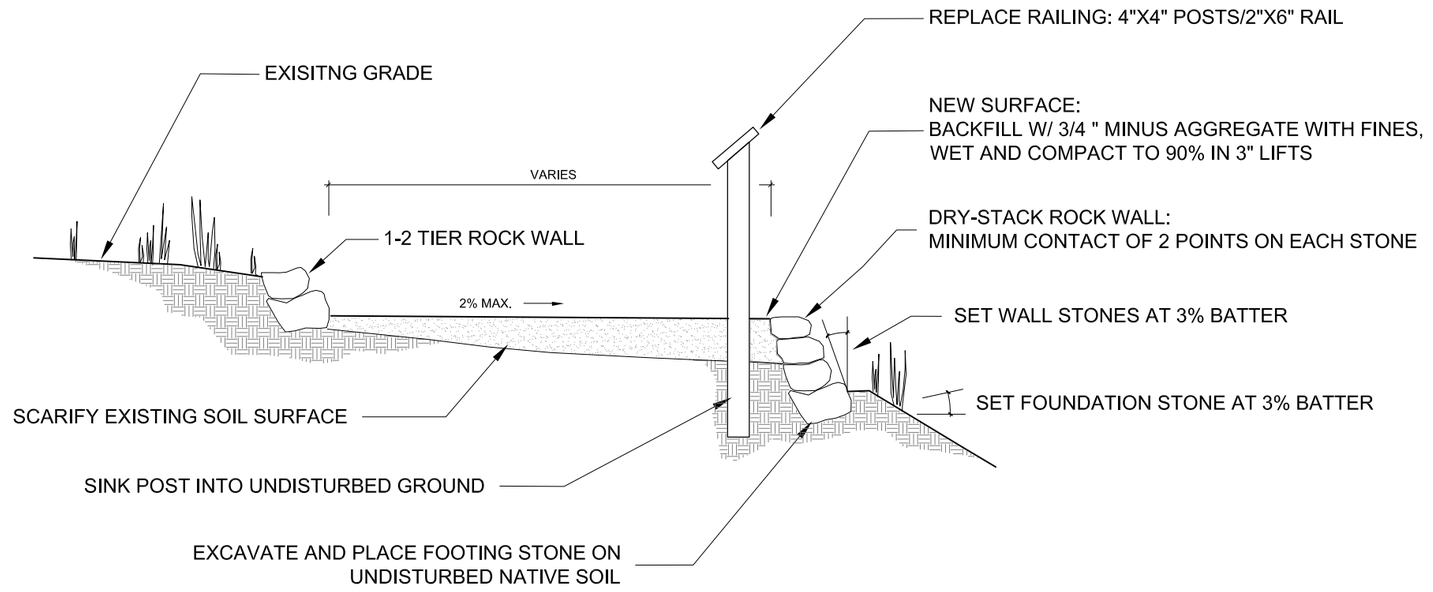
NOTES:

- CONSTRUCT AGGREGATE IN 3" LIFTS. WET AND COMPACT EACH LIFT SEPARATELY TO 90%

- DUST FINISHED SURFACE WITH NATIVE SOIL TO MATCH COLOR (QUANTIES DETERMINED IN THE FIELD)

- SCARIFY EXISTING GROUND UNDER NEW TRAIL TREAD MATERIAL PRIOR TO PLACEMENT

- REFER TO CALIFORNIA DEPARTMENT OF PARKS AND RECREATION TRAIL HANDBOOK FOR CONSTRUCTION STANDARDS

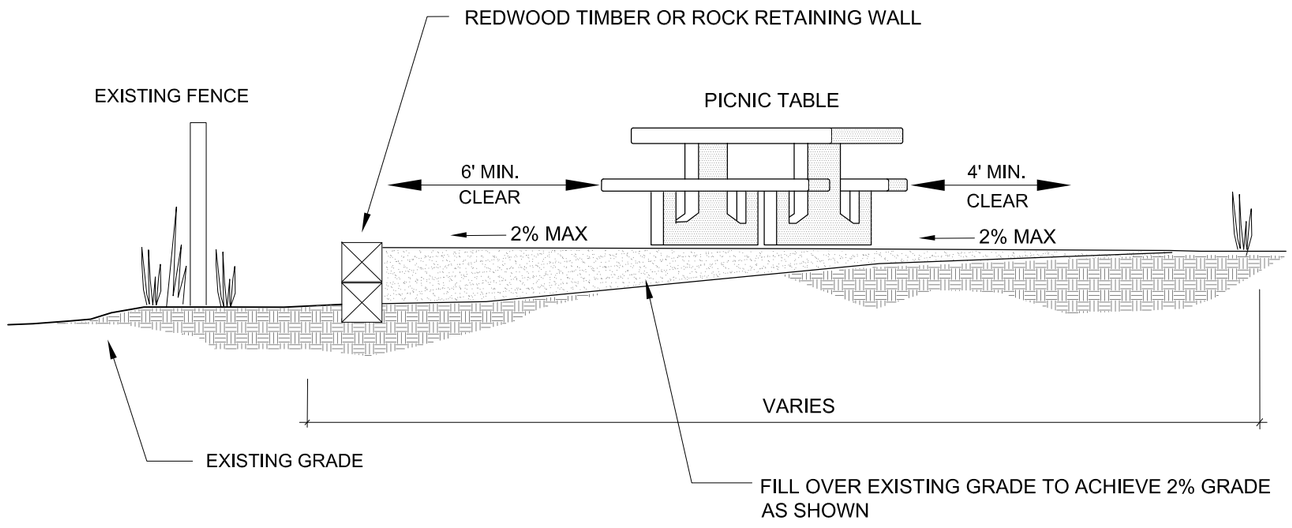


SECTION

ROCK RETAINING WALL
OVERLOOK #2

NOT TO SCALE

PHOTO OF PICNIC AREA



PICNIC SITE

NOT TO SCALE

CALIFORNIA STATE PARKS SINCE 1864

ACQUISITION &
DEVELOPMENT DIVISION
One Capitol Mall
Sacramento, CA
95814-3229

CALIFORNIA STATE FIRE MARSHAL- APPROVED

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ACCESSIBILITY SECTION
CERTIFICATION #

Reviewed by Date

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DESIGNED:	S. NAWRATH
DRAWN:	S. NAWRATH
CHECKED:	XXXXXX
DATE:	10-22-2012

REVISIONS

	DATE

ACCESSIBLITY SECTION
TRAIL CONSTRUCTION DETAILS

DETAIL SHEET

DRAWING NO.
XXXXX.XXX

SHEET NO.
D-3
7 OF 7

File: R:\Trails\08-09 Trail Projects\Ano Nuevo Point Trail- Ano Nuevo SR\Design\D-3 DETAIL SHEET.dwg Layout: D-3 Detail Sheet Date: October 23,2012 - 2:33 pm User: tsegebart

County of San Mateo - Planning and Building Department

ATTACHMENT C

AÑO NUEVO STATE RESERVE

AÑO NUEVO POINT TRAIL
ACCESSIBILITY IMPROVEMENTS PROJECT

BIOLOGICAL REPORT

Prepared by:
Laurie Archambault, Northern Service Center
Portia Halbert, Santa Cruz District

August
2012

TABLE OF CONTENTS

FIGURES

TABLES

INTRODUCTION

The purpose of this document is to provide information on the status of federally-listed wildlife species that occur within or near the project area as well as to discuss potential project-related impacts and measures to avoid or minimize those impacts.

PROJECT LOCATION

The Año Nuevo Point Trail is located in Año Nuevo State Reserve. The Reserve is situated on the west side of Highway 1, approximately 30 miles south of Half Moon Bay and 22 miles north of Santa Cruz in San Mateo County (DPR 2009). The Año Nuevo Point Trail begins at the Visitor's Center located near the main parking lot for the park. (Appendix A, sheets T-1 and L-1).

PROJECT DESCRIPTION

California State Parks is required under the 2005 Consent Decree to provide accessible features at all state parks in order to better accommodate visitors with disabilities. Trail facilities are one component of the Department's "ADA Transition Plan" that aims to retrofit all state parks by 2016 to comply with the ruling of the Consent Decree. Año Nuevo State Reserve is designated as a Level 2 park in the Transition Plan, requiring 1.5 miles of accessible trail. The Reserve currently has what is termed an "Equal Access" boardwalk trail from a staging area that is accessible only by van and is closed to the public when a docent is not available. The boardwalk is approximately 600' in length. This project proposes to upgrade the existing general public access trail (i.e., the Año Nuevo Point Trail) and select day use facilities located at the visitor center. The final length of the proposed trail would be 6150 feet.

The current Año Nuevo Point Trail originates at the park's visitor center and heads westward towards Año Nuevo Point. This project will provide disabled visitors with a barrier free (compliant) pedestrian route from the visitor center to several existing overlooks along the bluffs. It will also correct major maintenance-related issues on the existing trail that are negatively impacting natural resources. Two reroutes will be required in order to meet accessible grade standards. The first, originating from the main parking lot and the visitor center will require an 860-foot reroute (Appendix A, sheet L-2). The second reroute would be approximately 500 feet long and will require a 70-foot long dry stack rock wall that is 2 feet high on average in order to support the new alignment where it curves around and above the stock pond (Appendix A, sheet L-2). An interpretive panel will be placed on this segment and viewing opportunities of the pond will be provided that will accommodate disabled visitors. A major component of this project will be to decommission and restore approximately 4,977 linear feet (26,268 square feet) of degraded existing trail.

Specific work items include:

- Brushing (i.e., vegetation pruning and removal) of new trail reroutes. The reroutes will be cleared of vegetation and the organic duff layer prior to tread construction.
- Reconstruction of trail to match existing widths (i.e., repair entrenchment and drainage problems). A combination of crowned tread, wall-less causeway, rock causeway and drainage lenses will be utilized (Appendix A, sheet D-1).
- Reconstruction of cross slope along entire trail to promote proper sheet drainage where necessary.
- Repair deficiencies and make ADA upgrades to four overlooks along the trail (Appendix A, sheet L-1). Overlooks would be elevated and leveled to 2% maximum cross slope. Overlook surfaces would be hardened with compacted aggregate base.
- Replacement of damaged culverts along trail. At select locations, drainage lenses would be constructed to promote improved sheet flow (Appendix A, sheet D-1).
- Placement of geo-textiles or wire mesh under-layment on select segments of the trail to prevent gopher damage to the trail treads (e.g., area around picnic sites and visitor center). (Appendix A, sheet D-1).
- Replacement of two benches at existing kiosk building and installation of three new wooden benches along trail. New bench locations will be limited to existing wide areas in the trail to avoid resource impacts.
- New trail signage will be placed at the beginning and end of the trail.

Closure and rehabilitation of abandoned trail segments as part of this trail project:

The three trail segments that would be abandoned after the new trail alignments are constructed would be restored to native habitat. Rehabilitation would involve different treatments for each abandoned segment. A total estimate of 26,268 square feet (0.6 acres) would be restored to native habitat along the abandoned trail segments (Table 1).

North Loop of the Año Nuevo Point Trail:
Approximately 11,698 square feet (0.27 acres) of this trail segment would be permanently closed and rehabilitated. The abandoned trail will be decompacted to eight inches and raked to promote the germination and establishment of native plant material. The trail would then be brushed with adjacent coyote brush, coffeeberry, poison oak and willow cuttings to seed the trail, provide erosion control, and discourage further visitor use. Water bars would also be installed, where appropriate, to correct drainage issues.

DPR will be restoring an additional 0.1 acres of SFGS habitat through the reduction of the trail width from approximately 12 feet to 8 feet starting at Reroute #2 and going west toward the kiosk and restrooms (See Layout Sheet L-1). Additionally we will be correcting drainage problems along the western end of the

North Loop Trail past the docent roost; these drainage issues impact water quality, primarily in the ocean.

South Loop of the Año Nuevo Point Trail:
Approximately 3,040 square feet (0.06 acres) of this trail near the pond and 7,260 square feet (0.17 acres) near the visitor center would be restored by removing all existing base rock and backfilling with appropriate local soil material that would be salvaged as part of this project. The segments would then be re-contoured to allow for hydrologic connectivity and brushed with adjacent coyote brush, coffeeberry, poison oak and other native plant species cuttings from the Coyote Brush Alliance to seed the trail, provide erosion control, and discourage further visitor use. A total of approximately 10,300 square feet (0.24 acres) of the South Loop of the Año Nuevo Point Trail would be restored.

The closure and rehabilitation of these trail segments will reduce the fragmentation of habitat at this site and create a larger area for SGFG and CRLF without the potential for human disturbance or interaction. In addition, the new trail segments and alignments are designed for sustainability in a high visitor-use area which will reduce soil erosion and water quality impacts.

Table 1. Comparison of Trail Restoration vs. New Trail Construction

	Linear Feet	**Square Feet**
Total Existing Trail Prior to Project	**9,977**	**62,095**
North Loop Trail obliterated and restored	2992	11,968
South Loop Trail obliterated and restored (near visitor center)	605	7,260
South Loop Trail obliterated and restored (near pond)	380	3,040
Trail footprint narrowed from ~12' wide to 8' wide	1,000	4,000
Total Existing Trail Closed and Restored	**4,977**	**26,268**
Total Existing Trail to Remain	**5,000**	**35,827**
New Trail Constructed as part of Re-route #1	620	3,100
New Trail Constructed as part of Re-route #1	240	1,200
New Trail Constructed as part of Re-route #2	490	2,450
Total New Trail Constructed	**1,350**	**6,750**
Total Trail Upon Project Completion	**6,350**	**42,577**
Net Habitat Gain	**3,627**	**19,518**
Temporary impacts to vegetation caused by	**1,000**	**6,000**

recontouring of eroded road sections		

In addition to trail improvements, this project will also include ADA-compliant improvements to four picnic sites that are located at the park's visitor center. Wooden picnic tables are currently located on sloped terrain near the back door of the visitor center building. Picnic sites will be leveled utilizing either rock or wood retaining walls and new ADA-compliant wooden tables will replace existing ones (see sheet D-3). The picnic area work would be restricted to existing developed picnic sites.

CONSTRUCTION METHODS AND EQUIPMENT

The trail re-alignment located near the Visitor's Center, the day-use area work, and the first segment of the existing trail from the end of the re-alignment to the intersection with the primary Año Nuevo Point Trail (i.e., the wider trail, see Appendix A, sheet L-1) will involve the use of: motorized walk-behind toters, wheel barrows, multiple hand tools (e.g., McLeods, racks, shovels), and a motorized walk-behind vibriplate.

The work along the primary Año Nuevo Point Trail segment between the two trail re-alignments and continuing out to overlook #4 (Appendix A, sheet L-1) will involve the use of a mini dump truck, mini vibri-rollers (drivable), front-end loader (drivable), walk-behind motorized toters, wheel barrows, various hand tools (e.g., McLeods, racks, shovels), and a motorized walk-behind vibriplate.
The second trail re-route located near the pond (Appendix A, sheet L-1) will include construction of a retaining wall. Construction work will involve use of walk-behind motorized toters, wheel barrows, various hand tools (e.g., McLeods, racks, shovels), and a motorized walk-behind vibriplate.

Appendix B includes a more detailed description of the various trail construction methods that would be utilized for conducting the trail work on this project.

CONSTRUCTION TIMING AND DURATION

Construction activities will take a total of approximately four to six months if the work is conducted every day until completion. However, if it is desirable to split the construction schedule in order to avoid impacts to special-status species, the work can be completed over two or three seasons, as necessary. Trail construction would be conducted during the dry months (i.e., between late July and mid-late November)

SUMMARY OF CONSULTATION TO DATE

- August 19, 2009 - Formal letters requesting technical assistance were mailed by Laurie Archambault to Ryan Olah (USFWS) with USFWS-generated species list and to Chuck Armor (DFG).
- October 26, 2009 - No response had been received from either agency, so follow-up phone calls were made by Laurie Archambault to both agencies on this date. DFG then indicated that Suzanne Deleon would be the contact for this project and an email was sent to her by Laurie Archambault on the same day.
- November 16, 2009 - Añother email was sent by Laurie Archambault to both Ryan Olah (USFWS) and Suzanne Deleon (DFG) because a response had still not been received.
- November 17, 2009 - A response email was received by Laurie Archambault from Suzanne Deleon of DFG who asked for more information about the project. The project description, along with project drawings, was emailed to her by Laurie Archambault on this date.
- November 23, 2009 – A response email was received by Laurie Archambault from Vince Griego (USFWS) indicating his agency's interest in the project and potential effects to California red-legged frog and San Francisco garter snake and asking that DPR conduct an analysis of potential project impacts to these species.
- January 22, 2010 – Portia Halbert contacted Vince Griego (USFWS) and Suzanne Deleon (DFG) to arrange an onsite meeting.
- March 11, 2010 – Portia Halbert, Laurie Archambault, Chris Pereira, and Steve Nawrath (all from DPR) met at the Año Nuevo Point Trail project site with Vince Griego (USFWS) and discussed project components along the length of the trail. Suzanne Deleon left a phone mail message with Portia Halbert just prior to the meeting and indicated that she was no longer able to attend. While onsite, a San Francisco garter snake was observed at the edge of the Año Nuevo Point Trail.
- April 12, 2010 – Laurie Archambault re-sent the Año Nuevo Point ADA Trail project description to Vince Griego (USFWS).
- May 10, 2011 – Project Manager Jason Spann, CEQA coordinator Stephanie Coleman and Environmental Scientist Dan Kopp meet with Vince Griego (USFWS) to discuss project options, in regard to S.F. garter snake and CRLF avoidance, dependent on whether or not the USACE takes jurisdiction. We discussed the extent of exclusion fencing, whether it should be in the current zone of work versus the entire project area. Vince also mentioned the restriction on ground disturbing activities from November 15 to April 15.
- January 19, 2012 – Portia Halbert spoke on the phone with Suzanne Deleon of DFG regarding the biological avoidance measures for the San Francisco garter snake on the Año Nuevo Point Trail ADA Project.

Portia and Suzanne discussed the protection measures outlined in the Biological Report and their adequacy for protecting the SFGS. Suzanne explained that DFG cannot permit take of SFGS as it is a fully protected species. However, this

trail work can be planned and conducted in a way to completely avoid impacts to or take of the SFGS.

1. First, the trail work must take place under the supervision of a DFG qualified biologist or their representative as identified in an MOU with DFG.
2. The two areas with significant ground disturbance (Reroute #1 and #3) must be fenced off with one way exits for any entrapped snakes or frogs. As long as the trail work that is taking place elsewhere does not include significant ground disturbance, those areas need not be fenced.
3. Ground excavation will be done by hand, not with mechanical means, and in a slow manner that will allow for the identification and relocation of any sensitive species.

   4. Portia indicated that the Biological Report would be amended to include these measures. DFG recognizes that take will not occur as long as the avoidance measures as described in the amended Biological Report are met.

DESCRIPTION OF HABITATS IN PROJECT VICINITY

The project will be primarily within three different plant community types: Coyote Brush Alliance; California Exotic Annual/Perennial Grassland Alliance; and, Sand-Verbena-Beach Bursage Association.

The Coyote Brush Alliance is the most prevalent plant community type in the park. It is a shrubby community dominated by coyote brush (*Baccharis pilularis*) that also includes species such as poison oak (*Toxicodendron diversilobum*), California sagebrush (*Artemisia californica*), California coffeeberry (*Rhamnus californica*), lizard tail (*Eriophyllum staechadifolium*), and non-native poison hemlock (*Conium maculatum*). Scattered Monterey pines (*Pinus radiata*) can also be found within this community type at Año Nuevo State Reserve.

The California Exotic Annual/Perennial Grassland Alliance is dominated by non-native species such as slender wild oat (*Avena barbata*), soft chess (*Bromus hordeaceus*), and Harding grass (*Phalaris aquatica*). Other commonly encountered species include bracken fern (*Pteridium aquilinum*), common rush (*Juncus patens*), and sweet vernal grass (Anthoxanthum odoratum).

The Sand Verbena–Beach Bursage Association occurs on sand dunes and in sandy locations immediately adjacent to the coastal strand. There is very little of this plant community type in the project area. It is composed of herbaceous vegetation dominated by yellow sand verbena (*Abronia latifolia*) and beach bursage (*Ambrosia chamissonis*).

Between the Coyote Brush Alliance and the Sand Verbena-Beach Bursage Association, there is a transition area where low-growing salt-pruned arroyo willows (*Salix lasiolepis*) occur with coyote brush, poison oak, beach bursage and sand verbena. The substrate in this transition area is an intermediate between the substrates of Coyote Brush Alliance and the Sand Verbena-Beach Bursage Association.

FEDERALLY-LISTED ANIMAL SPECIES IN PROJECT AREA

SAN FRANCISCO GARTER SNAKE (*THAMNOPHIS SIRTALIS TETRATAENIA*) – FEDERAL ENDANGERED

Description (USFWS 2007): The San Francisco garter snake (SFGS) (*Thamnophis sirtalis tetrataenia*) is a slender, colorful snake in the Colubridae family, which includes most of the species of snakes found in the western United States. This subspecies has a burnt orange head, greenish-yellow dorsal stripe edged in black, bordered by a red stripe, which may be continuous or broken with black blotches, and then a black stripe. The belly color varies from greenish-blue to blue. Large adults can reach 3 feet or more in length (Stebbins, 2003).

The females give live birth from June through September, with litters averaging 16 newborns. The snakes are extremely shy, difficult to locate and capture, and quick to flee to water or cover when disturbed. Their preferred habitat is a densely vegetated pond near open hillside where they can sun themselves, feed, and find cover in rodent burrows. They have also been observed occupying considerably less ideal habitats such as temporary ponds and other seasonal freshwater bodies. The snakes avoid brackish marsh areas because their preferred prey, the California red-legged frog (*Rana aurora draytonii*) cannot survive in saline water. Emergent and bankside vegetation such as cattails (*Typha* spp.), bulrushes (*Scirpus* spp.) and spike rushes (*Juncus* spp. and *Eleocharis* spp.) are preferred for cover. The area between stream and pond habitats and grasslands or bank sides is used for basking, while nearby dense vegetation or water often provide escape cover. Snakes also use floating algal or rush mats, if available.

Adult snakes sometimes estivate (enter a dormant state) in rodent burrows during summer months when ponds dry. On the coast, snakes hibernate during the winter. Studies have documented San Francisco garter snake movement over several hundred yards away from wetlands to hibernate in upland small mammal burrows. Although primarily active during the day, captive snakes housed in an outside enclosure were observed foraging after dark on warm evenings.

SFGS numbers have severely declined over the last century. SFGS have suffered primarily from habitat loss due to development. Additional threats include black-market collecting by reptile hobbyists, predation and competition

from introduced species. For these reasons, SFGS was one of the first species to be designated federally Endangered in 1967 and state listed Endangered in 1971. California also lists SFGS as "fully protected", the highest protection level. Currently, the SFGS only survives in a few places in San Mateo and Santa Cruz Counties and is generally considered to be one of the most endangered reptiles in the United States (USFWS 2006).

Current Status of SFGS within Año Nuevo State Reserve
The area around the visitor center pond supports one of the southernmost populations of SFGS. The presence of this breeding population has been documented from past surveys and observations (Bulger 2002, McGinnis 1987, McGinnis et al. 1987).

In 2004 and 2005, DPR conducted two prescribed burns in cooperation with the USFWS under a recovery permit in order to maintain a more open shrub community for the enhancement of SFGS and CRLF habitat. Both pre- and post-burn surveys were conducted in conjunction with the prescribed burns. The pre-burn survey attempted to establish a baseline population estimate that post-burn survey results could be compared to (Table 2). The surveys allowed DPR to monitor the effects of fire on the population of SFGS at Año Nuevo State Reserve.

Following the 2005 prescribed burns, DPR contracted with Swaim Biological Consulting to perform SFGS monitoring. Karen Swaim of Swaim Biological has over 20 years of experience as a professional herpetologist. She is one of the few people that hold a permit from USFWS to handle SFGS.

Karen Swaim (Swaim Biological 2007) placed SFGS traps in the same general area of the park unit where McGinnis et al. (1987) placed traps for previous surveys (Figure 1).

Swaim's report (2007) states that, although a population baseline was not established, "one conclusion that can be drawn from the 2007 trapping efforts is that the population of SFGS at Año Nuevo State Reserve appears to be a healthy breeding population. The number of SFGS captured at this site is higher than at any other site that Swaim Biological Consulting had surveyed up to that time with the exception the San Francisco Airport site (i.e., also known as West of Bayshore) property" (Swaim Biological 2007).

CALIFORNIA RED-LEGGED FROG (*RANA AURORA DRAYTONII*) – FEDERAL THREATENED

Description (USFWS 2002 and references therein): The California red-legged frog (CRLF) is the largest native frog in the western United States. Adult females attain a significantly longer body length than males (5.4 inches versus 4.5 inches from snout to urostyle length). The posterior abdomen and hind legs of adults are often red or salmon pink; the back is characterized by small black flecks and

larger irregular dark blotches with indistinct outlines on a brown, gray, olive, or reddish-brown background color. Dorsal spots usually have light centers. Dorsolateral folds (the ridges of skin along the back) are the prominent identification characteristic. Larvae (tadpoles) range from 0.6 to 3.1 inches in length and the background color of the body is dark-brown or olive with darker spots. A line of very small, indistinct gold-colored spots becomes the dorsolateral fold (Stebbins 2003).

Table 2. Individual San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*) captured at Año Nuevo Reserve in 2005, 2006 and 2007.

YEAR	EAST			WEST			Hand Captures		Total
	♂	♀	u*	♂	♀	u*	♂	♀	
2005 (pre-burn)	19	11	0	14	8	1	0	0	52
2006 (post-burn)	10 (2)	8 (1)	1	3 (1)	3 (1)	2	2	0	29
2007 (post-burn)	2	1	{1}	1 (1)	2	{1}	2	2	10
* Unknown sex									
( ) Recaptures from 2005									
{ } Recaptures from 2006									

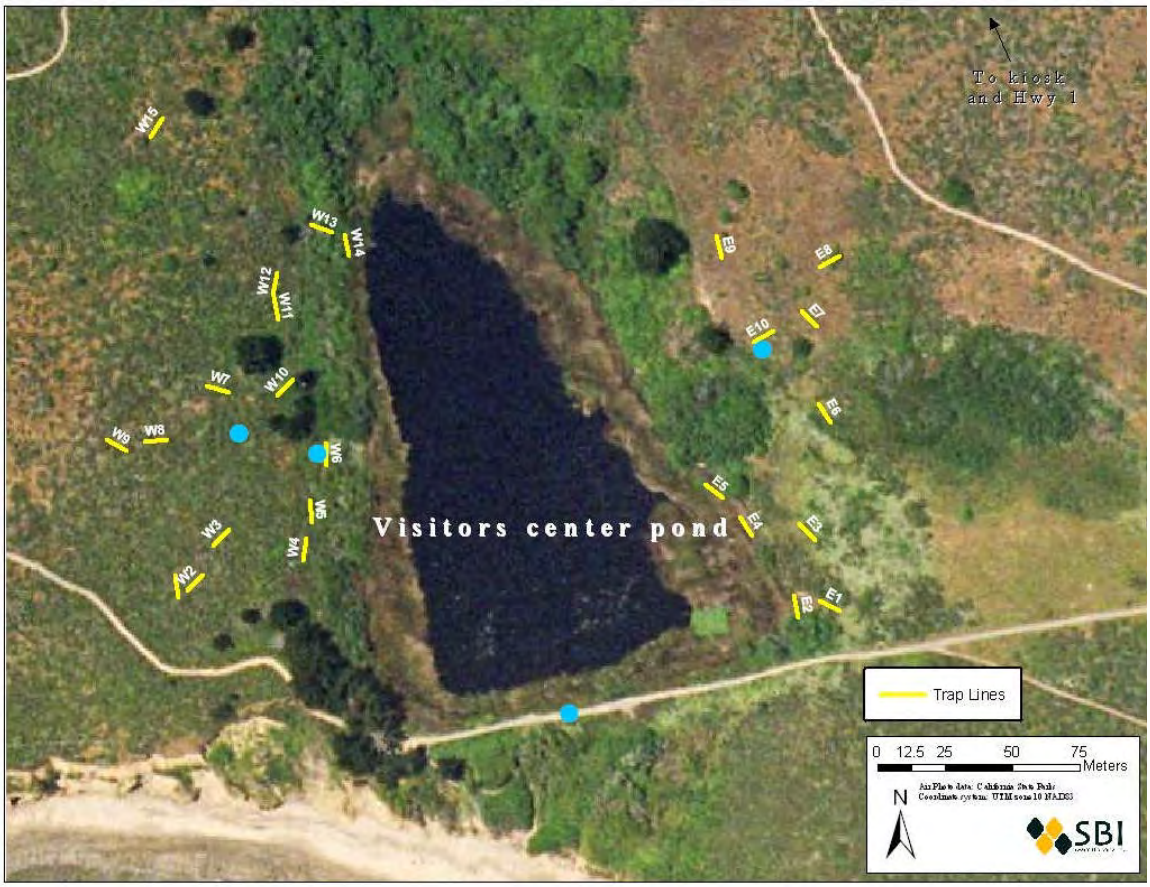

Figure 1. **Trapline Distribution at Visitor Center Pond, Año Nuevo State Reserve, CA, in 2007. San Francisco garter snake hand captures are indicated by blue circles.**

The California red-legged frog (*Rana aurora draytonii*) is one of two subspecies of the red-legged frog (*Rana aurora*). While nearly all of the known California red-legged frog populations have been documented below 1,050 meters, some historical sightings were noted at elevations up to 1,500 meters. CRLF breed from November to March with tadpoles metamorphosing during the spring and summer (Stebbins, 2003). Breeding sites of the California red-legged frog are in a variety of aquatic habitats. The larvae, tadpoles, and metamorphs have been collected from streams, deep pools, backwaters within streams and creeks, ponds, marshes, sag ponds, dune ponds, and lagoons. Breeding adults are often associated with deep (greater than 2 feet) still or slow moving water and dense, shrubby riparian or emergent vegetation, but have also been observed in shallow sections of streams that are not cloaked in riparian vegetation. Female CRLFs attach egg masses to emergent vegetation; these egg masses can be found either floating on the surface of the water or submerged.

The California red-legged frog has been extirpated from 70 percent of its former range and now is found primarily in coastal drainages of central California from Marin County, California south to northern Baja California, Mexico.

Current Status of CRLF within Año Nuevo State Reserve

Within the past 10 years, two CRLF surveys have taken place at Año Nuevo State Reserve. Bulger (2002) conducted surveys in 2000 and 2001 and DPR Environmental Scientists completed additional surveys in late February 2002 (Hyland 2002).

The Bulger (2002) study involved radio-tracking of CRLF at the Visitor Center pond area. Results of this study indicated that CRLF did not use terrestrial habitats during the study period (i.e., October to February). This is unusual because frogs typically move in terrestrial areas during the wet months (i.e., October to March) (Bulger et al., 2003) Bulger (2002) also observed the same phenomenon during an October survey in a nearby study area located approximately 100 kilometers south of San Francisco. The survey results revealed that approximately 85% of adult CRLF were year-round residents at the breeding ponds in this study area and that they did not follow typical movement patterns for CRLF in the wet months.

Bulger (2002) did not observe CRLF on land that was more than three meters from water's edge and results did not suggest that any of the CRLF migrated to other aquatic sites. Based upon these results and observations, the CRLF at Año Nuevo State Reserve are not expected to occur beyond the band of tules that line the perimeter of the pond.

The surveys conducted by DPR focused on five sites at Año Nuevo State Park and Reserve where suitable habitat for CRLF exists. Auditory and visual surveys were performed during the day and at night to establish the presence or absence of CRLF. Presence of CRLF was determined at four of the five sites; absence at one site. Egg masses, which are the best indicator that CRLF are breeding, were located at only one site. Other egg masses may have been present, but due to difficulty in accessing potential breeding sites, egg masses could have been overlooked. Evidence of a freshly-deteriorating hatched egg mass was present at one site in late February which may indicate that breeding occurred particularly early at these sites in 2002 (Hyland, 2002).

Given that CRLF within the proposed trail project area are most likely to occur right near water's edge, it is extremely unlikely that they will be venture into project work areas which are well away from the water particularly during the drier months of July, August, and September in which construction is scheduled to be conducted.

POTENTIAL PROJECT IMPACTS ON SFGS AND CRLF

SFGS are seen on a somewhat regular basis in the area around the visitor center pond (Halbert, pers. obs., Keel, pers comm., Bulger 2002). Fox (1951) also noted that SFGS are most often observed in the vicinity of permanent water bodies. However, since they are also known to move through upland habitats in search of burrows for hibernating or locations for basking, several project components have the potential for take of this species.

CRLF on the other hand are not normally observed by park staff or visitors (Kiser, pers. comm.), which is consistent with the results of the Bulger (2002) study that revealed limited movement of CRLF occurred away from the permanent water bodies at Año Nuevo State Reserve. Since most of the proposed trail project will be conducted in upland habitat located close to the heavily-used visitor center area during the dry months of July, August, and September, the chance for take of CRLF during project implementation is small.

Potential mortality or disturbance to both species could be caused by the temporary increase in foot traffic caused by work crews during project construction. Disturbance or mortality to both species could also be caused by vehicles or motorized wheelbarrows that move equipment and materials to and from the site, and by the movement of rocks in the project area. These activities could cause burrows to be crushed and result in the disturbance or mortality of animals. In addition, staging of materials and piles of rock could be an attractive hazard for SFGS and CRLF; if animals are present, they could be crushed or disturbed as stockpiled materials are moved. Disturbance could also occur by use of the vibraplate to compact soils. Vibration from the vibraplate could cause disturbance to both species.

CUMULATIVE EFFECTS ON SFGS AND CRLF

According to the Draft General Plan, which was in review during summer 2010, there are no new additional structures, activities, programs or facilities planned for the Año Nuevo State Park and State Reserve in the foreseeable future. No cumulative impacts are expected through implementation of this project.

SFGS AND CRLF AVOIDANCE AND MINIMIZATION MEASURES DURING CONSTRUCTION

Proposed Avoidance Strategies

In order to avoid take of SFGS and CRLF, every employee participating in construction activities for this project will receive training by a qualified (i.e., has been permitted by the USFWS/DFG to handle CRLF and SFGS) biologist. The training will cover the natural history of both species, taxonomic keys and photographs that aid in identification, life history, reproductive history, legal status, habitat requirements, threats, and avoidance measures for this project. In

addition, DPR will have a minimum of two additional trained monitors (i.e., employees with additional training in observation and monitoring of sensitive species) available to observe construction activities at active work areas.

The "action area" of a project is defined in 50 CFR § 402.02 as **"all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action."** For the purposes of the cumulative effects and avoidance and minimization measures during construction, the action area includes the entire project footprint and an adjacent 50 foot buffer where increased noise and human presence could disturb SFGS or CRLF.

DPR will install exclusion perimeter fencing with one-way exit holes around all trail re-route areas. Vegetation within the exclusion area will be hand removed to approximately four inches at a slow enough rate to allow for observation of SFGS or CRLF to minimize the chance for take. Once the vegetation is low enough for the biological monitor to see the ground, they can check for SFGS and CRLF before removing the rest of the vegetation. SFGS or CRLF observed inside the exclusion area during vegetation removal or trail construction will be allowed to move out of harms way on its own. The qualified biologist will monitor for SFGS and CRLF while work is being done within the exclusion zone for approximately one week after vegetation removal in the event any animals emerge from burrows or other cover. All vegetation removed and not used for re-vegetation or slash shall not be stockpiled on the ground and shall be placed directly into a disposal vehicle and removed from the site; vegetation will not be piled on the ground unless it is later transferred, piece by piece, under the direct supervision of the biological monitor. SFGS cannot be relocated as this is not a research or recovery project, and they must be allowed to leave an area on their own.

Prior to work each day, a biological monitor and/or trained staff monitor will inspect each work site to ensure that no CRLF or SFGS are present. Care will be taken to examine any ground crevices, rodent burrows, stockpiled materials or rock, as well as any vehicles parked on the project site for more than 15 minutes. The biological monitors and trained staff monitors will have the responsibility and authority to temporarily stop work at a site if a CRLF or SFGS is observed and also if crews or other personnel do not comply with the provisions outlined in this document. All biological monitors for the project will be approved by the USFWS and the DFG prior to the commencement of construction activities.

Construction crews will be directed to stop all work at any site in which a CRLF or SFGS is observed within the site or near enough to be harmed by project activities. The work at that site shall stop until the qualified biologist either relocates the animal or it leaves the site of its own volition. All sightings and/or injuries will be reported to the USFWS and DFG. Should there be any mortality of CRLF or SFGS as a result of project activities, the specimen will be collected by the qualified biologist and sent to the USFWS or DFG as soon as possible after its discovery.

The drivers of all project-related vehicles and equipment will be instructed to drive no more than 10mph (i.e., the current speed limit) and to look for CRLF and SFGS; if either species is observed, the drivers will be instructed to stop their vehicles until the individual(s) are out of harm's way. A qualified biological monitor and/or trained staff monitor will accompany the driver of all vehicles that deliver project-related materials to the work site(s) to avoid impacts to SFGS or CRLF. As stated above, all vehicles parked on site for more than 15 minutes shall be inspected by the biological monitor or trained staff monitor before being moved and the parking sites themselves must be checked in advance.

Staging area locations will be non-vegetated previously disturbed locations such as parking lots, existing trails and existing overlooks as specified in Appendix A (Staging Area Plan). No habitat will be destroyed or temporarily impacted by staging activities. A biological monitor and/or trained staff monitor will inspect all staging locations prior to the placement or removal of staged and stockpiles materials to ensure that no CRLF or SFGS are present. Care will be taken to examine any ground crevices, rodent burrows, stockpiled materials or rock.

Construction activities will take place from June-September of the given year of construction. The project will take two seasons to complete. All SFGS and CRLF avoidance and minimization measures will be implemented as stated above for all construction seasons.

Past Habitat Enhancement Projects

DPR has conducted various projects within Año Nuevo State Park and/or State Reserve that have resulted in the improvement of habitat for CRLF and SFGS. Overall, the ongoing habitat enhancement efforts at Año Nuevo State Park and Reserve have improved many hundreds of acres of CRLF and SFGS habitat. These projects include:

- Prescribed burns conducted on the west side of the Visitor Center Pond in partnership with USFWS to enhance SFGS habitat:
  - ~40 acres of a 65-acre plot burned in 2004
  - ~45 acres of a 65-acre plot burned in 2005

- Prescribed burns south of Gazos Creek to remove thatch of dune grass (*Ammophila arenaria*) followed by treatment with herbicide. This work is ongoing with the following completed:
  - 12 acres burned in 2008
  - 6 acres burned in 2009

- Removal of non-native eucalyptus, cypress and Australian tea trees was conducted in 2000. Approximately 5 acres of individual trees and

windrows were removed within 8 different scattered groves across the Park. This work is ongoing.

- Over 145 acres of Harding grass removal has been conducted at Whitehouse Creek field; the work began in 2007 and is ongoing.

- Prescribed burns at Whitehouse Creek field began in 1987; 145 acres have been burned every other year since then.

- A fennel removal project was begun in 2004 and is ongoing, covering about 15 acres that are located primarily along Highway 1 with scattered patches within Park.

- A gorse removal project began in the early 1980s and is still ongoing. The removal work occurs primarily between Whitehouse Creek and Cascade Creek.

- The jubata (pampas) grass removal project began in the early 1980s throughout entire park (i.e., >1,500 acres) and is ongoing.

- Iceplant removal began in 2001 and is ongoing. Iceplant on over 200+ acres, primarily in the dunes around Franklin Point, has been removed.

  A *Danthonia pillosa* removal project on ¼ acre around the entrance station began in 2007 and is ongoing.

CONCLUSIONS

With the implementation of the proposed avoidance strategies for CRLF and SFGS, DPR staff believe that impacts to listed species as a result of the Año Nuevo Point Trail Accessibility Improvements Project will be reduced to a level that is less than significant.

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Coleman, Stephanie@Parks

From: Halbert, Portia@Parks
Sent: Monday, March 18, 2013 9:49 AM
To: Spann, Jason@Parks; Segebart, Travis@Parks; Coleman, Stephanie@Parks; Kopp, Dan@Parks
Cc: Spohrer, Chris@Parks; Kiser, Terry@Parks; Pereira, Christopher@Parks
Subject: FW: SFGS Avoidance Measures for Ano Nuevo Point Trail Accessibility Improvement Project

Hi All,

After nearly 3 years of working with CDFW (formerly DFG) regarding working in an area with San Francisco Garter Snake, we have received a letter of support which covers the trail work. See the letter of concurrence below.

Thanks,

Portia Halbert
California State Parks Environmental Scientist
303 Big Trees Park Rd.
Felton CA 95018
831.251.2883 c
831.335.6386 w
831.335.6395 f

From: Suzanne Deleon [mailto:Suzanne.Deleon@wildlife.ca.gov]
Sent: Monday, March 11, 2013 3:30 PM
To: Halbert, Portia@Parks
Subject: SFGS Avoidance Measures for Ano Nuevo Point Trail Accessibility Improvement Project

To Whom it May Concern,
The California Department of Fish and Wildlife (CDFW) has reviewed the Biological Report for the Ano Nuevo Point Trail Accessibility Improvement Project (Project) submitted to the CDFW electronically on 9/7/2012. The Department of Parks and Recreation (DPR) consulted with CDFW on January 19, 2012 regarding avoidance measures for the San Francisco garter snake (SFGS) during Project activities. Those avoidance measures suggested by CDFW were included in the Biological Report for the Project. CDFW believes if the avoidance measures are correctly implemented as described, the potential for take of SFGS will be negligible.

Please note, the SFGS is listed as fully protected under Section 5050 of the Fish and Game Code. As such, SFGS cannot be handled or relocated out of harms way for Project activities. The Biological Report correctly states, if SFGS are found in the Project area, it shall be left alone to move out of the way of its own volition. However, the Biological Opinion issued by the United States Fish and Wildlife Service for the Project states if SFGS are found in the exclusion area during vegetation removal it can be relocated by a permitted biologist. This is considered take as defined under the California Endangered Species Act (CESA). Because SFGS is fully protected, CDFW cannot allow take of SFGS and relocation of this species cannot occur for this Project. DPR shall comply with the avoidance measures as stated in the Biological Report.

CDFW appreciates DPR consulting with CDFW regarding protection of the natural resources. If there are any questions or concerns please contact Suzanne DeLeon, Environmental Scientist at 831.440.9433 or Suzanne.Deleon@wildlife.ca.gov.

Suzanne DeLeon

Environmental Scientist

Bay Delta Region

7329 Silverado Trail

Napa, CA 94558

suzanne.deleon@wildlife.ca.gov

831.440.9433

Please note that as of January 1, 2013 our new name is the California Department of Fish and Wildlife (CDFW) and new department web and e-mail addresses took effect.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

In Reply Refer To:
81420-2010-F-0594

SEP 26 2012

Ms. Jane M. Hicks
Chief, Regulatory Division
Attn: Paula C. Gill
U. S. Army Corps of Engineers
San Francisco District
1455 Market St., Floor 17
San Francisco, California 94105-2197

Subject: Biological Opinion on the Año Nuevo Point Trail Accessibility Improvements Project in San Mateo County, California

Dear Ms. Hicks:

This letter is in response to the U.S. Army Corps of Engineers' (Corps) May 20, 2011, request for section 7 consultation with the U.S. Fish and Wildlife Service (Service) for the proposed Año Nuevo Point Trail Accessibility Improvements Project (proposed action) at Año Nuevo State Reserve, San Mateo County, California. Your request was received by this office on May 24, 2011. At issue are effects to the federally threatened California red-legged frog (*Rana draytonii*) and the endangered San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).

This document represents the Service's biological opinion on the effects of the proposed action on the California red-legged frog and San Francisco garter snake. This document is issued under the authority of the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*) (Act).

This document is based on: (1) the updated *Año Nuevo State Reserve, Año Nuevo Point Trail Accessibility Improvements Project Biological Report* prepared by California State Parks, dated August 2012; (2) the Corps' May 20, 2011, letter and associated attachments; (3) a March 11, 2010, site visit attended by the Service and California State Parks; (4) phone calls and emails between California State Parks and the Service; and (5) and other information available to the Service.

Consultation History:

May 20, 2011:	The Service received a request from the Corps to initiate formal Section 7 consultation.
March 29, 2012:	The Service received the *Año Nuevo State Reserve, Año Nuevo Point Trail Accessibility Improvements Project Biological Report* from California State Parks.
August 9, 2012:	The Service received the updated *Año Nuevo State Reserve, Año Nuevo Point Trail Accessibility Improvements Project Biological Report* from California State Parks.

BIOLOGICAL OPINION

Description of the Proposed Action

The Año Nuevo Point Trail is located in Año Nuevo State Reserve. The Reserve is situated on the west side of Highway 1, approximately 30 miles south of Half Moon Bay and 22 miles north of Santa Cruz in San Mateo County. The Año Nuevo Point Trail begins at the Visitor's Center located near the main parking lot for the park.

California State Parks is required under the 2005 Consent Decree to provide accessible features at all state parks in order to better accommodate visitors with disabilities. Trail facilities are one component of the Department's "ADA Transition Plan" that aims to retrofit all state parks by 2016 to comply with the ruling of the Consent Decree. Año Nuevo State Reserve is designated as a Level 2 park in the Transition Plan, requiring 1.5 miles of accessible trail. The Reserve currently has what is termed an "Equal Access" boardwalk trail from a staging area that is accessible only by van and is closed to the public when a docent is not available. The boardwalk is approximately 600' in length. This project proposes to upgrade the existing general public access trail (i.e., the Año Nuevo Point Trail) and select day use facilities located at the visitor center. The final length of the proposed trail would be 6,150 feet.

The current Año Nuevo Point Trail originates at the park's visitor center and heads westward towards Año Nuevo Point. This project will provide disabled visitors with a barrier free (compliant) pedestrian route from the visitor center to several existing overlooks along the bluffs. It will also correct major maintenance-related issues on the existing trail that are negatively impacting natural resources. Two reroutes will be required in order to meet accessible grade standards. The first, originating from the main parking lot and the visitor center will require an 860-foot reroute. The second reroute would be approximately 500 feet long and will require a 70-foot long dry stack rock wall that is 2 feet high on average in order to support the new alignment where it curves around and above the stock pond. An interpretive panel will be placed on this segment and viewing opportunities of the pond will be provided that will accommodate disabled visitors. A major component of this project will be to decommission and restore approximately 4,977 linear feet (26,268 square feet) of degraded existing trail.

Specific work items include:

- Brushing (i.e., vegetation pruning and removal) of new trail reroutes. The reroutes will be cleared of vegetation and the organic duff layer prior to tread construction.
- Reconstruction of trail to match existing widths (i.e., repair entrenchment and drainage problems). A combination of crowned tread, wall-less causeway, rock causeway and drainage lenses will be utilized.
- Reconstruction of cross slope along entire trail to promote proper sheet drainage where necessary.
- Repair deficiencies and make ADA upgrades to four overlooks along the trail. Overlooks would be elevated and leveled to 2% maximum cross slope. Overlook surfaces would be hardened with compacted aggregate base.
- Replacement of damaged culverts along trail. At select locations, drainage lenses would be constructed to promote improved sheet flow.
- Placement of geo-textiles or wire mesh under-layment on select segments of the trail to prevent gopher damage to the trail treads (e.g., area around picnic sites and visitor center).
- Replacement of two benches at existing kiosk building and installation of three new wooden benches along trail. New bench locations will be limited to existing wide areas in the trail to avoid resource impacts.
- New trail signage will be placed at the beginning and end of the trail.

Closure and rehabilitation of abandoned trail segments as part of this trail project:

The three trail segments that would be abandoned after the new trail alignments are constructed would be restored to native habitat. Rehabilitation would involve different treatments for each abandoned segment. A total estimate of 26,268 square feet (0.6 acres) would be restored to native habitat along the abandoned trail segments (Table 1).

North Loop of the Año Nuevo Point Trail:

Approximately 11,698 square feet (0.27 acre) of this trail segment would be permanently closed and rehabilitated. The abandoned trail will be decompacted to eight inches and raked to promote the germination and establishment of native plant material. The trail would then be brushed with adjacent coyote brush, coffeeberry, poison oak and willow cuttings to seed the trail, provide erosion control, and discourage further visitor use. Water bars would also be installed, where appropriate, to correct drainage issues.

California State Parks will be restoring an additional 0.1 acre of San Francisco garter snake habitat through the reduction of the trail width from approximately 12 feet to 8 feet starting at reroute #2 and going west toward the kiosk and restrooms. Additionally we will be correcting drainage problems along the western end of the North Loop Trail past the docent roost; these drainage issues impact water quality, primarily in the ocean.

South Loop of the Año Nuevo Point Trail:

Approximately 3,040 square feet (0.06 acre) of this trail near the pond and 7,260 square feet (0.17 acre) near the visitor center would be restored by removing all existing base rock and backfilling with appropriate local soil material that would be salvaged as part of this project. The segments would then be re-contoured to allow for hydrologic connectivity and brushed with adjacent coyote brush, coffeeberry, poison oak and other native plant species cuttings from the Coyote Brush Alliance to seed the trail, provide erosion control, and discourage further visitor use. A total of approximately 10,300 square feet (0.24 acre) of the South Loop of the Año Nuevo Point Trail would be restored.

The closure and rehabilitation of these trail segments will reduce the fragmentation of habitat at this site and create a larger area for San Francisco garter snake and California red-legged frog without the potential for human disturbance or interaction. In addition, the new trail segments and alignments are designed for sustainability in a high visitor-use area which will reduce soil erosion and water quality impacts.

Table 1. Comparison of Trail Restoration vs. New Trail Construction

	Linear Feet	**Square Feet**
Total Existing Trail Prior to Project	**9,977**	**62,095**
North Loop Trail obliterated and restored	2992	11,968
South Loop Trail obliterated and restored (near visitor center)	605	7,260
South Loop Trail obliterated and restored (near pond)	380	3,040
Trail footprint narrowed from ~12' wide to 8' wide	1,000	4,000
Total Existing Trail Closed and Restored	**4,977**	**26,268**
Total Existing Trail to Remain	**5,000**	**35,827**
New Trail Constructed as part of Re-route #1	620	3,100
New Trail Constructed as part of Re-route #1	240	1,200
New Trail Constructed as part of Re-route #2	490	2,450
Total New Trail Constructed	**1,350**	**6,750**
Total Trail Upon Project Completion	**6,350**	**42,577**
Net Habitat Gain	**3,627**	**19,518**
Temporary impacts to vegetation caused by recontouring of eroded road sections	**1,000**	**6,000**

In addition to trail improvements, this project will also include ADA-compliant improvements to four picnic sites that are located at the park's visitor center. Wooden picnic tables are currently located on sloped terrain near the back door of the visitor center building. Picnic sites will be leveled utilizing either rock or wood retaining walls and new ADA-compliant wooden tables will replace existing ones. The picnic area work would be restricted to existing developed picnic sites.

Construction and Equipment Methods

The trail re-alignment located near the Visitor's Center, the day-use area work, and the first segment of the existing trail from the end of the re-alignment to the intersection with the primary Año Nuevo Point Trail (i.e., the wider trail) will involve the use of: motorized walk-behind toters, wheel barrows, multiple hand tools (e.g., McLeods, racks, shovels), and a motorized walk-behind vibriplate.

The work along the primary Año Nuevo Point Trail segment between the two trail re-alignments and continuing out to overlook #4 will involve the use of a mini dump truck, mini vibri-rollers (drivable), front-end loader (drivable), walk-behind motorized toters, wheel barrows, various hand tools (e.g., McLeods, racks, shovels), and a motorized walk-behind vibriplate. The second trail re-route located near the pond will include construction of a retaining wall. Construction work will involve use of walk-behind motorized toters, wheel barrows, various hand tools (e.g., McLeods, racks, shovels), and a motorized walk-behind vibriplate.

Staging Areas

Staging area locations will be non-vegetated, previously disturbed locations such as parking lots, existing trails and existing overlooks as specified in the Staging Area Plan. Staging areas will occur within seven separate defined locations and add up to 0.2 acre. No habitat will be destroyed or temporarily impacted by staging activities. A biological monitor and/or trained staff monitor will inspect all staging locations prior to the placement or removal of staged and stockpiled materials to ensure that no California red-legged frog or San Francisco garter snake is present. Care will be taken to examine any ground crevices, rodent burrows, stockpiled materials or rock.

All San Francisco garter snake and California red-legged frog avoidance and minimization measures will be implemented for all construction seasons.

Construction timing and duration

Construction activities will take place from June-September of the given year of construction. The project will take two seasons to complete.

Conservation Measures

In order to minimize potential effects to threatened and endangered species and their habitats, the following conservation measures will be implemented:

In order to avoid take of San Francisco garter snake and California red-legged frog, every employee participating in construction activities will receive training by a qualified (i.e., has been permitted by the Service and CDFG to handle California red-legged frog and San Francisco garter snake) biologist. The training will cover the natural history of San Francisco garter snake and California red-legged frog, taxonomic keys and photographs that aid in identification, life history, reproductive history, legal status, habitat requirements, threats, and avoidance measures for this project. In addition, California State Parks will have a minimum of two additional trained monitors (i.e., employees with additional training in observation and monitoring of sensitive species) available to observe construction activities at active work areas.

California State Parks will install exclusion perimeter fencing with one-way exit holes around all trail re-route and staging areas. Vegetation within the exclusion area will be hand removed at a slow enough rate to allow for observation of San Francisco garter snake or California red-legged frog to minimize the chance for take. San Francisco garter snake or California red-legged frog observed inside the exclusion area during vegetation removal or trail construction will be relocated outside the fenced area by a permitted qualified biologist. The qualified biologist will monitor for San Francisco garter snake and California red-legged frog while work is being done within the exclusion zone for approximately one week after vegetation removal in the event any animals emerge from burrows or other cover.

Prior to work each day, a biological monitor and/or trained staff monitor will inspect each work site to ensure that no California red-legged frogs or San Francisco garter snakes are present. Care will be taken to examine any ground crevices, rodent burrows, stockpiled materials or rock. The biological monitors and trained staff monitors will have the responsibility and authority to temporarily stop work at a site if a California red-legged frog or San Francisco garter snake is observed and also if crews or other personnel do not comply with the provisions outlined in this document. All biological monitors for the project will be approved by the Service and the CDFG prior to the commencement of construction activities.

Construction crews will be directed to stop all work at any site in which a California red-legged frog or San Francisco garter snake is observed within the site or near enough to be harmed by project activities. The work at that site shall stop until the qualified biologist either relocates the animal or it leaves the site of its own volition. All sightings and/or injuries will be reported to the Service and CDFG. Should there be any mortality of California red-legged frog or San Francisco garter snake as a result of project activities, the specimen will be collected by the qualified biologist and sent to the Service or CDFG as soon as possible after its discovery.

The drivers of all project-related vehicles and equipment will be instructed to drive no more than 10 mph (i.e., the current speed limit) and to look for California red-legged frog and San Francisco garter snake; if either species is observed, the drivers will be instructed to stop their vehicles until the individual(s) are out of harm's way. A qualified biological monitor and/or trained staff monitor will accompany the driver of all vehicles that deliver project-related materials to the work site(s) to avoid impacts to San Francisco garter snake or California red-legged frog.

Action Area

The action area is defined in 50 CFR § 402.02, as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action." For the purposes of the effects assessment, the action area includes the entire project footprint, an adjacent 50-foot buffer where increased noise and human presence could disturb listed species, and the approximately 700 feet of San Vicente Creek between the new bridge crossing and the Pacific Ocean.

Analytical Framework for the Jeopardy Analysis

In accordance with policy and regulation, the jeopardy analysis in this biological opinion relies on three components: (1) the *Status of the Species*, which evaluates the California red-legged frog and San Francisco garter snake's range-wide conditions, the factors responsible for that condition, and their survival and recovery needs; 2) the *Environmental Baseline* which evaluates the condition of these listed species in the action area, the factors responsible for that condition, and the relationship of the action area to the survival and recovery of these listed species; (3) the *Effects of the Action*, which determines the direct and indirect effects of the proposed Federal action and the effects of any interrelated or interdependent activities on these species; and (4) *Cumulative Effects*, which evaluates the effects of future, non-Federal activities in the action area on them.

In accordance with policy and regulation, the jeopardy determination is made by evaluating the effects of the proposed Federal action in the context of the California red-legged frog and San Francisco garter snake's current status, taking into account any cumulative effects, to determine if implementation of the proposed action is likely to cause an appreciable reduction in the likelihood of both the survival and recovery of these listed species in the wild.

The jeopardy analysis in this biological opinion places an emphasis on consideration of the range-wide survival and recovery needs of these listed species, and the role of the action area in the survival and recovery of these listed species as the context for evaluating the significance of the effects of the proposed Federal action, taken together with cumulative effects, for purposes of making the jeopardy determination.

Status of the Species

California Red-Legged Frog

Listing Status: The California red-legged frog was listed as a threatened species on May 23, 1996 (61 FR 25813) (Service 1996). Critical habitat was designated for this species on April 13, 2006 (71 FR 19244) (Service 2006b) and revisions to the critical habitat designation were published on March 17, 2010 (75 FR 12816) (Service 2010). At this time, the Service recognized the taxonomic change from *Rana aurora draytonii* to *Rana draytonii* (Shaffer *et al.* 2010). A recovery plan was published for the California red-legged frog on September 12, 2002 (Service 2002).

Description: The California red-legged frog is the largest native frog in the western United States (Wright and Wright 1949), ranging from 1.5 to 5.1 inches in length (Stebbins 2003). The abdomen and hind legs of adults are largely red, while the back is characterized by small black flecks and larger irregular dark blotches with indistinct outlines on a brown, gray, olive, or reddish background color. Dorsal spots usually have light centers (Stebbins 2003), and dorsolateral folds are prominent on the back. Larvae (tadpoles) range from 0.6 to 3.1 inches in length, and the background color of the body is dark brown and yellow with darker spots (Storer 1925).

Distribution: The historic range of the California red-legged frog extended from the vicinity of Elk Creek in Mendocino County, California, along the coast inland to the vicinity of Redding in Shasta County, California, and southward to northwestern Baja California, Mexico (Fellers 2005; Jennings and Hayes 1985; Hayes and Krempels 1986). The species was historically documented in 46 counties but the taxa now remains in 238 streams or drainages within 23 counties, representing a loss of 70 percent of its former range (Service 2002). California red-legged frogs are still locally abundant within portions of the San Francisco Bay area and the Central California Coast. Isolated populations have been documented in the Sierra Nevada, northern Coast, and northern Transverse Ranges. The species is believed to be extirpated from the southern Transverse and Peninsular ranges, but is still present in Baja California, Mexico (CDFG 2011).

Status and Natural History: California red-legged frogs predominately inhabit permanent water sources such as streams, lakes, marshes, natural and manmade ponds, and ephemeral drainages in valley bottoms and foothills up to 4,921 feet in elevation (Jennings and Hayes 1994, Bulger *et al.* 2003, Stebbins 2003). However, they also inhabit ephemeral creeks, drainages and ponds with minimal riparian and emergent vegetation. California red-legged frogs breed from November to April, although earlier breeding records have been reported in southern localities. Breeding generally occurs in still or slow-moving water often associated with emergent vegetation, such as cattails, tules or overhanging willows (Storer 1925, Hayes and Jennings 1988). Female frogs deposit egg masses on emergent vegetation so that the egg mass floats on or near the surface of the water (Hayes and Miyamoto 1984).

Habitat includes nearly any area within 1-2 miles of a breeding site that stays moist and cool through the summer, including vegetated areas with coyote brush, California blackberry thickets, and root masses associated with willow and California bay trees (Fellers 2005). Sheltering habitat for California red-legged frogs potentially includes all aquatic, riparian, and upland areas within the range of the species and includes any landscape feature that provides cover, such as animal burrows, boulders or rocks, organic debris such as downed trees or logs, and industrial debris. Agricultural features such as drains, watering troughs, spring boxes, abandoned sheds, or hay stacks may also be used. Incised stream channels with portions narrower and depths greater than 18 inches also may provide important summer sheltering habitat. Accessibility to sheltering habitat is essential for the survival of California red-legged frogs within a watershed, and can be a factor limiting frog population numbers and survival.

California red-legged frogs do not have a distinct breeding migration (Fellers 2005). Adults are often associated with permanent bodies of water. Some individuals remain at breeding sites year-round, while others disperse to neighboring water features. Dispersal distances are typically

less than 0.5-mile, with a few individuals moving up to 1-2 miles (Fellers 2005). Movements are typically along riparian corridors, but some individuals, especially on rainy nights, move directly from one site to another through normally inhospitable habitats, such as heavily grazed pastures or oak-grassland savannas (Fellers 2005).

In a study of California red-legged frog terrestrial activity in a mesic area of the Santa Cruz Mountains, Bulger *et al.* (2003) categorized terrestrial use as migratory and non-migratory. The latter occurred from one to several days and was associated with precipitation events. Migratory movements were characterized as the movement between aquatic sites and were most often associated with breeding activities. Bulger *et al.* (2003) reported that non-migrating frogs typically stayed within 200 feet of aquatic habitat 90 percent of the time and were most often associated with dense vegetative cover, i.e., California blackberry, poison oak and coyote brush. Dispersing frogs in northern Santa Cruz County traveled distances from 0.25-mile to more than 2 miles without apparent regard to topography, vegetation type, or riparian corridors (Bulger *et al.* 2003).

In a study of California red-legged frog terrestrial activity in a xeric environment in eastern Contra Costa County, Tatarian (2008) noted that a 57 percent majority of frogs fitted with radio transmitters in the Round Valley study area stayed at their breeding pools, whereas 43 percent moved into adjacent upland habitat or to other aquatic sites. Her study reported a peak seasonal terrestrial movement occurring in the fall months associated with the first 0.2-inch of precipitation and tapering off into spring. Upland movement activities ranged from 3 to 233 feet, averaging 80 feet, and were associated with a variety of refugia including grass thatch, crevices, cow hoof prints, ground squirrel burrows at the base of trees or rocks, logs, and under man-made structures; others were associated with upland sites lacking refugia (Tatarian 2008). The majority of terrestrial movements lasted from 1 to 4 days; however, one adult female was reported to remain in upland habitat for 50 days (Tatarian 2008). Upland refugia closer to aquatic sites were used more often and were more commonly associated with areas exhibiting higher object cover, e.g., woody debris, rocks, and vegetative cover. Subterranean cover was not significantly different between occupied upland habitat and non-occupied upland habitat.

California red-legged frogs are often prolific breeders, laying their eggs during or shortly after large rainfall events in late winter and early spring (Hayes and Miyamoto 1984). Egg masses containing 2,000 to 5,000 eggs are attached to vegetation below the surface and hatch after 6 to 14 days (Storer 1925, Jennings and Hayes 1994). In coastal lagoons, the most significant mortality factor in the pre-hatching stage is water salinity (Jennings *et al.* 1992). Eggs exposed to salinity levels greater than 4.5 parts per thousand resulted in 100 percent mortality (Jennings and Hayes 1990). Increased siltation during the breeding season can cause asphyxiation of eggs and small larvae. Larvae undergo metamorphosis 3½ to 7 months following hatching and reach sexual maturity 2 to 3 years of age (Storer 1925; Wright and Wright 1949; Jennings and Hayes 1985, 1990, 1994). Of the various life stages, larvae probably experience the highest mortality rates, with less than 1 percent of eggs laid reaching metamorphosis (Jennings *et al.* 1992). California red-legged frogs may live 8 to 10 years (Jennings *et al.* 1992). Populations can fluctuate from year to year; favorable conditions allow the species to have extremely high rates of reproduction and thus produce large numbers of dispersing young and a concomitant increase in the number of occupied sites. In contrast, the animal may temporarily disappear from an area

when conditions are stressful (e.g., during periods of drought, disease, etc.).

The diet of California red-legged frogs is highly variable and changes with the life history stage. The diet of the larvae is not well studied, but is likely similar to that of other ranid frogs which feed on algae, diatoms, and detritus by grazing on the surface of rocks and vegetation (Fellers 2005; Kupferberg 1996a, 1996b, 1997). Hayes and Tennant (1985) analyzed the diets of California red-legged frogs from Cañada de la Gaviota in Santa Barbara County during the winter of 1981 and found invertebrates (comprising 42 taxa) to be the most common prey item consumed; however, they speculated that this was opportunistic and varied based on prey availability. They ascertained that larger frogs consumed larger prey and were recorded to have preyed on Pacific chorus frog, three-spined stickleback and, to a limited extent, California mice, which were abundant at the study site (Hayes and Tennant 1985, Fellers 2005). Although larger vertebrate prey was consumed less frequently, it represented over half of the prey mass eaten by larger frogs suggesting that such prey may play an energetically important role in their diets (Hayes and Tennant 1985). Juvenile and subadult/adult frogs varied in their feeding activity periods; juveniles fed for longer periods throughout the day and night, while subadult/adults fed nocturnally (Hayes and Tennant 1985). Juveniles were significantly less successful at capturing prey and all life history stages exhibited poor prey discrimination, feeding on several inanimate objects that moved through their field of view (Hayes and Tennant 1985).

Threats: Habitat loss, non-native species introduction, and urban encroachment are the primary factors that have adversely affected the California red-legged frog throughout its range. Several researchers in central California have noted the decline and eventual local disappearance of California and northern red-legged frogs in systems supporting bullfrogs (Jennings and Hayes 1990; Twedt 1993), red swamp crayfish, signal crayfish, and several species of warm water fish including sunfish, goldfish, common carp, and mosquitofish (Moyle 1976; Barry 1992; Hunt 1993; Fisher and Schaffer 1996). This has been attributed to predation, competition, and reproduction interference. Twedt (1993) documented bullfrog predation of juvenile northern red-legged frogs, and suggested that bullfrogs could prey on subadult California red-legged frogs as well. Bullfrogs may also have a competitive advantage over California red-legged frogs. For instance, bullfrogs are larger and possess more generalized food habits (Bury and Whelan 1984). In addition, bullfrogs have an extended breeding season (Storer 1933) during which an individual female can produce as many as 20,000 eggs (Emlen 1977). Furthermore, bullfrog larvae are unpalatable to predatory fish (Kruse and Francis 1977). Bullfrogs also interfere with California red-legged frog reproduction by eating adult male California red-legged frogs. Both California and northern red-legged frogs have been observed in amplexus (mounted on) with both male and female bullfrogs (Jennings and Hayes 1990; Twedt 1993; Jennings 1993). Thus bullfrogs are able to prey upon and out-compete California red-legged frogs, especially in sub-optimal habitat.

The urbanization of land within and adjacent to California red-legged frog habitat has also affected the threatened amphibian. These declines are attributed to channelization of riparian areas, enclosure of the channels by urban development that blocks dispersal, and the introduction of predatory fishes and bullfrogs. Diseases may also pose a significant threat, although the specific effects of disease on the California red-legged frog are not known. Pathogens are suspected of causing global amphibian declines (Davidson *et al.* 2003). Chytridiomycosis and ranaviruses are a potential threat because these diseases have been found to adversely affect other

amphibians, including the listed species (Davidson *et al.* 2003; Lips *et al.* 2006). Mao *et al.* (1999 cited in Fellers 2005) reported northern red-legged frogs infected with an iridovirus, which was also presented in sympatric threespine sticklebacks in northwestern California. Non-native species, such as bullfrogs and non-native tiger salamanders that live within the range of the California red-legged frog have been identified as potential carriers of these diseases (Garner *et al.* 2006). Humans can facilitate the spread of disease by encouraging the further introduction of non-native carriers and by acting as carriers themselves (i.e., contaminated boots, waders or fishing equipment). Human activities can also introduce stress by other means, such as habitat fragmentation, which results in the listed species being more susceptible to the effects of disease.

Recovery Plan: The recovery plan for the California red-legged frog identifies eight recovery units (Service 2002). The establishment of these recovery units is based on the determination that various regional areas of the species' range are essential to its survival and recovery. These recovery units are delineated by major watershed boundaries as defined by U.S. Geological Survey hydrologic units and the limits of its range. The goal of the recovery plan is to protect the long-term viability of all extant populations within each recovery unit. Within each recovery unit, core areas have been delineated and represent contiguous areas of moderate to high California red-legged frog densities that are relatively free of exotic species such as bullfrogs. The goal of designating core areas is to protect metapopulations. Thus when combined with suitable dispersal habitat, will allow for the long term viability within existing populations. The management strategy identified within the Recovery Plan will allow for the recolonization of habitats within and adjacent to core areas that are naturally subjected to periodic localized extinctions, thus assuring the long-term survival and recovery of California red-legged frogs.

San Francisco garter snake

The San Francisco garter snake was listed as an endangered species on March 11, 1967 (Service 1967) and was listed as endangered by the State of California in 1971. A detailed species account can be found in the *San Francisco Garter Snake 5-year Review: Summary and Evaluation* (Service 2006b). Critical habitat has not been proposed or designated for the species.

Environmental Baseline

California Red-legged Frog

Within the past 10 years, two California red-legged frog surveys have taken place at Año Nuevo State Reserve. Bulger (2003) conducted surveys in 2000 and 2001 and the Department of Parks and Recreation (DPR) Environmental Scientists completed additional surveys in late February 2002 (Hyland 2002).

The Bulger (2003) study involved radio-tracking of California red-legged frog at the Visitor Center pond area. Results of this study indicated that California red-legged frog did not use terrestrial habitats during the study period (i.e., October to February). This is unusual because frogs typically move in terrestrial areas during the wet months (i.e., October to March) (Bulger et al., 2003) Bulger (2003) also observed the same phenomenon during an October survey in a

nearby study area located approximately 100 kilometers south of San Francisco. The survey results revealed that approximately 85% of adult California red-legged frog were year-round residents at the breeding ponds in this study area and that they did not follow typical movement patterns for California red-legged frog in the wet months.

Bulger (2003) did not observe California red-legged frog on land that was more than three meters from water's edge and results did not suggest that any of the California red-legged frog migrated to other aquatic sites.

The surveys conducted by DPR focused on five sites at Año Nuevo State Park and Reserve where suitable habitat for California red-legged frog exists. Auditory and visual surveys were performed during the day and at night to establish the presence or absence of California red-legged frog. Presence of California red-legged frog was determined at four of the five sites. Egg masses, which are the best indicator that California red-legged frog are breeding, were located at only one site. Other egg masses may have been present, but due to difficulty in accessing potential breeding sites, egg masses could have been overlooked. Evidence of a freshly-deteriorating hatched egg mass was present at one site in late February which may indicate that breeding occurred particularly early at these sites in 2002 (Hyland, 2002).

San Francisco Garter Snake

The area around the visitor center pond supports one of the southernmost populations of San Francisco garter snake. The presence of this breeding population has been documented from past surveys and observations (Bulger 2003, McGinnis 1987, McGinnis et al. 1987).

In 2004 and 2005, DPR conducted two prescribed burns in cooperation with the Service under a recovery permit in order to maintain a more open shrub community for the enhancement of San Francisco garter snake and California red-legged frog habitat. Both pre- and post- burn surveys were conducted in conjunction with the prescribed burns. The pre-burn survey attempted to establish a baseline population estimate that post-burn survey results could be compared to. The surveys allowed DPR to monitor the effects of fire on the population of San Francisco garter snake at Año Nuevo State Reserve.

Following the 2005 prescribed burns, DPR contracted with Swaim Biological Consulting to perform San Francisco garter snake monitoring.

Karen Swaim (Swaim Biological 2007) placed San Francisco garter snake traps in the same general area of the park unit where McGinnis et al. (1987) placed traps for previous surveys.

Swaim's report (2007) states that, although a population baseline was not established, "one conclusion that can be drawn from the 2007 trapping efforts is that the population of San Francisco garter snake at Año Nuevo State Reserve appears to be a healthy breeding population. The number of San Francisco garter snake captured at this site is higher than at any other site that Swaim Biological Consulting had surveyed up to that time with the exception the San Francisco Airport site (i.e., also known as West of Bayshore) property" (Swaim Biological 2007).

Effects of the Proposed Action

California Red-legged Frog and San Francisco Garter Snake

The proposed action has the potential to result in direct and indirect effects to the California red-legged frog and San Francisco garter snake. Harm and harassment of California red-legged frogs and San Francisco garter snakes could occur within the entire 0.9 acre to be disturbed by project activities. A total of 0.74 acre of upland habitat within the work areas will be temporarily disturbed; an additional 0.16 acre of upland and riparian habitat will be permanently impacted by trail construction. The temporary loss of habitat due to ground disturbance will occur during project activities and last for several months post project, as newly planted native vegetation becomes re-established.

In order to prevent California red-legged frogs and San Francisco garter snakes from being injured or killed by construction equipment and worker traffic, wildlife exclusion fencing will be erected around re-route work areas and vegetation within the fenced area will be hand removed at a slow enough rate to allow for observation of San Francisco garter snake or California red-legged frog to minimize the chance for take. San Francisco garter snake or California red-legged frog observed inside the exclusion area during vegetation removal or trail construction will be relocated outside the fenced area by a permitted qualified biologist. The qualified biologist will monitor for San Francisco garter snake and California red-legged frog while work is being done within the exclusion zone for approximately one week after vegetation removal in the event any animals emerge from burrows or other cover. This will allow the fenced area to be thoroughly surveyed and all borrows in the work area to be located and hand excavated in order to ensure that no California red-legged frogs or San Francisco garter snakes are present in the work area prior to start of ground disturbance. Although these measures will minimize the potential for injury or morality to California red-legged frogs and San Francisco garter snakes, individuals that used the action area for sheltering, feeding, or traveling overland will be displaced into unfamiliar areas potentially exposing individuals to increased levels of predation, increased intraspecific competition, and could decrease their ability to find required resources such as food and shelter.

Removal of vegetation will affect California red-legged frogs and San Francisco garter snakes by reducing the quantity and quality of foraging and dispersal habitat and potentially increasing their risk of predation by reducing the amount of cover available. Trail enhancements may also eliminate small mammal burrows within the project area, reducing the quantity and quality of sheltering habitat. Minimizing the number and size of access routes and staging areas will minimize these effects.

Contaminated equipment and workers within the proposed project area may introduce or spread nonnative invasive plant species, which would diminish vegetative cover utilized by California red-legged frogs and San Francisco garter snakes.

Trail improvements and retirement of some trail sections will likely result in concentrated public use in a smaller area and may increase human and wildlife interaction in the main trail area.

Relocation of individual red-legged frogs and San Francisco garter snakes may reduce injury caused by construction related activities. However, capturing and handling of these species, to remove them from a work area, may result in the harassment, mortality, or injury of individuals. Stress, injury, and mortality may occur as a result of improper handling, containment, and transport of individuals. Death and injury of individual red-legged frogs or San Francisco garter snakes could occur at the time of relocation or later in time subsequent to their release. Although survivorship for translocated red-legged frogs or San Francisco garter snakes has not been estimated, survivorship of translocated wildlife, in general, is lower because of intraspecific competition, lack of familiarity with the location of potential breeding, feeding, and sheltering habitats, and increased risk of predation. Improper handling, containment, or transport of individuals would be reduced or prevented by use of a Service-approved biologist, by limiting the duration of handling, and requiring the proper transport of these species.

Cumulative Effects

Cumulative effects include the effects of future State, Tribal, local or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the Act.

According to the Draft General Plan, which was in review during summer 2010, there are no new additional structures, activities, programs or facilities planned for the Año Nuevo State Park and State Reserve in the foreseeable future. Increased recreation could result in an increase in the illegal capture of San Francisco garter snakes that is believed to occur on State Parks and other lands in San Mateo County.

Conclusion

After reviewing the current status of the California red-legged frog and San Francisco garter snake, the environmental baseline for the project area, the effects of the proposed project, and the cumulative effects, it is the Service's biological opinion that the Año Nuevo Point Trail Accessibility Improvements Project, as proposed, is not likely to jeopardize the continued existence of the California red-legged frog or San Francisco garter snake. We based this conclusion on the following: (1) the small scale of the proposed project; (2) many project effects are temporary in nature; and (3) a variety of conservation measures will be implemented throughout the life of the proposed action to minimize the likelihood or potential for take of individual California red-legged frogs and San Francisco garter snakes.

INCIDENTAL TAKE STATEMENT

Section 9(a)(1) of the Act and Federal regulations pursuant to section 4(d) of the Act prohibit the take of endangered and threatened species without special exemption. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as actions

that create the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the Act provided that such taking is in compliance with this Incidental Take Statement.

The measures described below are non-discretionary, and must be implemented by the applicant so that they become binding conditions of any grant or permit issued to the applicant, as appropriate, in order for the exemption in section 7(o)(2) to apply. The applicant has a continuing duty to regulate the activity covered by this incidental take statement for the Service. If the applicant (1) fails to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, and/or (2) fails to retain oversight to ensure compliance with these terms and conditions, the protective coverage of section 7(o)(2) may lapse.

Amount or Extent of Take

The Service anticipates that incidental take of California red-legged frog and San Francisco garter snake will be difficult to detect because these species are difficult to observe due to their cryptic appearance and behavior and because in upland habitat, they inhabit the burrows of ground squirrels or other rodents. For these reasons, the Service anticipates that all San Francisco garter snakes and California red-legged frogs in the 0.9 acre to be disturbed by project activities and within a 50-foot wide buffer around work areas will be subject to take in the form of harassment as a result of ground disturbing activities and increased human disturbance associated with construction of the tail. Because of the incorporated conservation measures, including installation of wildlife exclusion fencing around re-route areas, hand removal of vegetation, take of these species is expected to be in the form of harassment only and no San Francisco garter snakes or California red-legged frogs are expected to be killed or injured as a result of project activities. Upon implementation of the Reasonable and Prudent Measures, incidental take associated with the proposed action in the form of harassment and harm of the San Francisco garter snake and California red-legged frog caused by temporary and permanent habitat loss and construction activities will become exempt from the prohibitions described under section 9 of the Act.

Effect of the Take

In the accompanying biological opinion, the Service has determined that this level of anticipated take is not likely to result in jeopardy to the San Francisco garter snake or California red-legged frog.

Reasonable and Prudent Measure

The Service believes the following reasonable and prudent measure is necessary and appropriate to minimize the effects of the proposed action on San Francisco garter snakes and California red-

legged frogs:

The Corps through the applicant shall fully implement all of the Conservation Measures as described in the *Description of the Proposed Action* of this biological opinion.

Terms and Conditions

To be exempt from the prohibitions of Section 9 of the Act, the Corps shall ensure compliance with the following terms and conditions, which implement the reasonable and prudent measure described above. These terms and conditions are nondiscretionary.

The following terms and conditions will implement the Reasonable and Prudent Measure described above:

1. The applicant shall minimize the potential for harm, harassment, injury, and death of federally listed wildlife species resulting from project related activities including implementation of the Conservation Measures in this biological opinion.

2. If requested, during or upon completion of construction activities, the applicant shall ensure the Service, CDFG, or their authorized agents' immediate access to the project area. The on-site biologist and/or a representative from the applicant's agency shall accompany Service personnel on an on-site inspection of the project area(s) to review project effects to California red-legged frogs and San Francisco garter snake and their habitats and the implementation of proposed minimization measures.

3. The applicant shall ensure compliance with the *Reporting Requirements* of this biological opinion.

Reporting Requirements

The Service must be notified within 24 hours of the finding of any injured California red-legged frog or San Francisco garter snake, or any unanticipated damage to their habitats associated with the proposed action. Injured frogs or snakes must be cared for by a licensed veterinarian or other qualified person such as the Service-approved biologist. Notification should include the date, time, and precise location of the individual/incident clearly indicated on a U.S. Geological Survey 7.5 minute quadrangle and other maps at a finer scale, as requested by the Service, and any other pertinent information. Dead individuals must be sealed in a zip-lock® plastic bag containing a paper with the date and time when the animal was found, the location where it was found, and the name of the person who found it. The bag containing the specimen must be frozen in a freezer located in a secure area.

The Service contact persons are the Division Chief, Endangered Species Program at the Sacramento Fish and Wildlife Office (916) 414-6600, and the Resident Agent-in-Charge of the Service's Law Enforcement Division, 2800 Cottage Way. Room W-2928, Sacramento, California 95825, at (916) 414-6660.

CONSERVATION RECOMMENDATIONS

Section 7(a)(1) of the Act directs Federal agencies to utilize their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities that can be implemented to further the purposes of the Act, such as preservation of endangered species habitat, implementation of recovery actions, or development of information and databases.

1. The Corps should require the use of appropriate California native species in revegetation and habitat enhancement efforts.

2. Report any sightings of California red-legged frog and San Francisco garter snake to the California Natural Diversity Database maintained by CDFG.

In order for the Service to be kept informed of actions minimizing or avoiding adverse effects or benefiting listed species or their habitats, the Service requests notification of the implementation of any conservation recommendations.

REINITIATION - CLOSING STATEMENT

This concludes formal consultation on the proposed action. As provided in 50 CFR 402.16, reinitiating of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this biological opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must immediately cease, pending reinitiating.

If you have any questions regarding this biological opinion on the proposed action, please contact Vincent Griego or Ryan Olah of my staff at the letterhead address, at telephone (916) 414-6600, or by electronic mail at Vincent_Griego@fws.gov or Ryan_Olah@fws.gov.

Sincerely,

Susan K. Moore
Field Supervisor

cc:
Suzanne Deleon, California Department of Fish and Game, Yountville, CA

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County of San Mateo - Planning and Building Department

ATTACHMENT D

CEQA # 8897

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814
FAX (916) 323-3018

FROM: Department of Parks and Recreation
One Capitol Mall, Suite 410
Sacramento, CA 94296-0001

PROJECT TITLE: Trail Accessibility and Resource Improvements
LOCATION: Año Nuevo State Reserve **COUNTY:** San Mateo

DESCRIPTION OF THE NATURE AND PURPOSE OF PROJECT:
Make improvements, reroute and restore parts of the Año Nuevo Point Trail at Año Nuevo State Reserve and Año Nuevo State Park for resource protection and to comply with the Americans with Disabilities Act (ADA) and meet requirements in the "California State Parks Accessibility Guidelines". Work will:

- Install temporary exclusionary fencing to protect wildlife during construction.
- Excavate, add aggregate and rock to repair, level, and define the Año Nuevo Point Trail.
- Prune and remove (bush) vegetation, remove 2-4" of organic layer, and add aggregate to build two trail reroutes (one 860' and one 500') long by 5' wide.
- Excavate up to 6" deep and 12" wide to install approximately 1.5' high rock or wood retaining walls, and add aggregate to build a 40' by 40' level pad; and install 4 ADA compliant picnic tables on the pad.
- Excavate up to 6" to level, pour a 60" by 60" concrete pad, and install ADA telescope in the picnic area next to the visitor center.
- Place geo-textiles or wire mesh under select segments of the trail to prevent gopher damage to the trail tread (e.g., area around picnic sites and visitor center)
- Place rock to construct four rock retaining walls each up to 100' long and 24" high, add aggregate to elevate and level four overlooks.
- Construct approx. 175' rock/wood causeway over sandy conditions to allow for natural drainage at overlook 1.
- Excavate approx. 18" deep and 24" wide to replace up to 10 damaged culverts along trail.
- Import rocks to build approximately fifteen 6' wide by approximately 20' long drainage lenses to elevate the trail tread to improve sheet flow.
- Replace two benches at existing kiosk building and install three new wooden benches along trail. New bench locations will be at existing wide areas along the trail.
- Excavate 16 holes each approximately 12" in diameter, pour concrete footings, and place posts to install new trail signage and interpretive panels.
- Excavate to de-compact soil, contour to natural conditions, trim adjacent plants and place cuttings to close and restore approximately 26,250 square feet (0.6 acres) of degraded trail.

PUBLIC AGENCY APPROVING THE PROJECT: California Department of Parks and Recreation

NAME OF DIVISION OR DISTRICT CARRYING OUT THE PROJECT: Acquisition and Development

EXEMPT STATUS: ☒ Categorical Exemption Classes: 1, 2, 3, 4 *Sections: 15301, 15302, 15303, 15304*

REASONS WHY PROJECT IS EXEMPT: Project consists of the repair, maintenance and minor alteration of existing public structures and facilities involving negligible expansion of use beyond current levels, the replacement of existing structure and facility where the new structure will be located on the same site as the structure replace and will have substantially the same purpose and capacity as the structure replaced, the construction or installation of limited numbers of new, small facilities, and the minor alteration in the condition of land that does not involve removal of healthy, mature, scenic trees included as ""modifications of existing facilities for handicap access" in the Department of Parks and Recreation's list of exempt activities in accordance with CCR § 15300.4.

CONTACT: Stephanie Coleman
Northern Service Center

PHONE NO.: (916) 445-8779
EMAIL: scoleman@parks.ca.gov

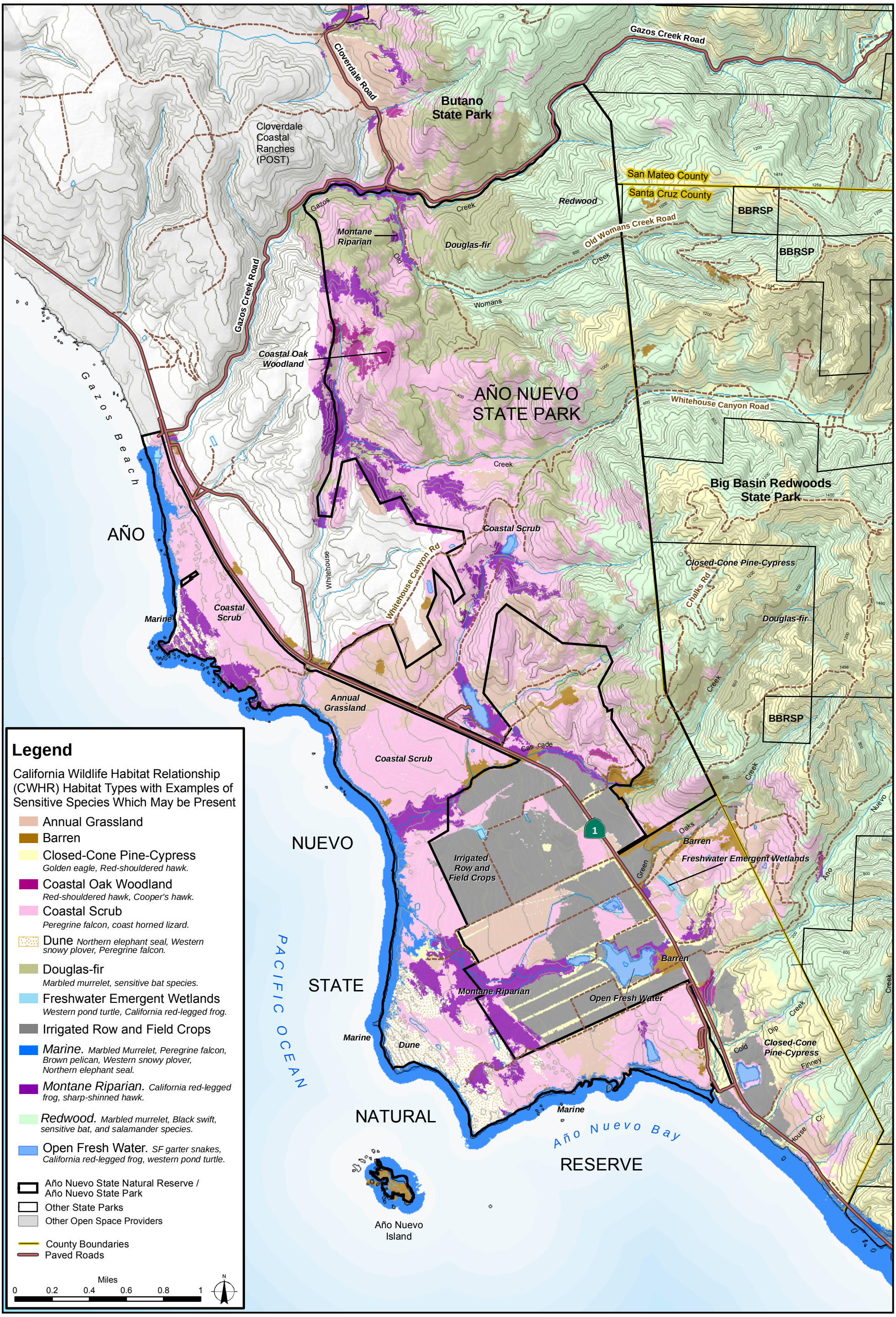
10.30.13

Jennifer Harris, Chief
Accessibility Section

Date

County of San Mateo - Planning and Building Department

ATTACHMENT E



Legend

California Wildlife Habitat Relationship (CWHR) Habitat Types with Examples of Sensitive Species Which May be Present

- Annual Grassland
- Barren
- Closed-Cone Pine-Cypress
  Golden eagle, Red-shouldered hawk.
- Coastal Oak Woodland
  Red-shouldered hawk, Cooper's hawk.
- Coastal Scrub
  Peregrine falcon, coast horned lizard.
- Dune *Northern elephant seal, Western snowy plover, Peregrine falcon.*
- Douglas-fir
  Marbled murrelet, sensitive bat species.
- Freshwater Emergent Wetlands
  Western pond turtle, California red-legged frog.
- Irrigated Row and Field Crops
- *Marine.* *Marbled Murrelet, Peregrine falcon, Brown pelican, Western snowy plover, Northern elephant seal.*
- *Montane Riparian.* *California red-legged frog, sharp-shinned hawk.*
- *Redwood.* *Marbled murrelet, Black swift, sensitive bat, and salamander species.*
- Open Fresh Water. *SF garter snakes, California red-legged frog, western pond turtle.*

- Año Nuevo State Natural Reserve / Año Nuevo State Park
- Other State Parks
- Other Open Space Providers
- County Boundaries
- Paved Roads

Date: 1/29/08
Source: Calif. Dept. of Parks & Recreation

AÑO NUEVO STATE PARK
Preliminary General Plan

Figure 9
WILDLIFE HABITAT

NOTES:

Parcel boundaries are approximate and should not be considered legal descriptions. Maps are intended for study purposes only.

GENERAL PLAN SECTION