

## Revised September 2011

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

None.

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

Responsible or Trustee Agencies:

1. California Department of Fish and Wildlife (CDFW)
2. Regional Water Quality Control Board (RWQCB)
3. U.S. Army Corps of Engineers (ACOE)

## **ATTACHMENT 1: Mitigation measures proposed to reduce any potentially significant impacts to less-than-significant levels.**

### **Project Description:**

Repair of two reaches of Redwood Creek, adjacent to Holes #3 and #16 within the Menlo Country Club Golf Course. The existing steeply incised and eroding creek banks would be graded back to create a gentler slope than the existing near-vertical banks, as well as a widened floodway. Emergent wetland vegetation in the bed of the channel, and ruderal species on the banks, would be removed to facilitate construction. Large boulders would be installed along the toe of the slope in short sections of the bank repair area and adjacent to existing golf cart bridges to stabilize the repaired creek banks and protect existing oaks. The banks would be revegetated with appropriate wetland and riparian vegetation. During construction, reaches of the creek would be temporarily dewatered with cofferdams and bypass pipes.

### **Potential Impacts and Proposed Mitigation:**

A summary of the potential impacts, and the mitigation measures identified to reduce potential impacts to less-than-significant levels, are included below. For the full discussion of impacts and the associated mitigation measures, please refer to the attached disk which includes a digital copy of the complete Initial Study/Mitigated Negative Declaration and attachments.

#### ■ **AIR QUALITY:**

The project involves excavation of the bed and the banks along two segments of Redwood Creek within the Menlo Country Club golf course. Project impacts would include generation of some dust. Best management practices are required to control dust during the construction period to ensure potential impacts related to air quality are reduced to a less-than-significant level.

#### **Mitigation Measure AIR-1 (Construction Impacts):**

- Cover any stockpiles of materials that can be blown by the wind.
- Use dust-proof chutes for loading construction debris onto trucks.
- Sweep streets daily if visible soil material is carried onto adjacent public streets, parking areas, and staging areas, as directed by the Town Engineer.
- Install erosion control measures to prevent runoff from the project site from entering the creek.
- Vehicle idling times shall be minimized, either by shutting equipment off when not in use, or reducing the maximum idling time to 5 minutes.
- All construction equipment shall be maintained and properly tuned, in accordance with manufacturer's specifications.

#### ■ **BIOLOGICAL RESOURCES:**

Golf course features in the planted and landscaped portions of the Study Area are irrigated, mowed and maintained continuously; as a result, the Study Area does not provide suitable habitat for special-status plants. In addition, the Study Area is not located within any designated critical habitat for federally-listed wildlife species. Trees and shrubs within and adjacent to the Study Area do, however, provide suitable nesting habitat for birds of prey and other migratory birds. Project construction has the potential to result in adverse impacts to these birds. It also has the potential to result in adverse impacts to active nests of birds of prey and passerine birds. In addition, project construction would result in impacts to riparian vegetation and wetland habitat.

Mitigation measures have been included to reduce impacts to biological resources to less-than-significant levels.

**Mitigation Measure BIO-1: (Nesting Raptors (Birds of Prey) and Passerine (Perching) Birds:**

If site disturbance for the proposed project commences between February 1 and August 31, a qualified biologist shall conduct a pre-construction bird nesting survey. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 31, or the qualified biologist determines that the young are foraging independently. The size of the no-disturbance buffer shall be determined by a qualified biologist and shall take into account local site features and existing sources of potential disturbance. If more than 14 days elapses between the survey and the start of construction, the survey shall be repeated.

**Mitigation Measure BIO-2(a) (Disturbance of Riparian Vegetation):** The removal of riparian vegetation will be avoided and minimized to the extent feasible. Mitigation to compensate for the construction-related disturbance and loss of riparian vegetation will be accomplished through the restoration of riparian vegetation along the banks of the reaches of Redwood Creek disturbed during construction.

A riparian restoration plan detailing the following elements shall be prepared:

- The number, species and location of riparian mitigation plantings that will be planted in the restoration area;
- Performance standards that will be required for the restoration effort to be deemed a success, including survival, vigor and growth of riparian plantings;
- The time of year for planting and method of supplemental watering during the establishment period;
- The monitoring period, which shall be not less than five years to ensure that restoration plantings and natural recruits are established;
- Adaptive management and maintenance activities, including weeding, supplemental irrigation, site protection; and
- Responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity.

**Mitigation Measure BIO-2(b) (Discharge of Fill into Freshwater Wetlands):** The fill of jurisdictional wetlands will be avoided and minimized to the extent feasible. Authorization for the fill of waters of the U.S. and State shall be obtained by the applicant prior to the start of construction. Mitigation for the fill of wetlands shall be accomplished through the restoration of freshwater wetlands at not less than a 1:1 replacement to loss ratio within the bank stabilization project area or elsewhere along Redwood Creek within the Menlo Country Club, or at an approved wetland mitigation bank. The mitigation goal should be to create and enhance wetland and aquatic habitat with habitat functions and values greater than or equal to those that will be impacted by the proposed project.

Wetland mitigation within the Menlo Country Club would be described in a wetland mitigation plan that would:

- Be prepared consistent with the Final Regional Compensatory Mitigation and Monitoring Guidelines (USACE 2015) and the Compensatory Mitigation for Losses of Aquatic Resources: Final Rule (USACE 2008);
- Define the location of all restoration activities;
- Describe measures that would ensure that adjacent land uses would not adversely affect the restored wetland habitat.
- Provide evidence of adequate hydrology to support restored wetland habitat;
- Identify the species, quantity, and location of plants to be installed in the restoration area;
- Identify the time of year for planting and method for supplemental watering, if any, during the establishment period;
- Identify the monitoring period, which shall be not less than five years for wetland restoration;
- Define success criteria that will be required for restoration efforts to be deemed a success;
- Define adaptive management and maintenance activities, including weeding, supplemental irrigation, site protection; and
- Define responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity.

The project applicant shall comply with all terms of the permits issued by these agencies, including mitigation requirements, and shall provide proof of compliance to the Town of Woodside prior to issuance of a grading permit.

**Mitigation BIO-2(c) (Water Quality Impacts on Sensitive Habitats):** Adverse impacts to water quality shall be avoided and minimized by implementing the following measures:

- Redwood Creek flow will be diverted around the project construction areas with the use of cofferdams and bypass pipes to ensure that construction activities do not occur in a live stream channel. The cofferdams and bypass pipes will be installed prior to any earthwork in the channel and will be removed after construction activities are complete.
- Prior to the start of site disturbance activities, construction barrier and silt fencing shall be installed between the construction areas and adjacent Redwood Creek habitats to prevent the movement of construction equipment and inadvertent discharge of sediment outside of the work area. Any debris that is inadvertently deposited into these features during construction shall be removed in a manner that minimizes disturbance.
- Contractors shall be required to implement a Storm Water Pollution Prevention Plan (SWPPP) that describes Best Management Practices including the conduct of all work according to site-specific construction plans that minimize the potential for sediment input to the aquatic system, avoiding impacts to areas outside the staked and fenced limits of construction, covering bare areas prior to storm events and protecting disturbed areas with approved erosion control materials.

■ **CULTURAL RESOURCES:**

The project would not have an impact on any known historic, archaeological or paleontological resources or features; however, the California Historical Resources Information System (CHRIS) indicated, based on the environmental setting and features associated with known sites, Native American resources in this part of San Mateo County have been found in areas marginal to the San Francisco Bay and inland near intermittent and perennial watercourses. The proposed

project is located in a hilly interior valley and includes Redwood Creek. Given the similarity of these environmental factors and the ethnographic sensitivity of the area, there is a moderate to high potential for unrecorded Native American resources in the project area. Mitigation measures have been included to ensure that any potential impacts to archaeological or paleontological resources or features encountered during construction would be reduced to a less-than-significant level. In addition, no human remains are known to exist on the project site. Mitigation is also included to address any human remains encountered during construction to ensure potential impacts are reduced to a less-than-significant level.

**Mitigation Measure CULTURAL -1 (Archaeological or Paleontological Resources Worker Education):** Prior to the start of construction, a worker education program shall be presented at the project site by a qualified professional. Associated written material shall be distributed. It shall be the onsite foreman's responsibility to ensure that all construction personnel and subcontractors receive a copy of the education program. The education program shall identify what types of items could be found in the project area and what steps should be taken by the workers if any Archaeological, Paleontological, or Tribal Cultural Resources are identified.

**Mitigation Measure CULTURAL-2 (Archaeological Resources):**

- (a) The following practices shall be followed during all phases of site preparation and construction activities: If archaeological resources are encountered during construction, construction personnel should be instructed to immediately suspend all activity in the immediate vicinity of the suspected resources, and the Town and a licensed archaeologist should be contacted to evaluate the situation. Project personnel should not collect cultural resources. A licensed archaeologist should be retained to inspect the discovery and make any necessary recommendations to evaluate the find under current CEQA guidelines, prior to the submittal of a resource mitigation plan and monitoring program to the Town for review and approval; and prior to the continuation of any on-site construction activity. Native American resources include but are not limited to: chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; remains and structures with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.
- (b) Any identified cultural resources shall be recorded on DPR 523 historic resource recordation forms available from the Office of Historic Preservation.

**Mitigation Measure CULTURAL-3 (Construction Impacts - Cultural Resources):** In the event a human burial or skeletal element is identified during excavation or construction, work in that location should stop immediately until the find can be properly treated. The Town of Woodside and the San Mateo County Coroner's office should be notified. If deemed prehistoric, the Coroner's office would notify the Native American Heritage Commission who would identify a "Most Likely Descendant (MLD)." The archeological consultant and MLD, in conjunction with the project sponsor, should formulate an appropriate treatment plan for the find, which might include, but not be limited to, respectful scientific recording and removal, being left in place, or removal and reburial on site, or elsewhere. Associated grave goods are to be treated in the same manner (See also, **Mitigation Measure CULTURAL-1**). If a human burial or skeletal element is identified, procedures in **Mitigation Measure TRIBAL CULTURAL-4** shall be followed.



■ **GEOLOGY AND SOILS:**

The project would be subject to ground-shaking in the event of an earthquake. Project construction would also require earthwork in the channel and on the creek banks that would leave soil barren of vegetation and vulnerable to sheet or gully erosion. Measures are identified to reduce these impacts to less-than-significant levels. Mitigation is also identified in the event that paleontological resources are encountered during construction.

**Mitigation Measure GEO-1 (Geotechnical Conditions):**

(a) The project would be constructed in accordance with the recommendations from the Geotechnical Investigation prepared for the project by Romig Engineers (June 2019) and the Peer Review conducted by Cotton, Shires and Associates, Inc. (July 2019).

(b) A letter to the Town prepared and certified by the project Geotechnical Engineer is required following project construction, documenting that the project has been constructed in accordance with all geotechnical recommendations of Romig Engineers, Inc. and Cotton, Shires and Associates, Inc.

**Mitigation Measure GEO-2 (Erosion Control):** Erosion control measures would include rolled or hydraulic erosion control products (HydroMax System) or turf reinforcement mats (RollMax System) designed for flowing channels, shorelines and other areas which need permanent erosion protection from water and wind.

**Mitigation Measure GEO-3 (Paleontological Resources):** The following practices shall be followed during all phases of site preparation and construction activities: If paleontological resources are encountered during construction, construction personnel should be instructed to immediately suspend all activity in the immediate vicinity of the suspected resources, and the Town and a licensed paleontologist should be contacted to evaluate the situation. Project personnel should not collect paleontological resources. A licensed paleontologist should be retained to inspect the discovery and make any necessary recommendations to evaluate the find under current CEQA guidelines, prior to the submittal of a resource mitigation plan and monitoring program to the Town for review and approval prior to the continuation of any on-site construction activity.

■ **HAZARDS AND HAZARDOUS MATERIALS:**

The project is required to be constructed in accordance with State and federal hazardous materials regulations and current best management practices for construction activities. There is always some potential for construction materials entering the stream. Mitigation has been included to ensure that any potential impacts are reduced to a less-than-significant level.

**Mitigation Measure HAZ-1 (Creek Protection from Hazardous Materials):** Construction materials would be handled and stored in accordance with applicable local and State laws to prevent them from entering Redwood Creek. See also ***Mitigation Measures AIR-1, BIO-1(c), and GEO-1.***

■ **HYDROLOGY AND WATER QUALITY:**

No violations of any water quality standards are anticipated with the proposed project. Mitigation measures included to address air quality, biological resources, and geological resources, and the safe use of hazardous materials, would ensure that potential impacts to hydrology and water quality would be reduced to a less-than-significant level.

**Mitigation Measure HYDRO-1 (Water Quality):** Implementation of ***Mitigation Measures AIR-1, BIO-1(c), GEO-1, GEO-2, and HAZ-1*** would reduce potentially significant impacts to water quality to a less-than-significant level.

■ **NOISE:**

Project construction would result in a temporary increase in ambient noise levels in the project vicinity for the duration of the project. During construction, some noise would occur, but construction hours would be limited by the current Woodside regulations. The required mitigation measure would ensure noise impacts are reduced to a less-than-significant level.

**Mitigation Measure NOISE-1 (Construction Noise):**

- Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m., and Saturdays between 8:00 a.m. and 1:00 p.m. No construction should take place on Sundays or holidays. At all times, broadcast, recorded, or amplified music is not allowed to be audible beyond the property lines of any construction site.
- All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences.
- Prior to the issuance of Building Permits, the project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street so that the contractor can be made aware of noise complaints.
- A Construction Staging Plan shall be submitted with a schedule that includes materials storage locations and parking.

■ **TRIBAL CULTURAL RESOURCES:**

There are no known Tribal Cultural Resources on the site. Mitigation measures are identified in the event that resources are encountered during the construction period.

**Mitigation Measure TRIBAL-CULTURAL - 1 (Tribal Cultural Resources Worker Education):**

Prior to the start of construction, a worker education program shall be presented at the project site by a qualified professional. Associated written material shall be distributed. It shall be the onsite foreman's responsibility to ensure that all construction personnel and subcontractors receive a copy of the education program. The education program shall identify what types of items could be found in the project area and what steps should be taken by the workers if any Archaeological, Paleontological, or Tribal Cultural Resources are identified.

**Mitigation Measure TRIBAL CULTURAL-2 (Ground Disturbance):** Planning for construction shall include avoidance of any encountered resources and protection of the cultural and natural context. Native American resources include but are not limited to: chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human remains.

**Mitigation Measure TRIBAL CULTURAL-3 (Disposition of Recovered Cultural Items):** Any resource encountered shall require stopping of construction to consult with any Native American tribe culturally affiliated with the area for recommendations to appropriately care for the



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

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

**Mitigation Measure TRIBAL CULTURAL-4 (Inadvertently Discovered Native American Human Remains):** Any Native American human remains and associated grave artifacts shall be repatriated in consultation with any Native American tribe culturally affiliated with the area. The process outlined below shall be followed to be consistent California Health and Safety Code §7050.5 and Public Resources Code §5097.98:

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

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

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

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

recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

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

American human remains. Culturally appropriate treatment of the discovery may be ascertained from a review of the site utilizing cultural and archeological standards. Where the parties are unable to agree on the appropriate treatment measures, the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to subdivision (e).

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