Revised

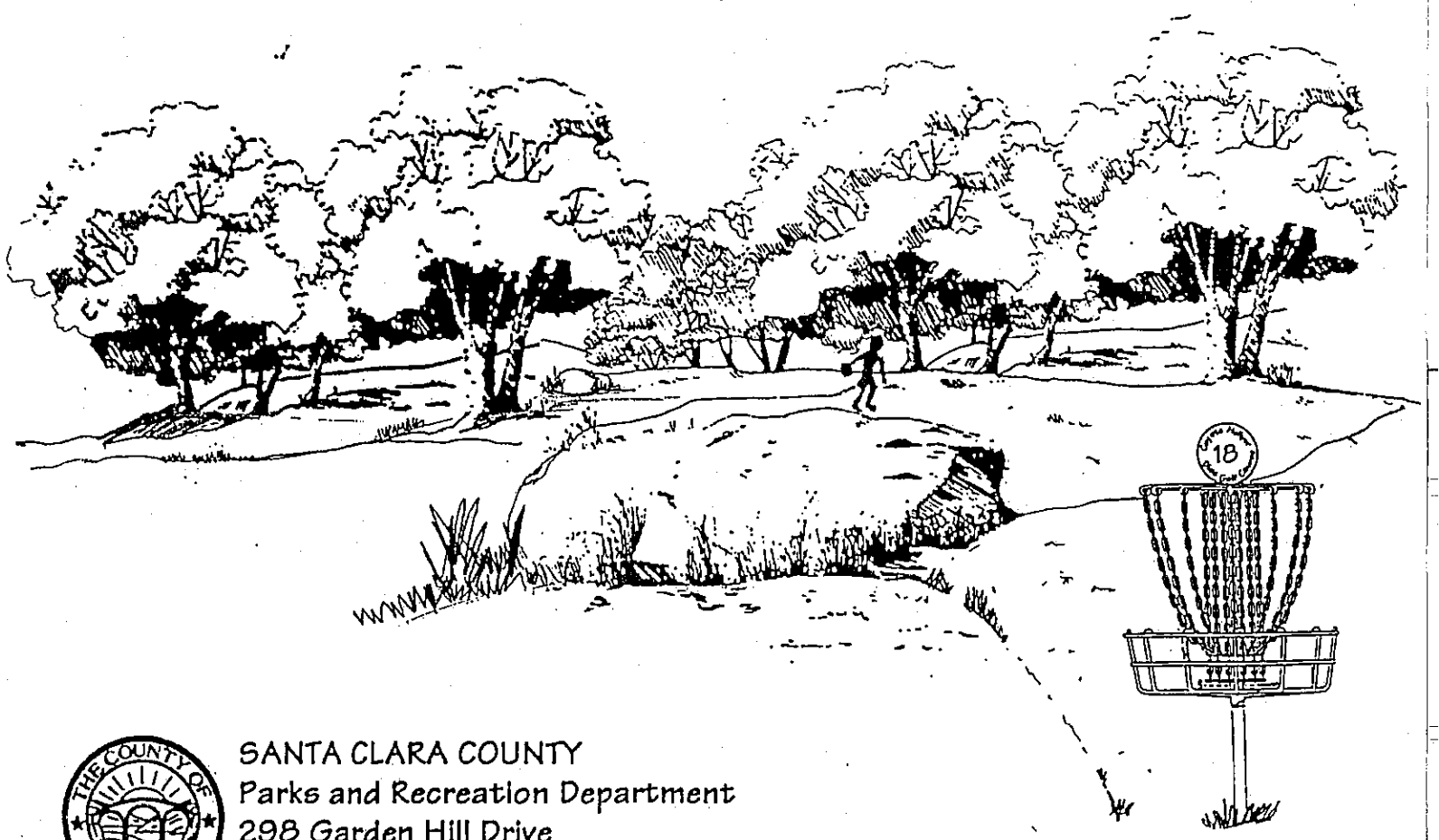
Initial Study
and
Proposed Negative Declaration

for a

Disc Golf Course

at

Coyote Hellyer County Park



SANTA CLARA COUNTY
Parks and Recreation Department
298 Garden Hill Drive
Los Gatos, CA 95030

COYOTE-HELLYER COUNTY PARK
DISC GOLF COURSE
INITIAL STUDY

TABLE OF CONTENTS

I. INITIAL STUDY

Vicinity Map

Location Map

Environmental Evaluation Checklist

Supplemental Information

Coyote Hellyer County Park
Disc Golf Course
Vicinity Map

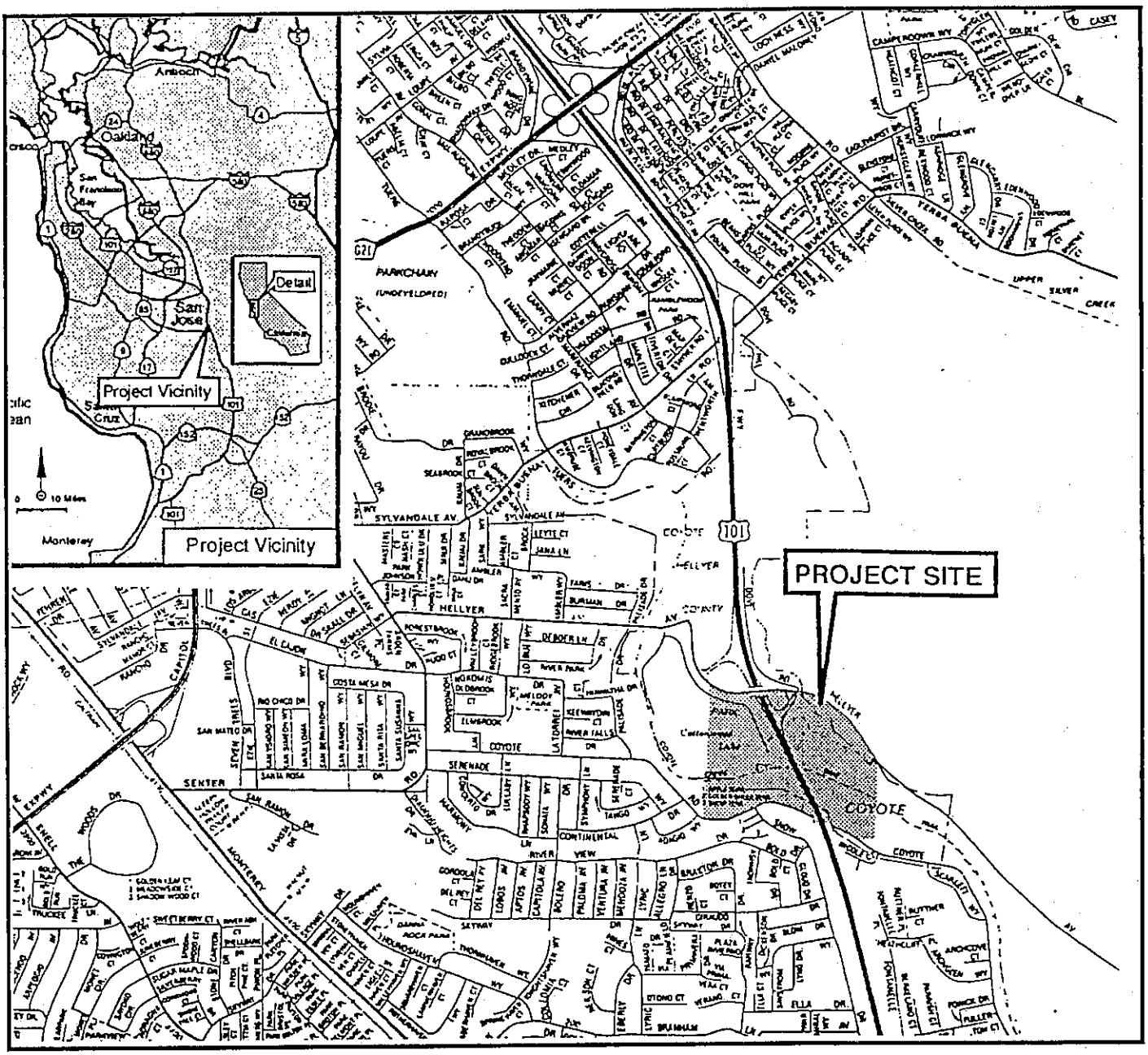
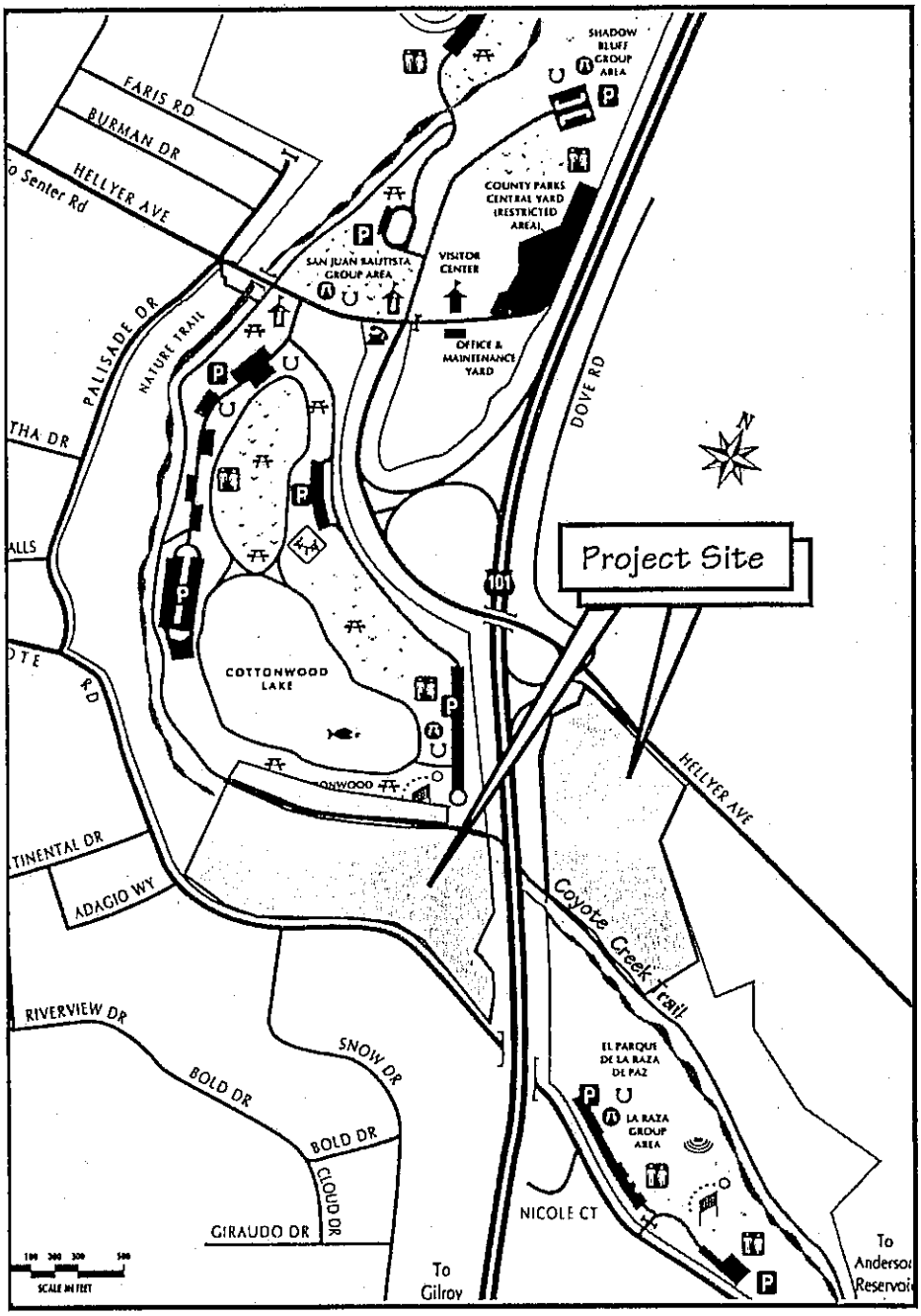


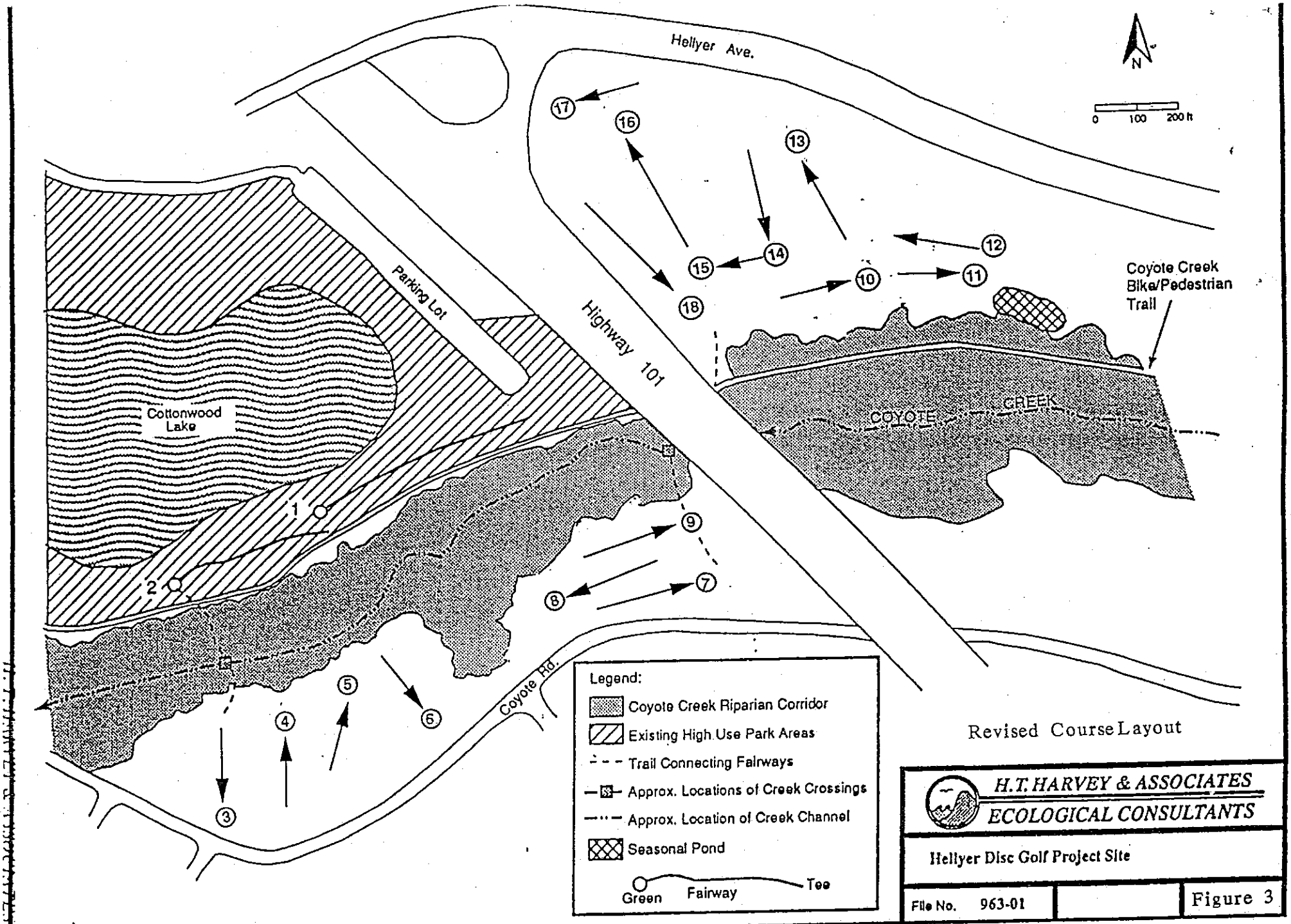
FIGURE 1

Coyote Hellyer County Park
Disc Golf Course
Location Map



Area of Fairways

FIGURE 2



Revised Course Layout

H.T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

Hellyer Disc Golf Project Site

File No. 963-01

Figure 3

Proposed Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project when implemented will not have a significant impact on the environment.

File	TAZ	APN(s)	Date
None	---------	678-21-001, 002, 494-16-001, 003, 019	7/31/97

Project Name	Project Type
Disc Golf Course	Minor park facilities construction

Owner	Applicant
	Santa Clara County Parks & Recreation Department

Project Location

Coyote Hellyer County Park
985 Hellyer Avenue
San Jose, California

Project Description

Construct an 18-hole disc golf course on 30 acres of undeveloped parkland. Construction consists of developing tee pads and targets, footpaths and directional signs to play a skilled throwing game using a "frisbee" like plastic disc.

Purpose of Notice

The purpose of this notice is to inform you that the County Parks & Recreation Department Staff has recommended that a Negative Declaration be approved for this project. Action is scheduled on this proposed Negative Declaration before the County of Santa Clara Board of Supervisors on September 16, 1997 in the Board Chambers, 70 West Hedding Street, San Jose. Where a date is not given, a separate notice will be sent to you informing you of the hearing date. If the Negative Declaration is approved, the decision may be protested upon filing an appeal with the Planning Office. It should be noted that approval of a Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

Review Period

Public comments regarding the correctness, completeness, or adequacy of this Negative Declaration are invited and must be received on or before the hearing date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the **County of Santa Clara, Parks and Recreation Department, Planning and Development Section, 298 Garden Hill Drive, Los Gatos, CA 95032 Tel(408) 358-3741.** Oral comments may be made at the hearing. A file containing additional information on this project may be reviewed at the Department of Parks and Recreation. When requesting to view this file, please refer to the file number appearing at the top of this form.

Responsible Agencies sent copy of this document

Santa Clara Valley Water District
CA Department of Fish & Game
State Clearinghouse

Basis for Negative Declaration Recommendation:

The Planning and Development Section of the Department of Parks and Recreation has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that the proposed project could not have a significant effect on the environment, or although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case since the mitigation measures have been added to the project.

This finding is based on the following considerations (See Note below):

See attached Initial Study and Supplemental Information

Note: Those measures necessary to mitigate or avoid significant environmental effects are identified by an asterisk. A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of Section 21081.6 of the Public Resources Code.

Prepared by: [signature] 7-31-97

signature date

Approved by: [signature] 8/1/97

signature date

Basis for Negative Declaration Recommendation:

The Planning and Development Section of the Department of Parks and Recreation has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that the proposed project could not have a significant effect on the environment, or although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case since the mitigation measures have been added to the project.

This finding is based on the following considerations (See Note below):

See attached Initial Study and Supplemental Information

Note: Those measures necessary to mitigate or avoid significant environmental effects are identified by an asterisk. A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of Section 21081.6 of the Public Resources Code.

Prepared by: _____ signature _____ 7-31-97 date

Approved by: _____ signature _____ 8/1/97 date

INITIAL STUDY

Environmental Evaluation Checklist for Santa Clara County

Project Title: Disc Golf Course **Date:** 8-24-95

File Number: None **APN(s):** 678-21-001; 002, 494-16-001; 003; 019

500' Map#: 115, 116 **Zoning:** Al-h **Gen. Plan Designation:** Parkland

USA (if any): None **Project Type:** Disc Golf Course Construction

Applicant's Name & Address: Santa Clara County Parks & Recreation Department
298 Garden Hill Drive, Los Gatos, CA 95030

Telephone: (408) 358-3741

Project Location (address or description):

Coyote Hellyer County Park is located west of the Hellyer Avenue exit along Highway 101 in San Jose, CA (See attached map).

Project Description:

18 Hole Disc Golf Course encompassing 30 acres of undeveloped park land.

Environmental Setting:

Existing condition include groves of riparian upland vegetation, open grasslands, and mixed oak and woodland thickets filled with both native and exotic vegetation.

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

- ■ LAND USE/GENERAL PLAN
- ■ GEOLOGY
- ■ RESOURCES/PARKS
- ☐ SEWAGE/WATER QUALITY
- ■ DRAINAGE/FLOODING
- ■ FLORA AND FAUNA
- ■ TRANSPORTATION
- ☐ HOUSING
- ☐ SAFETY/HEALTH
- ☐ AIR QUALITY
- ☐ NOISE
- ☐ AESTHETIC
- ☐ ENERGY
- ■ HISTORICAL/ARCHAEOLOGY-CAL
- ☐ PUBLIC SERVICES & UTILI-TIES
- ☐ MANDATORY FINDINGS OF SIGNIFICANCE

WILL THE PROJECT:	IMPACT					SOURCES
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant. No apparent Mitigation	Cumulative	
A. LAND USE / GENERAL PLAN						
1. Require a change from the land use designated in the General Plan?	■	□	□	□	□	6a,10a
2. Involve a change of zoning?	■	□	□	□	□	7,9a
3. Require a change from adopted specific plans or community goals?	■	□	□	□	□	6a,7,10a
4. Be in an area with special policies or of critical concern?						
a. San Martin &/or South County	■	□	□	□	□	6a,b,10a
b. Los Gatos/Lexington or Guadalupe Watershed	■	□	□	□	□	6a,10a,13,14
c. East Foothills	■	□	□	□	□	6a,10a
d. New Almaden Historical Area	■	□	□	□	□	6a,7,10a
e. Stanford	■	□	□	□	□	6a,15,16
f. San Jose	□	■	□	□	□	8,10a
5. Result in any substantial changes in the present land use, either on or off the project site?	■	□	□	□	□	1,2,3,12b
6. Disrupt or divide the physical arrangement of an established community?	■	□	□	□	□	2,4
- Conflict with established recreational, educational, religious or scientific uses in the area?	■	□	□	□	□	2,4
B. GEOLOGIC						
1. Be located in an area designated as having a potential for major geological hazard?	■	□	□	□	□	9b,10c,11a, 12a,17,18
2. Be located on, or adjacent to a known earthquake fault?	■	□	□	□	□	9c,10c,11a
3. Be located in a Geologic Study Zone?	■	□	□	□	□	9c,11a
4. Be located in an area of soil instability (subsidence, landslide, shrink/swell potential, soil creep or severe erosion)?	□	■	□	□	□	9c,12a,12d,20, 21
5. Cause substantial erosion or siltation?	□	■	□	□	□	1,2,3
6. Cause substantial disruption, displacement, compaction or over-covering of soil either on-site or off-site?	■	□	□	□	□	1,2,3
7. Cause substantial change in topography or in a ground surface relief feature?	■	□	□	□	□	1,2,3,11c
8. Involve construction of a building, road or septic system on a slope of:						
a. 30% or greater?	■	□	□	□	□	1,3,10j,11c
b. 20% to 30%?	■	□	□	□	□	1,3,10j,11c
c. 10% to 20%?	■	□	□	□	□	1,3,10j,11c
C. RESOURCES / PARKS						
Increase the removal rate or result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or top soil)?	■	□	□	□	□	1,2,3,19

WILL THE PROJECT:	IMPACT					SOURCES
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant. No apparent Mitigation	Cumulative	
2. Result in substantial depletion of any non-renewable natural resource?	■	☐	☐	☐	☐	2,3
3. Convert 10 or more acres of prime agricultural land (Class I to II) to non-agricultural use or impair the agricultural productivity of nearby prime land?	■	☐	☐	☐	☐	2,20,21
4. Involve lands protected by the Williamson Act (agricultural preserve) or an Open Space Easement?	■	☐	☐	☐	☐	1,9a
5. Substantially affect any existing agricultural uses?	■	☐	☐	☐	☐	2
6. Be on, within, or near a public or private park, wildlife reserve, or trail (includes those proposed for future)?	☐	■	☐	☐	☐	2,9d,10h
7. Result in loss of open space rated as high priority for acquisition.	■	☐	☐	☐	☐	38
D. SEWAGE / WATER QUALITY						
1. Result in a septic field being constructed on soil with severe septic drainfield limitations?	■	☐	☐	☐	☐	12d,20,21,22
2. Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of the high water mark of a reservoir?	■	☐	☐	☐	☐	1,2,3,4
3. Result in a septic field being located in an area where a high water table extends close to the natural land surface?	■	☐	☐	☐	☐	10e,11b,20,21,24
4. Result in extensions of a sewer trunk line with capacity to serve new development?	■	☐	☐	☐	☐	3
5. Substantially degrade surface or ground water quality or public water supply?	■	☐	☐	☐	☐	1,3,11b,21
6. Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe Watershed)?	■	☐	☐	☐	☐	4,10a,13,23
7. Result in use of well water previously contaminated by nitrates, mercury, asbestos, etc. existing in the groundwater supply?	■	☐	☐	☐	☐	10e,23
E. DRAINAGE / FLOODING						
1. Interfere substantially with ground water recharge?	■	☐	☐	☐	☐	3,10e,11b
2. Substantially change the direction, rate of flow or quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	■	☐	☐	☐	☐	1,3
3. Change absorption rates, drainage patterns, or the rate and amount of surface runoff?	☐	■	☐	☐	☐	3,28
4. Involve a natural drainage channel or streambed or water course such as to alter the location, course, or flow of its waters?	■	☐	☐	☐	☐	1,3,11c,28
5. Be located within a floodway or floodplain area?	☐	■	☐	☐	☐	9c,12c

'ILL THE PROJECT:	IMPACT					SOURCES
	NO	YES				
		Not Signifi-cant	Signifi-cant Unless Miti-gated	Signifi-cant. No ap-parent Mitiga-tion	Cumu-lative	
F. FLORA AND FAUNA						
1. Significantly affect fish, wildlife, reptiles, or plant life, by [a] change in diversity or numbers or [b] introduction of new species or [c] restrictions to migration or movement or [d] substantially reducing habitat?	☐	☐	■	☐	☐	1,2,3,4,10b, 11d,e
2. Affect or cause changes to existing habitat, food source, nesting place, breeding place for a rare or endangered plant or animal species?	☐	■	☐	☐	☐	10b,11d,e
3. Involve a unique biological area, such as a fresh water marsh or salt water tide land?	☐	☐	■	☐	☐	1,2,3,10b,11d,e
4. Involve construction within 150 feet of a watercourse or riparian area?	☐	☐	■	☐	☐	2,3,12b,39
5. Involve cutting of unique or heritage trees or a large number of trees over 12" in diameter?	■	☐	☐	☐	☐	1,2,3,25
G. TRANSPORTATION						
1. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system? (Exceed LOS level 'D' in vicinity-GP policy G8.3.)	■	☐	☐	☐	☐	4,6a,26,27,28, 29,44
2. Increase traffic hazards to pedestrians, bicyclists and vehicles?	■	☐	☐	☐	☐	3,4
3. Obstruct access to nearby uses or fail to provide for future street right of way?	■	☐	☐	☐	☐	3,12e
4. Cause increases in demand for existing on or off-street parking because of inadequate project parking?	☐	■	☐	☐	☐	1,3,30
H. HOUSING						
1. Reduce the supply of low-income housing or displace people or businesses?	■	☐	☐	☐	☐	3,4
2. Affect the type or cost of housing in the area?	■	☐	☐	☐	☐	2,3,4
3. Create a demand for additional housing?	■	☐	☐	☐	☐	3
I. SAFETY / HEALTH						
1. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, toxic substances, or radioactive materials?	■	☐	☐	☐	☐	1,3,4,5
2. Involve risk of explosion or release of hazardous substances?	■	☐	☐	☐	☐	1,3,4,5
3. If yes to #2, be within 1/4 mile of a school [public notice]	■	☐	☐	☐	☐	40
Be located within 200' of a 230KV or above electrical transmission line	■	☐	☐	☐	☐	2,4
5. Create any health hazard?	■	☐	☐	☐	☐	1,3,4,5
6. Be located in an ALUC Safety Zone?	■	☐	☐	☐	☐	31

WILL THE PROJECT:	IMPACT					SOURCES
	NO	YES				
		Not Signifi-cant	Signifi-cant Unless Miti-gated	Signifi-cant. No ap-parent Mitiga-tion	Cumu-lative	
7. Be located in an area of extreme fire hazard?	■	☐	☐	☐	☐	10g
8. In the case of cul-de-sacs over 800 ft. in length, require secondary access which will be difficult to obtain?	■	☐	☐	☐	☐	1,3,4,32,33
9. Employ technology which could adversely affect safety in case of a breakdown?	■	☐	☐	☐	☐	1,3,5
10. Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?	■	☐	☐	☐	☐	3
11. Provide breeding grounds for vectors?	■	☐	☐	☐	☐	1,3,5
J. AIR QUALITY						
1. Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations?	■	☐	☐	☐	☐	5,34
2. Create objectionable odors?	■	☐	☐	☐	☐	1,3,5
K. NOISE						
1. Increase substantially the ambient noise levels for adjoining areas during and/or after construction?	■	☐	☐	☐	☐	1,3,5,6a
2. Generate unusually high noise or vibration levels at certain times?	■	☐	☐	☐	☐	1,3,5
3. Be subject to an unusually high noise level?	■	☐	☐	☐	☐	2,4
4. Be located in an ALUC noise zone?	■	☐	☐	☐	☐	31
L. AESTHETIC						
1. If subject to ASA, be generally in non-compliance with Guidelines for Architecture and Site Approval?	■	☐	☐	☐	☐	35,36
2. Create an aesthetically offensive site open to public view?	■	☐	☐	☐	☐	2,3,37
3. Visually intrude into an area having natural scenic qualities?	■	☐	☐	☐	☐	2,3,4,37
4. Be adjacent to a designated Scenic Highway or within a Scenic Corridor?	■	☐	☐	☐	☐	7,10f,37
5. Obstruct scenic views from existing residential areas, public lands, public water body or roads?	■	☐	☐	☐	☐	2,3
6. Be located on or near a ridgeline visible from the valley floor?	■	☐	☐	☐	☐	2,10f,11c,37
7. Adversely affect the architectural appearance of an established neighborhood?	■	☐	☐	☐	☐	2,3
8. Generate new light or glare?	■	☐	☐	☐	☐	1,3
M. ENERGY						
1. Use fuel, water or energy in large quantities or in a wasteful manner?	■	☐	☐	☐	☐	1,3,5

'ILL THE PROJECT:	IMPACT					SOURCES
	NO	YES				
		Not Signifi-cant	Signifi-cant Unless Miti-gated	Signifi-cant. No ap-parent Mitiga-tion	Cumu-lative	
2. Involve the removal of vegetation capable of providing summer shade to a building?	■	□	□	□	□	2,3
3. Significantly affect solar access to adjacent property?	■	□	□	□	□	2,3
N. HISTORICAL / ARCHAEOLOGICAL						
1. Be located in an area of potential archaeological or paleontological resources?	■	□	□	□	□	10d,42
2. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scien-tific study?	■	□	□	□	□	3,10d,10i,41, 42,43
3. Be located in a Historic District (e.g., New Almaden Historic Area)?	■	□	□	□	□	7,10a
4. Be within 500' of a historic landmark?	■	□	□	□	□	10i,43
O. PUBLIC SERVICES AND UTILITIES						
1. Produce significant amounts of solid waste or litter?	■	□	□	□	□	1,3,5
Induce substantial growth or concentration of popula-tion? (Growth inducing?)	■	□	□	□	□	1,3,5
3. Employ equipment which could interfere with existing communications or broadcast systems?	■	□	□	□	□	1,3,5
4. Cause substantial impact or increase in the need for:						
a. Fire Protection	■	□	□	□	□	1,3,5
b. Police Protection	■	□	□	□	□	1,3,5
5. Cause substantial impact or increase in the need for:						
a. School facilities	■	□	□	□	□	1,3,5
b. Parks or recreation facilities	■	□	□	□	□	1,3,5
c. Maintenance of public facilities	■	□	□	□	□	1,3,5
d. Other government services	■	□	□	□	□	1,3,5
6. Cause substantial impact or increase in the need for:						
a. Electricity	■	□	□	□	□	1,3,5
b. Natural gas	■	□	□	□	□	1,3,5
c. Water	■	□	□	□	□	1,3,5
d. Sewage disposal	■	□	□	□	□	1,3,5
e. Storm water runoff	■	□	□	□	□	1,3,5
7. Generate any demands that create the need for or cause a public facility or utility to approach, reach or exceed its capacity (i.e., sewer line, sewage plant, street, etc.)?	■	□	□	□	□	1,3,4,5

WILL THE PROJECT:	NO	YES
P. MANDATORY FINDINGS OF SIGNIFICANCE		
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	■	☐
b. Have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure will into the future.)	■	☐
c. Have environmental impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	■	☐
d. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	☐

DISCUSSION OF ENVIRONMENTAL EVALUATION

Discuss on attached sheet(s) all "yes" answers and any "no" answers that are potentially controversial or require clarification. (Must be TYPED). Describe any potential impacts and discuss possible mitigations. For source, refer to attached "Initial Study Source List". When a source is used that is not listed on the form or an individual is contacted, that source and/or individual should be cited in the discussion.

DETERMINATION	SELECT ONE
On the basis of this initial evaluation:	
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be recommended.	☐
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures are included as part of the proposed project. A NEGATIVE DECLARATION WILL BE RECOMMENDED.	■
I find the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is recommended.	☐

Elish Ryan — signature

9-31-97 — date

PRINT NAME AND TITLE: Elish Ryan

Park Planner

INITIAL STUDY - SUPPLEMENTAL INFORMATION

PROJECT TITLE:	DISC GOLF COURSE - COYOTE HELLYER COUNTY PARK
DATE:	AUGUST 1, 1997 (REVISED SEPTEMBER 25, 1997)
NAME/ADDRESS:	SANTA CLARA COUNTY PARKS AND RECREATION DEPARTMENT 298 GARDEN HILL DRIVE, LOS GATOS, CA 95032
TELEPHONE:	(408) 358-3741
PREPARED BY:	RACHEL SANTOS, PARK PLANNING

INTRODUCTION

This initial study and the accompanying Negative Declaration for the proposed Disc Golf Course at Coyote-Hellyer County Park have been prepared in accordance with the California Environmental quality Act (CEQA) of 1970 and the County of Santa Clara Guidelines. They discuss the potential adverse environmental impacts associated with the project. Where necessary, feasible mitigation measures are identified which will eliminate, or reduce to an acceptable level, any adverse environmental effects.

PROJECT BACKGROUND

The Santa Clara County Parks and Recreation Department, together with a volunteer disc golf group, proposes to develop an 18-hole disc golf course at Coyote-Hellyer County Park. The park is located in Santa Clara County along Highway 101 within the City of San Jose. The proposed project would develop tees, fairways and holes in portions of the park that are not dedicated to other recreational uses.

PROJECT DESCRIPTION

The Disc Golf Course will encompass approximately 30 acres of undeveloped parkland within the limits of Coyote Hellyer County Park. The course layout will not involve the placement of any permanent structures or any grading. Players would use existing parking, restrooms and picnic facilities within the park. The tees, fairways and holes would be mowed seasonally, possibly seeded with grasses, and native trees and shrubs installed in adjacent areas as buffer zones and mitigation for any potential loss of habitat. The tees, fairways and holes are all located in upland areas outside the Coyote Creek riparian habitat. However, at two locations, players would cross the creek to reach the next hole. At each crossing a temporary bridge would be placed across the creek channel using materials that could be removed seasonally. The bridges would be removed by October 15 each fall and replaced after April 15. The level of use is estimated to be extremely light (10-20 persons/day) on weekdays, relatively light (25-50) on weekends, and moderate to heavy (100-200+) when tournaments are held. Tournaments would be held up to four times per year. All tournaments would be supervised by the volunteer disc golf group and County Parks representative. The course will be maintained entirely by the volunteer disc golf group.

Upon Certification of a negative declaration, the Santa Clara County Parks Department will enter into a Special Use Permit agreement with the Silicon Valley Disc Golf club in which they will be allowed to construct, operate, and maintain nine holes of the disc golf course located east of Coyote Creek under spedific conditions and restrictions. The Parks Department will include the implementation and maintenance of all mitigation measures for the area approved in this document as conditions of use in the Permit. This permit is renewed annually.

When the disc golf club is able to finance the installation of two seasonal pedestrian bridges, construction of another nine holes west of Coyote Creek, mitigation measures, and obtain regulatory agency permits for the bridges, the Department will expand the Permit with the Silicon Valley Disc Golf Club for an eighteen hole course. Failure to honor any of the specific conditions of the Special Use Permit any any time will be ground for the Parks Department to terminate the agreement with the Club and close the course.

INITIAL STUDY FINDINGS

The following describes any environmental factors/impacts *for a full eighteen hole disc golf course* and any possible mitigation which may be proposed as indicated on the attached Environmental Evaluation's Initial Study Check-list:

A. LAND USE/GENERAL PLAN

4f. **"Will the project be in an area with special policies or of critical concern?"**

Not Significant - The status of like land on which the project is proposed will not alter status as a public park and recreational facility. The site is located in San Jose and will not conflict with any land use restrictions noted in the Land Use Policies and the Regional Parks, Trails and Scenic Highways Element of the Santa Clara County General Plan.

The project will enhance the park use by providing a compatible activity to the existing recreational facilities. Redefinition of the project area in the park could have beneficial effects on surrounding land by discouraging dumping and transient use observed in this area.

B. GEOLOGIC

4. **"Be located in an area of soil instability (severe erosion)?"**

Not Significant - The County Geologic Hazard maps identify the subject property as being located in the general area of an "E/F" zone, which is an area of minor to moderate potential for geotechnical hazards. *The project does not propose any structures for habitation, drilling, grading, alteration of drainage patterns, or removal of vegetation that would increase the likelihood of potential for geotechnical hazards or soil instability.*

5. "Cause substantial erosion or siltation?"

Not Significant - *As proposed, the* course layout takes advantage of the existing footpaths already in use in the area *to circulate players through the course and prevent the potential for erosion that new paths may create.*

At two locations players would cross the creek to reach the next hole *by way of seasonal* ~~Players will be directed to removable~~ clear span bridges.to reduce potential erosion or siltation impacts associated with foot traffic. ~~Interpretive signs will be placed at bridge crossings to discourage potential creek bank erosion caused by foot traffic.~~ *Under the conditions of the Special Use Permit between the disc golf club and the parks Department, the seasonal bridges will be removed between October 15th and April 15th and stored off site. As an additional condition of the permit, the course will be closed on the west side of the creek during the winter months, targets dismantled, and signs posted to this effect will be installed at the start of the course and along the creek.*

C. RESOURCES/PARKS

6. "Will the project be on, within, or near a public or private park, wildlife reserve, or trail (includes those proposed for future)?"

Not Significant - The project is located in an existing Santa Clara County Park and proposed use will not alter status as a public park and recreational facility. The site will be open to the public during normal park operating hours and may be reserved for special use events.

E. DRAINAGE/FLOODING

3. "Will the project change absorption rates, drainage patterns, or the rate and amount of surface runoff?"

Not Significant - *The project will not require mechanical grading or alterations to the existing topography that might have resulted in changes to the drainage patterns for this area. Pedestrians playing the course will use existing footpaths and* Foot traffic near the creek will be directed to removable clear span bridges *along the same existing paths.* ~~Interpretive signs will be placed at bridge crossings to discourage creek bank erosion caused by foot traffic.~~

It is calculated that 18 6' x 12' concrete tee pads will be constructed resulting in 1300 square feet of impermeable surface being added to the site. This represents 1/10 of 1 percent of the total surface area of the 30 acre course.

It is the conclusion of the Initial Study that the project will not result in a significant increase in impermeable surfacesor drainage patterns thatwill impact absorption rates or the rate and amount of surface run off.

5. **"Will the project be located within a floodway or floodplain area?"***

Not Significant - The proposed site is within the floodway or floodplain of Coyote Creek and may be subject to flooding based on a 100-year flood plain's level as determined by HUD ZONE A, Special Studies Zones & Flood Hazard Areas, December *1990. Construction of permanent bridge structures to withstand inundation or be out of the 100 year flood plain were infeasible for this project due to the wide configuation of the flood plain on this stretch of Coyote Creek. Seasonal bridges to access the west side of the creek are proposed as a preferred alternative. The bridges would be secured to footings outside the low flow channel without any disturbance to the existing stream bed, bank, or channel of Coyote Creek. As proposed, removal of these bridges between October 15th and April 15th would reduce to insignifcant any potential impact on the floodway or floodplain of Coyote Creek.* ~~However,~~ *This Project's effect is* not significant as no permanent facilities or structures for habitation are included in this project. The creek crossing necessary for Course recreational use will be removed October through April in accordance with *Califoria Department of Fish and Game and Santa Clara Valley Water District* CDFG requirements.

F. FLORA AND FAUNA

1. **"Will the project affect fish, wildlife, reptiles, or plant life, by (d) reducing habitat?"**

~~Significant Unless Mitigated - There will be some minor impact to the riparian corridor and slight reduction of wildlife use near the adjacent riparian habitat. A detailed biological constraints analysis was prepared for this project by H.T. Harvey and Associates "Hellyer County Park Disc Golf Course Biological Constraints Analysis" (Attachment A).~~

~~It is the recommendation of H/T. Harvey & Associates that mitigation include planting native trees and shrubs within the course to reduce the relatively minor impacts to wildlife habitat to a less than significant level. Access into and along the trails leading to and from the creek crossings will be limited by signs and the placement of natural barriers.~~

Plant Life *- A detailed biological constraints analysis was prepared by H.T. Harvey and Associates for this project entitiled "Hellyer County Park Disc Golf Course Biological Constraints Analysis." This report is included as Appendix A. As indicated in the report, the course is located almost entirely in upland habitat adjacent to Coyote Creek. No special status plant species were observed during the study and none are expected to occur due to a lack of suitable habitat. Existing footpaths will provide circulation through the course, resulting in minimal impact to established vegetation. Paths leading to the seasonal bridges through the riparian corridor will be situated in areas where existing paths can be used to access the creek crossings. When the seasonal bridges are removed, the west side of the course will be closed. Therefore, it is concluded that no riparian vegetation removal will occur as a result of this project. No plant species of special concern will be impacted. Minor impact to established vegetation would be minimized if barriers*

could be placed along existing paths to keep players on footpaths and avoid trampling adjacent vegetation.

***Wildlife** - Appendix A also discussed wildlife that might occur in the area and potentially be impacted by the project. Small portions of Holes 5, 7, and 8 were considered to have the potential to slighly reduce wildlife use of the adjacent riparian habitat. Potential habitat for the California red legged frog is known to occur in Coyote Creek.*

***Significanat Unless Mitigated** - It is the conclusion of the Initial Study that while individually minor, impacts to plant and wildlife habitat would occur as a result of this project and may be significant unless mitigated.*

2. **"Will the project affect or cause changes to existing habitat, food source, nesting place, breeding place for a rare or endangered plant or animal species?"**

Appendix A listed a number of species of special concern which have potential to occur in the project area and potentially be impacted by the project. This included the California red legged frog, California tiger salamander, and the burrowing owl.

***Burrowing Owl** - No suitable habitat for burrowing owl was observed during the survey for the Analysis. It is therefore concluded that there is no impacts to burrowing owls as a result of this project.*

***California Tiger Salamander** - A seasonal pond occurs on the eastern edge of the course, approximately 100 feet to the east of Hole 11. The California Department of Fish and Game indicated concern that the California tiger salamander (*Ambystoma californiense*) or the California red-legged frog (*Rana aurora draytonnii*) might use this area. H.T. Harvey and Associates' herpetologist visited the site and had determined that the likelihood for tiger salamanders utilizing the pond is very low due to the marginal habitat adjacent to the pond. However, it is not possible to definitively determine presence or absence without spring surveys for breeding salamanders.

A survey was conducted during the spring of 1996. On May 21, 1996 H.T. Harvey & Associates submitted findings on the California tiger salamander survey and determined the absence of said species (Appendix B). Since the salamander is absent, it has been determined that no further studies are warranted and the holes may be used.

California red-legged frogs require a permanent source of water and are not expected to use the pond due to its seasonal nature. No further surveys are considered necessary to determine their presence or absence *in the pond.*

***Steelhead trout** - Coyote Creek does provide habitat for a remnant population of steelhead trout. This population is in the Central California Evolutionarily Significant Unit and is currently proposed by the National Marine Fisheries Service for listing as threatened pursuant to the federal Endangered Species Act.*

It is the conclusion of the Initial Study that this project will not have any impact on steelhead trout for the following reasons:

1. As proposed, this project is primarily located in uplands adjacent to Coyote Creek and not in the riparian corridor with the exception of two seasonal pedestrian bridges to be placed adjacent to existing footpaths in the area.

2. The project will require no grading, alteration to existing drainage patterns, or removal of existing vegetation adjacent to the streambank.

3. The project will not involve the removal of any overhanging riparian vegetation that provides shelter to the stream or its inhabitants.

4. As proposed, seasonal pedestrain bridges will be designed to span the low flow channel and cause no changes to streambed or channel morphology.

5. Installation of the bridges will require a Streambed Alteration Permit issued by the California Department of Fish and Game. The bridges will be subject to best management practices outlined in the permit for installation of seasonal structures near a stream channel.

6. Seasonal removal of the bridges and subsequent closure of the course will occur during the period of primary migration for steelhead and help to minimize impacts to the species.

***California Red Legged Frog** - The Constraints Analysis identified that potential habitat does exist along Coyote Creek for California red legged frog. It was the conclusion of the report that the species was not expected to occur on site due to the observance of human use of the creek, access by raccoons, and a high potential for predation by domestic dogs and cats from adjacent neighborhoods. The report also concluded that the placement of the two bridges and use of existing paths would not have a significant impact as long as access to them was controlled.*

In addition, this project would not have any impacts on the red legged frog for the following reasons:

1. As proposed, this project is primarily located in uplands adjacent to Coyote Creek and not in the riparian corridor with the exception of two seasonal pedestrian bridges to be placed adjacent to existing footpaths in the area.

2. The project will require no grading, alteration to existing drainage patterns, or removal of existing vegetation adjacent to the streambank.

3. The project will not involve the removal of any overhanging riparian vegetation that provides shelter to the stream or it inhabitants.

4. As proposed, seasonal pedestrain bridges will be designed to span the low flow channel and cause no changes to streambed or channel morphology.

5. Installation of the bridges will require a Streambed Alteration Permit issued by the California Department of Fish and Game. The bridges will be subject to best management practices outlined in the permit for installation of seasonal structures near a stream channel.

6. Seasonal removal of the bridges and subsequent closure of the course will occur during the period of primary activity for the red legged frog and help to minimize impacts to the species.

Since the completions of the Constraints Analysis, the California red legged frog has been uplisted to a threatened species pursuant to the federal Endangered Species Act. While it has been concluded that the project may not have an impact on the species, standard protocol requires that preconstruction surveys for the frog be undertaken prior to construction. The results of the surveys would be reviewed by the U.S. Fish and Wildlife Service to determine is additional action is warranted.

~~Not Significant~~ -- ***Significant Unless Mitigated*** - *A number of species of special concern have the potential to occur in the project area and be impacted. It is the conclusion of the Initial Study that impact to the burrrowing owl is insignificant due to lack of suitable habitat. Impact to the California tiger salamander is insignificant due to lack of presence. Impact to steelhead trout is insignificant due to the previously mentioned project elements. Impact to the California red legged frog is minimal but considered significant until preconstruction surveys can be conducted.*

3. **"Involve a unique biological area, such as a fresh water marsh or salt water tide?"**

~~Significant Unless Mitigated~~ -- ***Not Significant*** - Holes 11 and 12 are located near a seasonal fresh water pond. A spring survey was conducted and submitted on May 21, 1996. The findings of this study revealed that no California tiger salamander are present at said seasonal pond (Appendix B). Since the salamander is absent, no further work is necessary and the holes may be used.

4. **"Will the project involve construction within 150 feet of a watercourse or riparian area?"**

As indicated in the Constraints Analysis, the majority of the course is located in uplands adjacent to Coyote Creek. As described earlier, two creek crossings wil be necessary for play progression on the course and holes 5, 7, and 8 are set within 150 feet of a riparian area.

Significant Unless Mitigated - Portions of the site are within the floodway or floodplain of Coyote Creek. Removable clear span bridges will facilitate creek crossing necessary for play progression of the course. During periods of high water (October through April), the bridges will be removed. *It is the conclusion of the Initial Study that while minimal, the impact of portions of the project within 150 feet of a watercouse could be considered significant unless mitigated.*

Project Mitigations Proposed for Impacts to Flora and Fauna

** Holes 5, 7, and 8 will be redesigned to be set back a minimum of 50' from the edge of the riparian corridor.*

**Holes near the seasonal pond will be set back from the limits of the high water line of the pond by a minimum of 100'*

**Plantings totally 1 acres to mitigate minor impacts as a result of the loss of use of habitat will be included at time of development of the western half of the course. A Mitigation Planting Plan is included a Appendix C.*

**Access into and along the paths leading to the seasonal bridges will be limited by signs and placement of natural barriers. These barriers will serve to guide players to existing footpaths and discourage trampling adjacent vegetation. Signs will also be placed near the creek to indicate that disturbance of the creek is not allowed.*

**Preconstruction surveys for California Reg legged frog will be undertaken between the months of February and May immediately prior to the installation of the bridges. Subsequent review of the U.S. Fish and Wildlife Service to detemine the status of the species will be completed prior to the application for a Stream Alteration Permit from the California Department of Fish and Game*

**Bridge construction documents will be submitted to the California Department of Fish and Game for review. The installation of the bridges will be in accordance with the requirements set forth in a Streambed Alteration Permit issued by the Department. Installation will not begin until this permit has been issued.*

**Bridge construction documents will be submitted to the Santa Clara Valley Water District for review. The installation of the bridges will be in accordance with the requirements set forth in a seasonal permit issued by the Department. Installation will not begin until this permit has been issued.*

G. TRANSPORTATION

4. **"Will the project cause increases in demand for existing on or off-street parking because of inadequate project parking?"**

Not Significant - Disc Golf Course players will use existing parking available in the park. The closest parking area to the Course is Cottonwood Group area with a total of 100 parking spaces. Large events would be required to reserve the Cottonwood Group area as a condition of the Use Permit for special events.

N. HISTORICAL/ARCHAEOLOGICAL

1. **"Will project be located in an area of potential archaeological or paleological resources?"**

Not Significant - Portions of the project are located along Coyote Creek, which has yielded some areas of archaeological interest in the past. The installation of the course would not involve the placement of any permanent structures or any grading. Minimal mowing and clearing of the fairways are proposed in upland areas outside the Coyote Creek riparian corridor.

However, should any archaeological resources be discovered during the course of construction, all applicable actions outlined in the "Professional Guide for the Preservation and Protection of Native American Remains and Associated Grave Goods" pamphlet, published by California State Native American Heritage Commission, February 1988, shall be taken and appropriate representatives shall be notified.

INITIAL STUDY CONCLUSIONS AND DETERMINATIONS

The Santa Clara County Parks and Recreation and Santa Clara County Parks Commission has identified the Coyote-Hellyer County Park Disc Golf Course project as a beneficial recreational enhancement to the County Park system. Appropriately, an environmental assessment was conducted to complete an Initial Study. Based on the findings of the Initial Study, it has been concluded that this project, with the proposed mitigations, will not have a significant impact on the environment.

MANDATORY FINDINGS OF SIGNIFICANCE

The proposed project will not have any environmental impacts that are cumulatively considerable, or that will cause substantial adverse effects on human beings, biotic, or cultural resources. Nor will the project have the potential to achieve short term environmental goals to the disadvantage of long term environmental goals.

II. Appendix A

"Hellyer County Park Disc Golf Course Biological Constraints Analysis"

H.T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

HELLYER COUNTY PARK DISC GOLF COURSE
BIOLOGICAL CONSTRAINTS ANALYSIS

Prepared by:
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Daniel Stephens, Project Manager
Rick Hopkins, Ph.D., Wildlife Biologist
Mark Jennings, Ph.D., Herpetologist
Patrick Boursier, Ph.D., Plant Ecologist

Prepared for:
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Parks and Recreation Department
County of Santa Clara Environmental Resources Agency
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20 September 1995

Project Number 963-01

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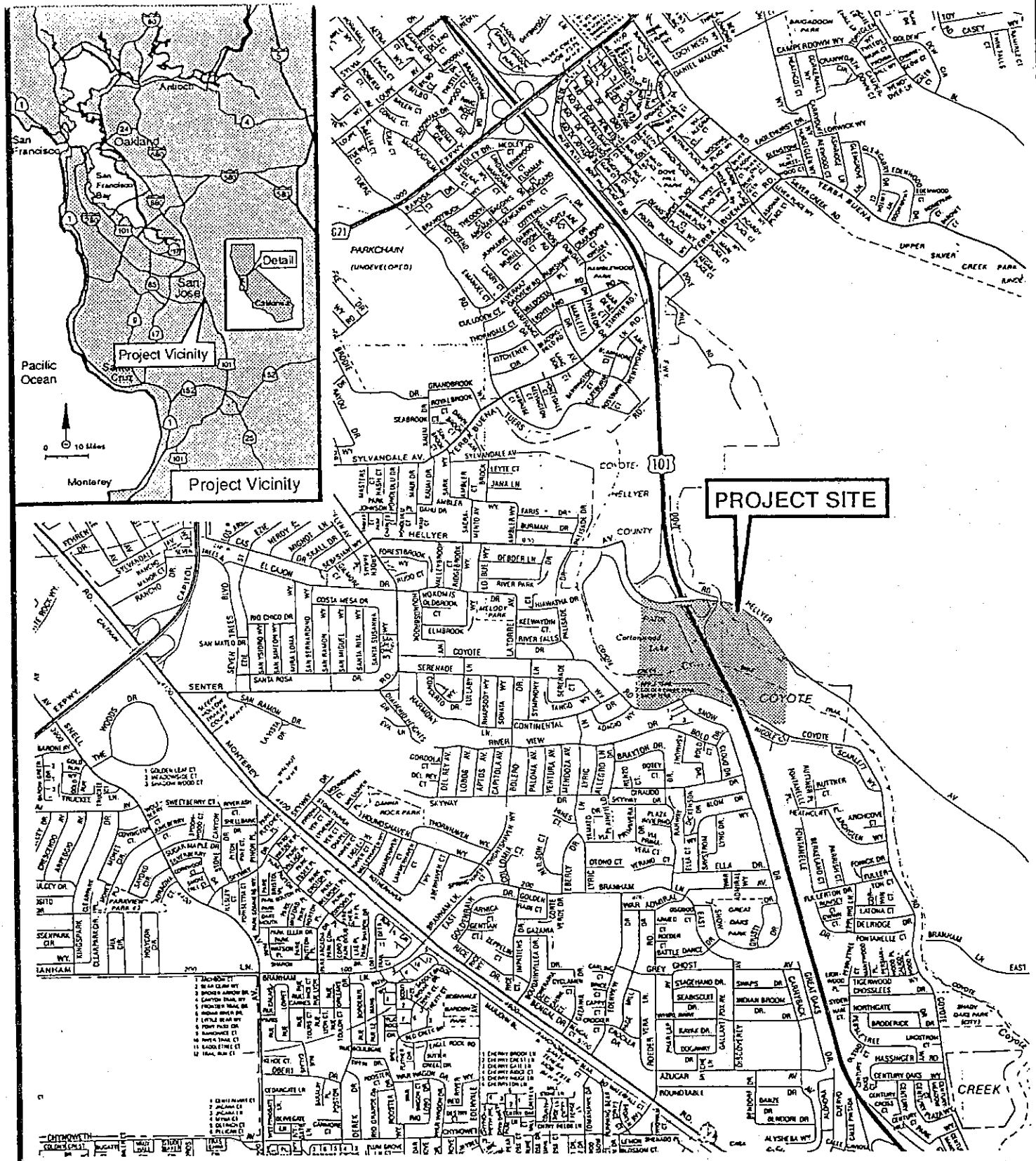
PROJECT DESCRIPTION

The Santa Clara County Parks and Recreation Department, in concert with a volunteer disc golf group, proposes to develop an 18-hole disc golf course at Hellyer County Park. The park is located in southern Santa Clara County along Highway 101 (Figure 1). The proposed project would develop tees, fairways and "holes" in portions of the park that are currently not intensively used. Figure 2 shows the proposed layout of the course and existing facilities.

The installation of the course would not involve the placement of any permanent structures or any grading. Players would use existing parking, restroom and picnic facilities within the park. The tees, fairways and "holes" would be mowed, possibly seeded with grasses, and native trees and shrubs would be installed in adjacent areas as landscaping. The tees, fairways and "holes" are all located in upland areas outside the Coyote Creek riparian corridor. However, at two locations players would cross the creek to reach the next hole. The approximate locations of those two crossings are shown on Figure 2. At each crossing a temporary bridge would be placed across the creek channel using materials such as wood planks that could be removed seasonally. No permanent abutments or other structures will be installed at the crossings. The bridges would be removed by October 15 each fall and replaced after April 15 the following spring. The trails leading to and from the bridges through the riparian corridor will be situated in areas where existing trails can be used, therefore no riparian vegetation removal will occur as a result of the creek crossings.

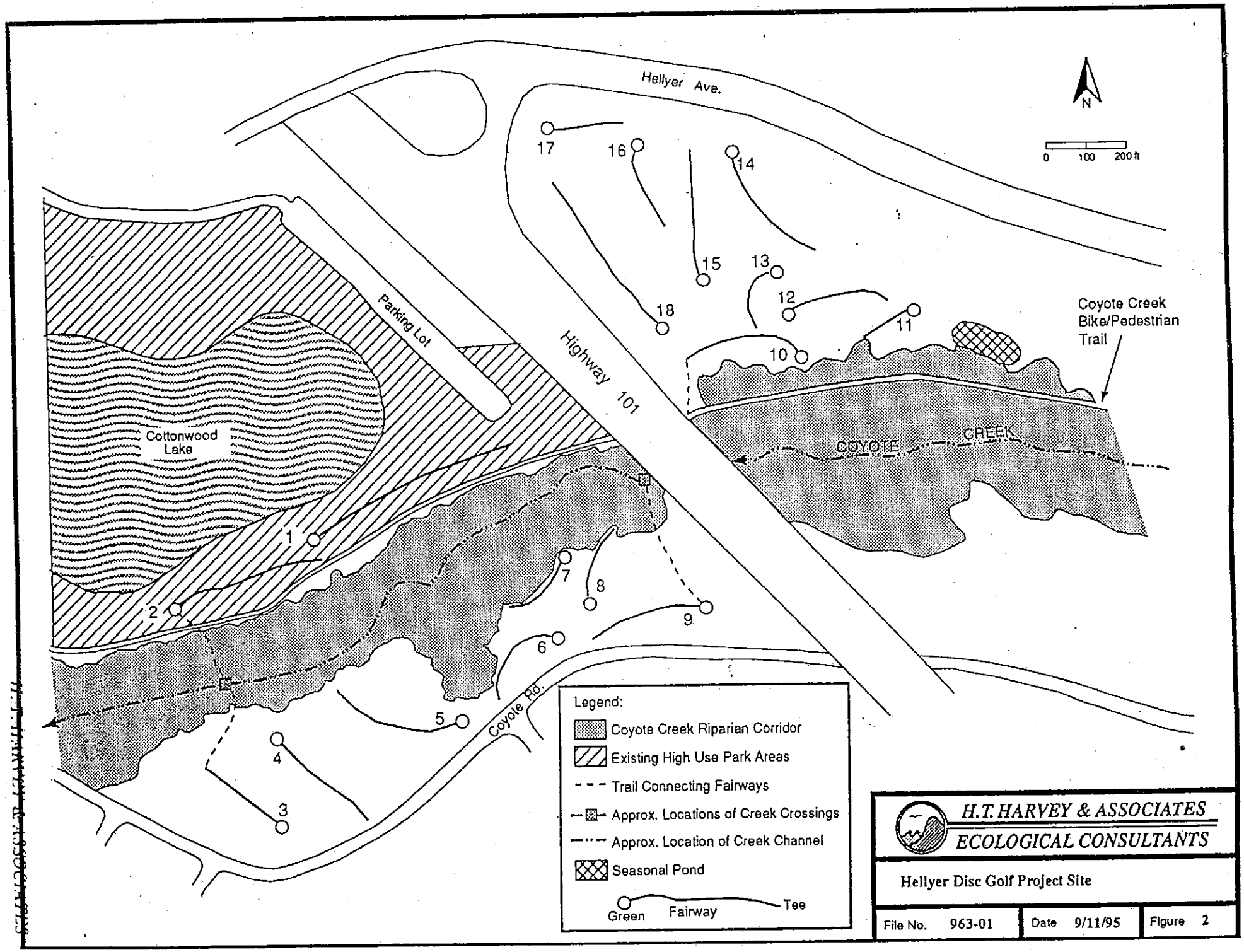
The level of use is estimated to be extremely light (10-20 persons/day) on weekdays, relatively light (25-50) on weekends, and moderate to heavy (100-200+) when tournaments are held. Tournaments would be held up to four times per year. All tournaments would be supervised by the volunteer disc golf group and County Parks representatives. The course will be maintained entirely by the volunteer disc golf group. The project is intended for construction and use starting in the spring of 1996.



H.T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

Hellyer Disc Golf: Site/Vicinity Map

File No. 963-01	Date 9/11/95	Figure 1


Hellyer Ave.
N
0 100 200 ft
17
16
14
15
13
12
18
11
10
Coyote Creek
Bike/Pedestrian
Trail
Parking Lot
Highway 101
Cottonwood
Lake
COYOTE CREEK
1
2
7
8
9
6
5
4
3
Coyote Rd.
Legend:
Coyote Creek Riparian Corridor
Existing High Use Park Areas
Trail Connecting Fairways
Approx. Locations of Creek Crossings
Approx. Location of Creek Channel
Seasonal Pond
Green
Fairway
Tee
H.T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS
Hellyer Disc Golf Project Site
File No. 963-01
Date 9/11/95
Figure 2

EXISTING BIOTIC CONDITIONS

VEGETATION

The course is proposed for placement almost entirely in upland habitat areas with an understory dominated by non-native grasses, yellow star-thistle (*Centaurea solstitialis*), common yellow mustard (*Brassica campestris)*, common fennel (*Foeniculum vulgare)*, and coyote brush (*Baccharis pilularis*). Trees are widely scattered within, and adjacent to, the course and include Fremont cottonwood (*Populus fremontii)*, coast live oak (*Quercus agrifolia*), Mexican elderberry (*Sambucus mexicana*), California black walnut (*Juglans hindsii)*, alder (*Alnus* sp.), willow (*Salix* sp.), sycamore (*Platanus racemosa*), Oregon ash (*Fraxinus latifolia*), coast redwood (*Sequoia sempervirens*), pine (*Pinus* sp.), and eucalyptus (*Eucalyptus* sp.).

Holes 1-2 would be located in areas that are heavily used by park visitors due to their location in a narrow strip of land between the Coyote Creek bike/pedestrian path and Cottonwood Lake. The location of these two holes is regularly mowed and otherwise disturbed. The positions of Holes 3-9 are in a meadow on the south side of Coyote Creek. The locations of Holes 3-9 are moderately used by hikers and bikers crossing from the residential areas to the south, across the creek, to the trail and park. This area is criss-crossed by numerous trails and is moderately disturbed. Holes 6-9 are situated in an area that floods in years of high rainfall. Holes 10-18 are located in a relatively isolated position that currently receives little use. There are some footpaths within the area and its western edge was used several years ago as a construction staging area. Holes 10-18 are in a relatively undisturbed area.

Coyote Creek runs east-west through the area in which the course is configured. This riparian corridor is high quality cottonwood riparian habitat, with a dense native overstory dominated by Fremont cottonwood, coast live oak, California black walnut, willow, Mexican elderberry, and California sycamore. It has an understory dominated by poison oak (*Toxicodendron diversilobum*) and Himalayan blackberry (*Rubus procera*). The riparian habitat is relatively undisturbed, although numerous footpaths bisect the area. A large gap in the riparian corridor occurs where Highway 101 crosses the creek. The stream flows perennially in most years.

The site was visited by a plant ecologist from H. T. Harvey and Associates on 28 August 1995 to determine if any special status plant species might occur within the project area. Table 1 provides a list of the special status species which were considered. Particular attention was paid to the area to the northeast of Holes 10-18 comprising serpentine soils, which could support special status plant species.

Unconsolidated serpentine rock, consisting of rock fragments, was observed at the eastern edge (100 to 150 feet wide) of Holes 11, 12, and 14. This soil appears to have been deposited during construction of Hellyer Avenue. An extensive area (hundreds of acres) underlain by Montara serpentine soils occurs directly to the north and northeast of the project area and was probably the source of the fill material that currently forms the southern roadway slope. This slope extends partially into the project area. The slope's serpentine fill is not suitable for serpentine endemic special status plant species due to mixing of the serpentine soil with non-serpentine derived materials and the presence of deep, gently-sloped soils. These characteristics would not allow the serpentine endemic species to maintain a competitive edge over invasive non-native species.

Although the surveys did not take place during optimal flowering periods the species most likely to occur would still be observable. Those species include Santa Clara Valley dudleya (*Dudleya setchellii*), Mt. Hamilton thistle (*Cirsium fontinale* ssp. *campylon*), Metcalf Canyon jewelflower (*Streptanthus albidus* ssp. *albidus*), and uncommon jewelflower (*Streptanthus albidus* ssp. *peramoenus*).

In summary, no special-status plant species were observed during the survey and none are expected to occur due to a lack of suitable habitat.

Table 1: Special Status Species - Hellyer Park Disc Golf Course Site.

Species	Status	Habitat	Potential for Occurrence
ANIMALS			
State or Federally Endangered or Threatened; or Proposed for State or Federal Status			
California Red-legged Frog *(Rana aurora draytonii)*	FPE,CSC	Inhabits quiet pools of streams, marshes and ponds, often with overhanging vegetation	Potential habitat in Coyote Creek. However, due to heavy human use of the creek and access by racoons, domestic dogs, etc., red-legged frogs are not expected to occur.
Willow Flycatcher *(Empidonax traillii)*	CE	Willow thickets associated with riparian habitats and montane meadows	Occasional migrant found in riparian habitat, (especially willows) although occurrence in the area would be incidental at most.
Bank Swallow *(Riparia riparia)*	CT	Requires steep stream or riverbanks with fine-textured or sandy soils for nest digging; forages over many wetland habitats	Rare migrant found over wetland habitats; occurrence at site would be incidental at best.
Federal Candidate Species, State Protected, and/or California Species of Special Concern			
Steelhead Trout *(Oncorhynchus mykiss)*	CSC	Found only in rivers, creeks, and streams that reach the ocean; they require presence of shallow, partly shaded pools with water temperatures <70 degrees F for juveniles and adults and <58 degrees F for developing embryos	Suitable habitat for this species exists in Coyote Creek.
Chinook Salmon *(Oncorhynchus tshawytscha)*	CSC	Found only in rivers, creeks, and streams that reach the ocean; they require presence of shallow, partly shaded pools with water temperatures <70 degrees F for juveniles and adults and <56 degrees F for developing embryos	No verified sightings of Chinook Salmon in Coyote Creek. Unverified reports from 1986.
Western Pond Turtle *(Clemmys marmorata pallida)*	FC2,CSC	Associated with permanent, or intermittent, water and ponds in a wide variety of habitats	Observed downstream of project site.
White-tailed Kite *(Elanus caeruleus)*	SP	Inhabits herbaceous and open stages of most habitats, mostly in cismontane California; breeds generally in wooded or riparian habitats usually adjacent to open habitats (i.e., marshes, grasslands, etc.)	There is potential breeding habitat for this species on site.
Northern Harrier *(Circus cyaneus)*	CSC	Frequents meadows, grasslands, open rangelands, desert sinks, fresh and saltwater emergent wetlands; seldom found in wooded areas	There is suitable foraging habitat for this common resident in the upland habitats.
Sharp-shinned Hawk *(Accipiter striatus)*	CSC	Breeds in ponderosa pine, black oak, riparian deciduous, mixed conifer and Jeffrey pine; north-facing slopes with plucking perches are critical; many habitats are used in winter	This common migrant and winter visitor could forage along the riparian habitat.
Cooper's Hawk *(Accipiter cooperii)*	CSC	Breeds in most of the wooded habitats found in the state; uses many habitats in winter	Likely, could forage along the riparian habitat during the winter and migration; breeding habitat present in the riparian habitat.
Merlin *(Falco columbarius)*	CSC	Frequents grassland, coastlines, savannahs, lakes, wetlands, and early successional stages; seldom found in wooded areas or deserts	This rare migrant could forage on site during winter and migration.
California Gull *(Larus californicus)*	CSC	In winter, uses estuarine, inter-tidal, pelagic, lacustrine, emergent wetlands, riverine, and agricultural habitats	This species is locally common in estuarine habitats, but is also occurs on riverine and creek habitats. The concern for this species is related to loss of breeding habitat, which is not present on site.
Burrowing Owl *(Speotyto cunicularia)*	CSC	Resident of open, dry grassland and agricultural areas, and in open shrub stages of oak woodland habitats	There is marginal habitat in the upland areas on site, none have been reported from the study area.
Long-eared Owl *(Asio otus)*	CSC	Primarily in riparian habitats, also in dense live oak thickets mixed conifer forests, and other dense stands of trees	Though this very rare migrant in Santa Clara County could occur along the more densely wooded riparian habitats, its occurrence is expected to be incidental at best.
Vaux's Swift *(Chaetura vauxi)*	CSC	Coniferous forests, especially with snags with tall burned-out stubs	Possible forager along riparian habitat during summer and migration.
Purple Martin *(Progne subis)*	CSC	Inhabits open forests, woodlands, and riparian habitats during breeding season	This uncommon migrant may rarely forage over the site.
California Horned Lark *(Eremophila alpestris actia)*	FC2,CSC	Found in a variety of open habitats where trees and shrubs are absent; uses grassland, alkali scrub, agricultural and valley-foothill hardwood habitats	Common to uncommon resident of short grasslands; there is marginal suitable breeding habitat for this species in the upland habitat.
Yellow Warbler *(Dendroica petechia)*	CSC	Breeds in riparian woodlands from coastal and desert low- lands up to 8000 ft. in the Sierra Nevada; also in montane chaparral and open ponderosa pine and mixed conifer forests.	A common transient in riparian habitats during migration; breeding habitat is present along the riparian habitat.

Species	Status	Habitat	Potential for Occurrence
Yellow-breasted Chat *(Icteria virens)*	CSC	Breeds in valley-foothill riparian up to about 4800 ft., and up to 6500 ft. in desert riparian habitats east of the Sierra Nevada	A rare transient in riparian habitats during migration; marginal breeding habitat is present in riparian habitat.
Tricolored Blackbird *(Agelaius tricolor)*	FC2, CSC	Breeds near fresh water, preferably in emergent vegetation of tall dense cattails or tules, but also in thickets of blackberries or willows; forages in grasslands and croplands	Uncommon resident of Santa Clara County; could forage on site, but site lacks appropriate breeding habitat.
Yuma Myotis *(Myotis yumanenies)*	FC2	Occurs in open forests and woodland with sources of water over which to feed.	This common resident of Santa Clara County is a possible forager over creek. No suitable roosting habitat on site.
Long-eared Myotis *(Myotis evotis)*	FC2	Occurs in brush, woodland and forest habitats. Coniferous forests are preferred.	Marginal foraging and no suitable roosting habitat on site.
Fringed Myotis *(Myotis thysanodes)*	FC2	An common species in desert and airid grasslands	This species is not likely to forage on site and no suitable roosting habitat occurs on site.
Long-legged Myotis *(Myotis velons)*	FC2	Occurs primarily in pinyon-juniper valley foothill woodland and hardwood conifer forest, generally between 4,000 and 7,000 feet.	This species is not likely to forage on site and no suitable roosting habitat occurs on site.
Townsend's Big-eared Bat *(Plecotus townsendii)*	CSC	Found in all habitats except alpine and subalpine; most abundant in mesic habitats	This species is an uncommon resident that could forage above the site. No roosting habitat is present.
Western Mastiff Bat *(Eumops perotis)*	FC2, CSC	Occurs in arid to semi-arid terrain; requires steep cliffs or rocky outcroppings for roosting	Occurs very rarely in Santa Clara County. Prefers habitat that is drier than the site, so presence is unlikely.
Pallid Bat *(Antrozous pallidus)*	CSC	Occurs in a variety of habitats, including grasslands, shrublands, woodlands, and forests; most common in dry open habitats with rocky areas for roosting	This species is an uncommon resident that could forage above the site. No roosting habitat is present.
Ringtail *(Bassariscus astutus)*	SP	Occurs in riparian habitats, and in brush stands of most forest and shrub habitats, at low to middle elevations	Suitable habitat is present along the riparain habitat.
Badger	SP	Occurs in grassland habitats	Suitable habitat present but no evidence of their presence was detected during reconnaissance surveys.

PLANTS			
State or Federally Endangered or Threatened; or Proposed for State or Federal Status			
Coyote Ceanothus (*Ceanothus ferrisae*)	FE, 1B	This shrubby species occurs on serpentine soils in chaparral and valley and foothill grassland communities between 400 and 1000 feet NGVD.	Appropriate serpentine habitat not present; presumed absent.
Santa Clara Valley Dudleya (*Dudleya setchellii*)	FE, 1B	This small, perennial, succulent plant grows primarily in serpentine rock crevices, and in serpentine-derived soils in grassland communities.	Appropriate serpentine habitat not present; presumed absent.
Metcalf Canyon Jewelflower (*Streptanthus albidus* var. *albidus*)	FE, 1B	This annual species is found on road-cuts, on rocky outcrops of serpentine, and on steep slopes of relatively thin, serpentine-derived soils.	Appropriate serpentine habitat not present; presumed absent.
Federal Candidate Species, State Protected, and/or California Species of Special Concern			
Most Beautiful Jewelflower (*Streptanthus albidus* var. *peramoenss*)	FC1, 1B	This close relative of the Metcalf Canyon jewelflower is found in similar habitats in geographically-separated areas.	Appropriate serpentine habitat not present; presumed absent.
Mt. Hamilton Jewelflower (*Streptanthus callistus*)	FC2, 1B	Mount Hamilton Jewelflower occurs open talus slopes, or on shale, at elevations above 2000 feet. Gray pine (*Pinus sabiniana*) is a common associate.	Appropriate serpentine habitat not present; presumed absent.
Mt. Hamilton Thistle (*Cirsium fontinale* var. *campylon*)	FC2, 1B	This coarse thistle is a serpentine endemic that occurs most commonly in wet soils associated with springs, seeps, streams, and canyon bottoms	Appropriate hydric serpentine habitat not present; presumed absent.
Santa Clara Red Ribbons (*Clarkia concinna* ssp. *automixa*)	FC2, 1B	Santa Clara red ribbons occurs in mesic, shaded woodland habitats of Alameda and Santa Clara counties.	Appropriate habitat not present; presumed absent.
Fragrant Fritillary (*Fritillaria liliacea*)	FC2, 1B	This bulbous plant is found in widely scattered locations in central California in coastal scrub and grassland habitats.	Appropriate habitat not present; presumed absent.
Big Scale Balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*)	1B	Big scale balsamroot occurs in open grassy areas in woodlands and in grasslands, sometimes on serpentine soils.	Appropriate habitat not present; presumed absent.
Hall's Bush Mallow (*Malacothamnus hallii*)	1B	Hall's bush mallow is usually found on stony slopes in chaparral communities of Contra Costa, Merced, and Santa Clara counties.	Appropriate habitat not present; presumed absent.

STATUS CODES:
FE = Federally Endangered
FT = Federally Threatened
PE = Federally Proposed Endangered

FC1 = Federal candidate, category 1
FC2 = Federal Candidate, category 2
CE = California Endangered

CT = California Threatened
CSC = California Species of Special Concern
SP = Fully protected species in the state of California

WILDLIFE

The location of Holes 1-2 supports fewer species of wildlife than the other parts of the course due to regular mowing and heavy human use of the area. Other parts of the course support moderate levels of wildlife use, primarily due to their proximity to the riparian corridor and less-disturbed condition. The discussion below first addresses wildlife use of areas within the uplands in which the course is configured, and then addresses wildlife use in the adjacent riparian corridor.

Arboreal salamanders (*Aneides lugubris*), western toad (*Bufo boreas*), and Pacific treefrogs (*Pseudacris regilla*) will occur in the upland areas near Holes 10-18 during the winter and spring. As these areas dry, these amphibians will seek refuge under rocks, logs, and other debris, in small mammal burrows, and possibly in the bottom of the seasonal pond at the eastern end of this area. Reptiles which may occur in this habitat include western fence lizard (*Sceloporus occidentalis*), southern alligator lizard (*Elgaria multicarinata*), gopher snake (*Pituophis melanoleucus*), striped racer (*Masticophis lateralis*), and common garter snake (*Thamnophis sirtalis).*

Bird species that would use these uplands throughout the year include the Savannah Sparrows (*Passerculus sandwichensis*) and Western Meadowlarks (*Sturnella neglecta*). Seeds produced by annual grasses provide food for migrating and wintering songbirds, such as American Goldfinches (*Carduelis tristis*), Golden-crowned Sparrow (*Zonotrichia atricapilla*), and White-crowned Sparrow (*Zonotrichia leucophrys*).

Relatively few California ground squirrel (*Spermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), and California vole (*Microtus californicus*) burrows were detected during surveys. Other species of mammals that use this habitat include the Virginia opossum (*Didelphis virginiana*), broad-footed mole (*Scapanus latimanus*), brush rabbit (*Sylvilagus bachmani*), and black-tailed hare (*Lepus californicus*). Black-tailed deer (*Codocoitus hemionus colombianus*) will also occasionally forage on forbs and shrubs in this habitat. Mammalian predators such as the striped skunk (*Mephitis mephitis*), raccoon (*Procoyon lotor*), coyote (*Canis latrans*), and bobcat (*Lynx rufus*) forage or hunt for insects, mice, gophers, ground squirrels, and black-tailed hares in these uplands.

The ecotones provided by the interface of riparian habitats and adjacent upland habitats represent ecologically important areas because they support high diversities and high densities of birds and other animals. Such ecotones provide habitat for both riparian and upland species in the same area as well as providing habitat for birds that are actually most abundant in the habitat interface.

Many species of birds forage in upland habitats adjacent to riparian corridors. Insectivorous birds such as Pacific-slope Flycatchers (*Empidonax difficilis*) and Bewick's Wrens (*Thryomanes bewickii*) frequently forage in both riparian and contiguous upland brushy habitats and the same individuals often move back and forth between habitats. Densities of Pacific-slope Flycatchers and other insectivorous species (i.e., Yellow Warbler (*Dendroica petechia*) , Orange-crowned Warbler (*Vermivora celata*)) are often very high in riparian and adjacent brushy habitats (Coyote Creek Riparian Station banding data). Numbers of these species in upland habitats appear much higher in areas adjacent to riparian habitat than in similar upland habitats that are not adjacent to riparian areas. Many granivorous species, such as White-crowned (*Zonotrichia leucophrys*) and Golden-crowned Sparrows (*Z. atricapilla*), use riparian trees for roosting and escaping from predators but forage in adjacent, open upland habitats. Other granivorous species such as Song Sparrows, *Melospiza melodia* (a resident) and Lincoln's Sparrows, *Melospiza lincolnii* (a migrant and winter visitor) forage and roost in both riparian and adjacent upland habitats. Finally, many raptors such as Cooper's (*Accipter cooperii*), Sharp-shinned (*A. striatus*), and Red-shouldered Hawks (*Buteo lineatus*) forage extensively along the ecotone between upland and riparian habitats.

The Coyote Creek riparian corridor provides cover for birds foraging in the creek, as well as habitat for songbirds such as the Bewick's Wren (*Thryomanes bewickii*), Pacific-slope Flycatcher (*Empidonax*

difficilis) and Scrub Jay (*Aphelocoma coerulescens*). The mature trees provide potential habitat for nesting raptors such as Red-shouldered Hawk (*Buteo lineatus*) and American Kestrel (*Falco sparverius*). Although no nesting raptors were found along this reach, potential nesting sites do exist, therefore, raptors could nest in this area in the future.

Small mammals associated with the riparian corridor include the Virginia opossum, broad-footed mole, California vole, deer mouse (*Peromyscus maniculus*), house mouse (*Mus musculus*), fox squirrel (*Sciurus niger*) and black-tailed hare. Predators such as the bobcat, striped skunk, ringtail, coyote, and gray fox (*Urocyon cinereoargenteus*) are attracted to these habitats by an abundance of prey. The big brown bat (*Eptesicus fuscus*) may forage for insects over the creek.

Riparian habitats, particularly those in urbanized areas, function as movement corridors for numerous wildlife species. Several wildlife species that may move through the riparian corridor of Coyote Creek include birds such as the Green-backed Heron (*Butorides striatus*), Belted Kingfisher (*Ceryle alcyon*), Black Phoebe (*Syornis nigricans*), and Bewick's Wren and mammals such as the striped skunk, raccoon, and black-tailed deer.

Amphibians which may occur in the riparian corridor include Pacific treefrog, western toad, bullfrog (*Rana catesbeinna*) and western pond turtle (*Clemmys marmorata*). California red-legged frog (*Rana aurora draytoni*) may occur along Coyote Creek, however the relatively high level of human disturbance in the creek and the presence of predators (skunk, racoon, etc.) makes its presence in the project area unlikely.

A seasonal pond occurs on the eastern edge of the course, approximately 100 feet to the east of Hole 11. The California Department of Fish and Game (CDFG) (Roper 1995) indicated concern that the California tiger salamander (*Ambystoma californiense*) or the California red-legged frog might use this area. H. T. Harvey and Associates' herpetologist visited the site on September 5, 1995 and determined that the likelihood for tiger salamanders utilizing the pond is very low due to the marginal habitat adjacent to the pond. However, it is not possible to definitively determine presence or absence without spring surveys for breeding salamanders. If they breed in the seasonal pond, then they may estivate in adjacent areas near Holes 11 and 12. Spring surveys are recommended to determine if the salamander is present.

California red-legged frogs require a permanent source of water and are not expected to use the pond due to its seasonal nature. No further surveys are considered necessary to determine presence or absence.

No suitable habitat for Burrowing Owls was observed and they are not expected to occur within the project area. Table 1 contains a listing of special status wildlife species that were considered for potential occurrence within the project area.

CONSTRAINTS AND MITIGATIONS

The CDFG recommended in their 8/25/95 letter that fairways and holes be set back 100 feet from the edge of the riparian corridor. This recommendation has been considered in developing our analysis, as described below.

BIOTIC CONSTRAINTS

No biotic constraints have been identified for the use of Holes 1 and 2. These holes would be situated in a highly disturbed area, separated from the riparian corridor by a 75-100 foot setback, and would be unlikely to result in significant decrease in habitat value within the corridor.

Holes 3-9 are for the most part ecologically benign. The exception is Hole 7 which would be nestled against the riparian corridor with almost no setback. Small portions of Holes 5 and 8 would be located as close as 25 feet to the corridor and may slightly reduce wildlife use of adjacent riparian habitat. Hole 7 would be almost entirely within 15-20 feet of the edge of the corridor and could result in a greater, although not significant, reduction in wildlife use of the adjacent riparian habitat.

Holes 10-18 will result in few, if any, biotic impacts. Holes 12-18 would be set back from the riparian corridor by 75-100 feet. Portions of Holes 10 and 11 would be close to the edge of the riparian corridor, but it should be noted that the riparian habitat contiguous with these holes is separated from the main creek corridor by the bike/pedestrian path. Holes 10 and 11 may result in slight reductions in wildlife use of adjacent riparian habitat. If the California tiger salamander is found to occur in the area then the use of Holes 10 and 11 could be considered a significant impact.

The seasonal placement of the two creek crossings, and use of the connecting trails, is not considered a significant biotic impact as long as access is controlled.

MITIGATION MEASURES

1. Minor biotic impacts associated with the use of Holes 1-6, 8-10 and 12-18 could be fully mitigated by planting native trees and shrubs within the course. These plantings will be installed both in open upland areas and setback buffers between the fairways and the edge of the riparian corridor. These plantings will be installed during the first fall following installation of the course and maintained for at least a three year plant establishment period. The successful establishment of these trees and shrubs will reduce the relatively minor impacts to wildlife habitat to a less-than-significant level.

2. Access into and along the trails leading to and from the creek crossings will be limited by signs and the placement of natural barriers. These barriers will consist of piled brush, logs, plantings, etc. and will serve to guide people to use of a single trail and thus avoid trampling adjacent vegetation. Signs will also be placed near the creek crossings indicating that disturbance of the creek is not allowed.

3. Hole 7 will be moved out from the edge of the riparian corridor to provide at least 25 feet of setback. This setback area will then be densely planted with native shrubs and trees. This will reduce biotic impacts from this hole to an insignificant level.

4. If Holes 11 and 12 are to used, a spring survey will be conducted at the seasonal pond by a qualified herpetologist to determine the presence or absence of California tiger salamander. If the salamander is absent then no further work is necessary and the holes may be used. If the salamander is present then Holes 11 and 12 will be eliminated. They may be relocated to other parts of the course if possible. A low hardware cloth fence will be installed between the course and the pond along the edges of Holes 10, 13 and 14. This fence must be maintained during all seasons when the course is in use to ensure that salamanders do not stray onto the course.

REFERENCES/PERSONS CONTACTED

Roper, Margaret. August 25, 1995 telephone conversation with Rachel Santos of Santa Clara County Parks Dept.

Ryan, Elish. County Parks Department. August-September 1995.

II. Appendix B

"California Tiger Salamander Survey Results"

H.T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

May 21, 1996

Elish Ryan
County of Santa Clara Environmental Resources Agency
Parks and Recreation Dept.
298 Garden Hill Drive
Los Gatos, CA 95030

SUBJECT: California Tiger Salamander Survey Results

Dr. Mark Jennings, a herpetologist with H. T. Harvey and Associates, surveyed the pond on the eastern edge of the proposed Hellyer Park Disc Golf Course on 16 March, 6 April, 4 May and 12 May 1996 to determine if the California tiger salamander (*Ambystoma californiense*) or California red-legged frog (*Rana aurora draytonii*) occurs in the pond or any surrounding areas. Neither of these species was found in the pond, nor was any suitable habitat for these species identified elsewhere within the project area. Bullfrogs (*R. catesbiana*), Pacific tree frogs (*Hyla regilla*), and California toads (*Bufo boreas*) were found in the pond.

Based on the negative results of these four surveys, conducted through the optimal time of year to determine presence or absence for the species, the site can be considered cleared.

We are now looking forward to proceeding with preparing planting guidelines for the disc golf course. Please let me know as soon as you have a final layout for us to work with.

Please call me if you have any questions.

Thank you.

Dan Stephens

☐ Alviso Office
906 Elizabeth Street • P.O. Box 1180
Alviso, CA 95002 • 408-263-1814 • Fax: 408-263-3823

☐ Fresno Office
423 West Fallbrook, Suite 207
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II. Appendix C

"Mitigation Planting Plan"

H.T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

To: Elish Ryan
Parks and Recreation Department
County of Santa Clara Environmental Resources Agency
298 Garden Hill Drive
Los Gatos, CA 95030

From: Dan Stephens

Date: June 25, 1996

Subject: Hellyer County Park Disc Golf Course Planting Recommendations

We have reviewed the revised course layout. The revised alignments of holes 4-6, 7-9, and 10-13 are an improvement and should reduce disturbance to the existing riparian corridor .

The following provides recommendations regarding plant species to be installed in riparian buffer areas and in the course itself. Generally we recommend using native plants already present in the existing riparian corridor and adjacent areas in both the buffer zones and the course.

Plant Species

Riparian Buffer Along Holes 1&2. Any available areas between holes 1&2 and the existing vegetation to the south could be planted with coast live oak (*Quercus agrifolia*) and Mexican elderberry (*Sambucus mexicana*). Understory plantings could include coyote brush (*Baccharis pilularis*) and toyon (*Heteromeles arbutifolia*).

Riparian Buffer Along Holes 3-9. Areas south of Coyote Creek between the course and the existing riparian vegetation could be planted with Fremont cottonwood (*Populus fremontii*), California sycamore (*Platanus racemosa*), and red willow (*Salix laevigata*). The red willow should be planted closest to the creek. Understory planting could include California blackberry (*Rubus ursinus*), California rose (*Rosa californica*), common snowberry (*Symphoricarpos rivularis*) and mugwort (*Artemesia douglasiana*).

Riparian Buffer Along Holes 10, 11, &12. Areas between holes 10,11, &12 and the existing riparian vegetation to the south could be planted with coast live oak, valley oak (*Quercus lobata*) and Mexican elderberry. Understory planting could include coyote brush and toyon. Areas closer to the seasonal pond could be planted with red willow, California blackberry, California rose, and mugwort.

Disc Golf Course Fairways. Areas within the course could be planted with coast live oak, valley oak, Mexican elderberry, or California buckeye (*Aesculus californica*). Shrubs could include coyote brush and toyon.

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Plant Layout

The plants in riparian buffer areas should be planted on centers as shown in the table below.

Species	Planting Centers (Feet)
California sycamore	14-16
Coast live oak	14-16
Valley oak	14-16
Fremont cottonwood	14-16
Mexican elderberry	12
Red Willow	10
Shrubs	6-8

Plants within the disc golf course could be planted on wider centers.

Plant Installation Techniques

We recommend that the trees, including willows, be grown in Treepot 4 (4"X4"X14", equivalent to one gallon) sized containers. The oaks could also be planted from acorns. The planting stock should be of Santa Clara County origin and preferably collected within 5 miles of the site. If possible, the plants should be contract grown to ensure that the plants are the correct size, correct origin and in good condition at installation. The plants should be installed between November 15 and January 15.

A planting hole should be excavated so that it is a minimum of two times the diameter of the plant container. The sides and bottom of each hole should be scarified and each planting hole should be irrigated before and immediately after plant installation. A 3-foot diameter irrigation basin with a 4-inch high, 4-inch wide lip should be constructed around each plant. The irrigation basin should be filled with a minimum 3-inch thick layer of coarse woodchip mulch. The woodchip mulch should be applied so that it is not in contact with plant stems.

All trees should receive a foliage protector. The foliage protector should be 4 feet high, 2.5 feet in diameter, and supported by three stakes. The foliage protector screen should be made of flexible plastic browse protection netting. Tubex protectors could also be used around the oaks. The bottoms of the foliage protectors should be installed flush with the woodchip mulch.

Maintenance Recommendations

The plantings should be regularly maintained during a 3-5 year plant establishment period. Dead plants should be replaced between 15 November and 15 January. Plant replacement should use the same plant materials (species, stock size, etc.) and techniques used at the original installation. We do not recommend pruning trees in the riparian buffer areas.

The plants should be regularly watered during the first year after planting. Watering in Year 2 may be reduced substantially under the supervision of a qualified landscape maintenance professional and should be performed on an as-needed basis. Little watering is expected to be required in Year 3 or beyond.

The area within the plants' watering basins should be kept weed-free during the plant establishment period. The layer of woodchip mulch should also be maintained during this period. The foliage protectors should be maintained until the growth of the plants is restricted by the protectors, at which time they should be carefully and promptly removed.

Monitoring

To assess the success of the planting efforts, the County could monitor the plantings during the plant establishment period. Annual activities could include plant survival counts, general observations, photo-documentation, and development of management recommendations. The plantings should also be monitored throughout the year during regular maintenance activities.

II. Appendix D

"Mitigation Monitoring Plan"

MITIGATION MONITORING PLAN

INTRODUCTION: For the purposes of the Initial Study for the proposed Disc Golf Course at Coyote Hellyer County Park, impacts to flora and fauna may occur. The following Monitoring Plan outlines when mitigation measures will be implemented and how implementation will be monitored.

GOALS: The goal of the Monitoring Plan is to ensure that impacts resulting from the development of a disc golf course at this location will be mitigated to a level of insignificance.

PROCESS: Based upon the conclusions of the Initial Study, a number of mitigations are proposed. All approved mitigations will included in a Special Use Permit that the Parks Department will issue to the Silicon Valley Disc Golf Club if they apply to the area being used. Should the Silicon Valley Disc Golf Association fail to comply to the conditions of use at any time, the County may terminate the agreeement and close the course.

MITIGATION AND MONITORING SCHEDULE: Mitigation monitoring recommended in Appendix D for the planting plan will be implemented at time of construction of specific areas of the course. All other mitigations will be required by the Parks Department as conditions of the Special Use Permit issued to the Silicon Valley Disc Golf Club initially and at annual renewal if they apply.

RESPONSIBILITIES: It will be the responsibility of the Santa Clara County Parks Department, its agents and permittees, to prepare, implement, adher to, and maintain the approved mitigation measures.

REPORTING: It shall be the responsibility of the Santa Clara County Parks Department, its agents and permittees, to submit any reports appropriate to implementation of mitigation measures related to construction of the course or course structures to permitting agencies.

It shall be the responsibility of the Santa Clara County Parks Department, its agents and permittees to prepare an annual report to permitting agencies outlining the progress of any mitigation measures, should they be required. Contents of the annual report, approved measures of success, and reporting date will be as agreed to by the County and regulatory agencies at the time of Special Use Permit approval. Regulatory agencies are requested to respond in writing within 60 days of each report with comments and suggestions if progress fails to meet the anticipated level of performance.

COMPLETION OF MITIGATION : Following the completion of the agreed upon mitigation monitoring period, a final report will be submitted to the regulatory agencies that the project has been successfully completed. The final report will describe how the success criteria have been met and shall request a confirmation of project completion. If the mitigation measures do no achieve the approved measures of success, a modified plan to continue the mitigation program will be negotiated between the County, permitee, and the regulatory agencies.

II. Appendix E

"Comments and Response to Comments"

Santa Clara Valley Water District

5750 ALMADEN EXPRESSWAY
SAN JOSE, CA 95118-3686
TELEPHONE (408) 265-2600
FACSIMILE (408) 266-0271

AN AFFIRMATIVE ACTION EMPLOYER

September 8, 1997

Ms. Elisha Ryan
Parks and Recreation Department
County of Santa Clara
298 Garden Hill Dr
Los Gatos, CA 95030-2412

Dear Ms. Ryan:

Subject: Disc Golf Course at Coyote Hellyer County Park

Santa Clara Valley Water District (District) staff have reviewed the Initial Study and Negative Declaration for the subject project. We have the following comments:

1. We appreciate the use of parklands that does not increase impervious areas. However, as is pointed out in the Initial Study, the additional recreational facilities will result in more people accessing the riparian corridor. It would be appropriate to take this opportunity to consider methods to protect and enhance creek banks and the riparian corridor. These methods could be planned for implementation now or at a future time.

2. Since the course is to be maintained by volunteers, supervision should be provided to prevent pollutants such as sediments, herbicides, pesticides, fertilizers, and yard wastes from entering Coyote Creek.

3. It was observed that the distances from the proposed disc golf course locations to the existing public sanitary facilities near Cottonwood Lake are relatively great. It is strongly recommended that portable toilet facilities be set up at both course locations (easterly and westerly from Highway 101) in order to reduce the potential for pollutants to enter the creek.

4. In accordance with District Ordinance 83-2, construction or other activity within 50 feet of the top of bank of Coyote Creek requires a permit from the District. Please submit two copies of final site, landscape, and construction plans for the proposed bridges and trails for our review, and allow a minimum of 4 weeks for that review.

5. As was stated in the Initial Study, portions of the proposed project are subject to flooding to a depth of greater than 1 foot during a 100-year, or 1 percent, flood event.

Thank you for the opportunity to comment on the Initial Study for this project. We look forward to reviewing the plans. If you have any comments or questions, write me or call me at (408) 265-2607, extension 2259.

Sincerely,

Sue Tippets

for William C. Springer, P.E.
Associate Civil Engineer
Community Projects Review Unit

County of Santa Clara

Environmental Resources Agency
Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032
(408) 358-3741 FAX 358-3245
Reservations (408) 358-3751 TDD (408) 356-7146

September 25, 1997

Ms. Sue Tippets
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Subject: Response to comments on Negative Declaration for Disc Golf Course

Dear Ms. Tippets,

Thank you for your comments on the proposed Negative Declaration for the Disc Golf Course at Coyote Hellyer County Park.

The following comments have been duly noted: comments #1,2, 3, and 5.

In response to comment #4, the proposed Negative Declaration has included the mitigation that any approved installation of the proposed seasonal bridge crossings will be contingent upon Santa Clara Valley Water District review and issuance of a permit.

Thank you again for your comments. If you have any questions, I may be reached at 358-3741, extension 147.

Sincerely,

Elish Ryan
Park Planner

KEITH R. ANDERSON
11810 NEW AVENUE
GILROY, CA 95020-9061
(408) 683-4330

August 29, 1997

Ms. Elish Ryan, Project Manager
County of Santa Clara
Parks and Recreation Department
298 Garden Hill Drive
Los Gatos, California 95032

Dear Ms. Ryan:

Initial Study and Proposed Negative Declaration for a Disc Golf Course at Coyote Hellyer County Park, Santa Clara County

I have the following comments and recommendations regarding the subject Initial Study and Proposed Negative Declaration (IS/PND):

1. The IS/PND states that removable clear span bridges will be used at the two crossings on Coyote Creek and these bridges will be in operation from about April 15 to October 15 of each year. During the months the bridges are not in place, how will foot traffic (disc golf course and general public use) be controlled to discourage the establishment of new, multiple 'undesignated' crossings when the convenience and regulatory value of the bridges is absent? Such undesignated and unauthorized crossings could become the cause and source of substantial creek bank erosion, particularly since they will be created during the wet season. The Final Negative Declaration must address this potential adverse impact and include appropriate impact avoidance or impact mitigation measures.

2. Appendix A states (page 1) "...no riparian vegetation removal will occur as a result of the creek crossings." However, the Mitigation Monitoring Plan (Appendix D) somewhat contradictorily states "Any additional mitigation to offset the impact of loss of riparian habitat as a result of construction of pedestrian footbridges across Coyote Creek will be included in specific regulatory agency permits...". This potential impact needs clarification in the Final Negative Declaration. If riparian vegetation removal reasonably may be expected to occur, then specific mitigation measures to reduce impact to a less-than-significant level must be included in the Final Negative Declaration in order to comply with the California Environmental Quality Act (CEQA).

Mitigation measures to be identified at some future date are unacceptable and contrary to CEQA. Before approving this project, the County as CEQA Lead Agency must first resolve the uncertainties regarding the project's potential significant environmental impacts. Deferring the identification of

mitigation measures to a later date as suggested in the Mitigation Monitoring Plan (quoted above) is an inappropriate delegation of CEQA duties (Sundstrom v. County of Mendocino (1988) 202 Cal. App. 3d 296). Further, it has been determined by court ruling that such future mitigation measures would be improperly exempted from the process of public and governmental scrutiny which is required pursuant to CEQA. In this context, the IS/PND is inadequate and deficient. The Final Negative Declaration must either confirm that there will be no riparian vegetation removal or provide specific mitigation measures for any such riparian vegetation removal.

3. For completeness and compliance with CEQA, the Final Negative Declaration must recognize that Coyote Creek provides habitat for a remnant population of steelhead trout. This population is in the Central California Coast Evolutionarily Significant Unit, proposed by the National Marine Fisheries Service for listing as threatened pursuant to the federal Endangered Species Act. The Department of Fish and Game and Santa Clara Valley Water District are implementing elements of a steelhead restoration effort on Coyote Creek. The Final Negative Declaration must include a finding that the proposed project will not impact this species of special concern.

4. The California red-legged frog, listed as a threatened species pursuant to the federal Endangered Species Act, has been documented on Coyote Creek. Appendix A states "red-legged frogs are not expected to occur" (Table 1), and their presence in the project area is "unlikely" (page 8). In absence of red-legged frog surveys along Coyote Creek within the project's area of influence, these statements and findings are speculative. No evidence of record is provided in the IS/PND to support these speculations. The IS/PND fails to comply with the CEQA mandate to identify potential impacts to listed species. This issue must be resolved prior to adoption of the Final Negative Declaration. I suggest you contact the Sacramento Field Office of the U. S. Fish and Wildlife Service (USFWS) to discuss the Service's position on your proposed project and findings. Perhaps the issuance of a USFWS Letter of Approval determining that the project is not likely to cause take of the species would be adequate documentation and evidence of record to demonstrate compliance with CEQA mandates/requirements.

Thank you for the opportunity to review and comment on the subject document. Please provide me a copy of the Final

Negative Declaration prior to the September 16, 1997 adoption hearing.

Keith R. Anderson

Keith R. Anderson
Senior Fisheries Biologist
(retired)

cc: Mr. Mike Westphal
Endangered Species Division
Coast/Bay/Delta Branch
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September 26, 1997

Mr. Keith R. Anderson
11810 New Avenue
Gilroy, CA 95020-9061

Subject: **RESPONSE TO COMMENTS - DISC GOLF COURSE AT COYOTE HELLYER COUNTY PARK**

Dear Mr. Anderson:

Thank you for the comments we received on the Proposed Negative Declaration for the Disc Golf Course at Coyote Hellyer County Park. What follows is a summary of those comments and our responses.

Comment #1 - inquires what impact avoidance or mitigations are proposed to reduce possible erosion of streambanks as a result of foot traffic crossing the creek during the months when the seasonal bridges have been removed.

In response to Comment #1, expanded narrative has been added to the text to clarify that it is the intent of the Parks Department to require the disc golf club to close the western portion of the course during the months when the bridges are removed. This will include removal of bridges, target baskets, course informational signs and posting of appropriate signs at the start of the course and at stream crossing locations. As a condition in the Special Use Permit, which the club must secure from the Parks Department to develop the course, failure to meet this objective will result in termination of their permit. Expanded narrative and text revisions can be reviewed in the Project Description section of the Initial Study, and discussion of impacts to geology.

Expanded narrative and text revisions to address possible erosion as a result of foot traffic on the course has also been included in discussion of impacts to geology, drainage and flooding, and flora and fauna of the Initial Study.

Comment #2 - indicates a potential discrepancy between the Biological Constraints Analysis (Appendix A) which states that no riparian vegetation removal will occur as the result of the creek crossings and the Mitigation Monitoring Plan (Appendix D) that indicates that any additional mitigation to offset the impact of loss of riparian habitat as a result of the bridges will be included in specific regulatory agency permits.

Comment #2 is correct in identifying a discrepancy in the text. The biological constraints analysis conducted for the site (Appendix A) states that no riparian vegetation is to be removed as a result of the creek crossing. Based on this finding, no mitigation will be required and none is indicated in the Proposed Negative Declaration. However, Appendix A does recommend that plantings be installed along specific portions of the course as mitigation for minor biotic impacts to the area as a result of this project. This recommendation and others related to minor biotic impacts have been included as project mitigations in the Proposed Negative Declaration.

Expanded narrative and revised text to remove this discrepancy and clarify proposed mitigations can be found in the discussion of impacts to flora and fauna in the Initial Study and revisions to the Mitigation Monitoring Plan.

Comment #3 - requests that the Proposed Negative Declaration recognize that Coyote Creek provides habitat for a remnant population of steelhead trout. This species has been proposed by the National Marine Fisheries Service for listing as threatened pursuant to the Federal Endangered Species Act. This comment also requests that a finding that the proposed project will not have an adverse impact on this species.

The Biological Constraints Analysis (appendix A) does list steelhead trout as a species of special concern that occurs in Coyote Creek. This information may be found on Table I of the appendix.

In response to this comment, text has been added to recognize that this species has been proposed by the National Marine Fisheries Service as a federally threatened species. The discussion of impacts to flora and fauna in the Initial Study has been revised to include possible impact to this species and proposed mitigations.

Comment #4 - requests that possible occurrence of the red-legged frog be examined more closely and that U.S. Department of Fish and Wildlife requirements that no take of a threatened species has been demonstrated.

In response to this comment, text has been added to recognize that this species has been proposed as a federally threatened species. The discussion of impacts to flora and fauna in the Initial Study has been revised to include possible impact to this species and proposed mitigations.

It is hoped that this response adequately addresses the comments you have submitted for the proposed Disc Golf Course at Coyote Hellyer County Park. We appreciate your input and the opportunity it has allowed us to clarify important points in the document. A copy of the revised Negative Declaration and Initial Study has been included for your review and comment. If you have any questions, you may contact me at (408) 358-3741, extension 147.

Sincerely,

ELISH M. RYAN
Park Planner

cc: Mike Westphal, US Fish and Wildlife Service, Sacramento, CA
Margaret Roper, Department of Fish and Game, Gilroy, CA
Caitan Bean, Department of Fish and Game, Yountville, CA

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