CITY COUNCIL REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET, GILROY, CA
95020

MAYOR
Greg Bozzo

COUNCIL MEMBERS
Dion Bracco
Tom Cline
Terence Fugazzi
Zach Hilton
Carol Marques
Kelly Ramirez

AMENDED AGENDA

Amended closed session to reflect 2 cases

5:00 PM CLOSED SESSION
6:00 PM REGULAR MEETING

MONDAY, AUGUST 3, 2026 | 6:00 PM

CITY COUNCIL PACKET MATERIALS ARE AVAILABLE ONLINE AT www.cityofgilroy.org
AGENDA CLOSING TIME IS 5:00 P.M. THE FRIDAY PRIOR TO THE MEETING

Remote Participation
Gilroy City Council meetings are held in person. The community may attend in person or via Zoom (video/teleconference). The meetings are also live-streamed on the City's website and YouTube.

Those wishing to participate in the meetings remotely may join using the following link: https://bit.ly/GilroyCityCouncilMeetings. Additionally, Zoom participants must be running the latest version or will be required to update to it before joining the meeting remotely.

Remote participation is also available by calling (669) 900-6833 and entering webinar ID: 930 2066 6240#. Dial *9 to raise your hand, and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

Public Comment
COMMENTS BY THE PUBLIC WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. Public testimony is subject to reasonable regulations, including but not limited to time restrictions for each individual speaker. ***Please limit your comments to 3 minutes.* The amount of time allowed per speaker may vary at the Mayor's discretion depending on the number of speakers and length of the agenda.**

Public comment will be heard first from those attending in person, with the submission of a speaker card. Once that is complete, we will move to those on Zoom who have their virtual hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Please note: Once the third speaker has provided comment on an item, there will be no further speaker cards or virtual raised hands taken for that item.

Written comments on any agenda item may be emailed to the City Clerk's Office at publiccomment@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1 p.m. on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1 p.m. deadline will be provided to the City Council as soon as practicable. Written comments are also available on the City's Public Records Portal at bit.ly/3NuS1IN.

In compliance with the Americans with Disabilities Act, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk's Office at least 72 hours prior to the meeting at (408) 846-0204 or cityclerk@cityofgilroy.org to help ensure that reasonable arrangements can be made.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available with the agenda packet on the City website at www.cityofgilroy.org subject to the Staff's ability to post the documents before the meeting.

KNOW YOUR RIGHTS UNDER THE GILROY OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE, TO RECEIVE A FREE COPY OF THE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION STAFF AT (408) 846-0204.

If you need assistance with translation and would like to speak during public comment, please contact the City Clerk a minimum of 72 hours prior to the meeting at 408-846-0204 or e-mail the City Clerk's Office at cityclerk@cityofgilroy.org.

Si necesita un intérprete durante la junta y gustaría dar un comentario público, comuníquese con el Secretario de la Ciudad un mínimo de 72 horas antes de la junta al 408-846-0204 o envíe un correo electrónico a la Oficina del Secretario de la Ciudad a cityclerk@cityofgilroy.org.

To access written translation during the meeting, please scan the QR Code or click this link:

Para acceder a la traducción durante la reunión, por favor escanee el código QR o haga clic en el enlace:

www.cityofgilroy.org/translate

Choose Language and Click Attend | Seleccione su lenguaje y haga clic en asistir

Use a headset on your phone for audio or read the transcript on your device.

Use sus auriculares para escuchar el audio o leer la transcripción en el dispositivo.

1. CLOSED SESSION - 5:00 PM

1.1. Call to Order

1.2. Roll Call

1.3. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9 and Gilroy City Code Section 17A.11 Subdivision (3); Two Cases

2. OPPORTUNITY FOR PUBLIC COMMENT ON CLOSED SESSION

3. ADJOURN TO OPEN SESSION

The agenda for this regular meeting is outlined as follows:

4. REGULAR MEETING - 6:00 PM

4.1. Call to Order

4.2. Roll Call

4.3. City Clerk's Report on Posting the Agenda

4.4. Pledge of Allegiance

4.5. Invocation

4.6. Orders of the Day

4.7. Employee Introductions

5. CEREMONIAL ITEMS - Proclamations and Awards

5.1. Screen-Free Week Proclamation

6. PRESENTATIONS TO THE COUNCIL

6.1. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

This portion of the meeting is reserved for persons desiring to address the Council on matters within the Gilroy City Council's jurisdiction but not on the agenda. Persons wishing to address the Council are requested to complete a Speaker's Card located at the entrances and handed to the City Clerk. Speakers are limited to 1 to 3 minutes each, varying at the Mayor's discretion depending on the number of speakers and length of the agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda.

Written comments to address the Council on matters not on this agenda may be e-mailed to the City Clerk's Office at publiccomment@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1:00 pm on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street, prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00pm deadline will be provided to the City Council as soon as practicable. Written material provided by public members under this section of the agenda will be limited to 10 pages in hard copy. An unlimited amount of material may be provided electronically.

7. REPORTS OF COUNCIL MEMBERS

Council Member Bracco – Santa Clara County Library Joint Powers Authority, Santa Clara Water Commission, Santa Clara Valley Water Joint Water Resources Committee, SCRWA

Council Member Fugazzi – Santa Clara Water Commission (alternate), Silicon Valley Regional Interoperability Authority Board (alternate), SCRWA, Visit Gilroy California Welcome Center, VTA Mobility Partnership Committee

Council Member Marques – Gilroy Sister Cities, Santa Clara County Library Joint Powers Authority (alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, SCRWA (alternate)

Council Member Hilton – ABAG, CalTrain Policy Group (alternate), Santa Clara County Expressway Plan 2040 Advisory Board (alternate), Silicon Valley Clean Energy Authority JPA Board, South County Youth Task Force Policy Team, VTA Policy Advisory Committee

Council Member Ramirez – ABAG (alternate), Gilroy Gardens Board of Directors

(alternate), Cities Association of Santa Clara County, Gilroy Youth Task Force (alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, SCRWA, Santa Clara Housing and Community Development Advisory Committee

Council Member Cline – CalTrain Policy Group (alternate), Gilroy Sister Cities (alternate), Gilroy Youth Task Force, Santa Clara County Expressway Plan 2040 Advisory Board, Silicon Valley Clean Energy Authority JPA Board (alternate), Silicon Valley Regional Interoperability Authority Board, Visit Gilroy California Welcome Center (alternate), VTA Mobility Partnership Committee, VTA Policy Advisory Committee (alternate)

Mayor Bozzo – Gilroy Gardens Board of Directors, Santa Clara Valley Water Joint Water Resources Committee, South County Youth Task Force Policy Team, VTA Board of Directors (alternate), Santa Clara Housing and Community Development Advisory Committee (alternate), Cities Association of Santa Clara County (alternate)

8. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of the City Council or a member of the public. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar prior to the time the City Council votes to approve. If removed, the item will be discussed in the order in which it appears.

8.1. Approve a Professional Service Agreement with Visit Gilroy/Gilroy Welcome Center for Tourism Business Improvement District management

8.2. Adopt a Resolution Approving the West Santa Clara Landscape Resiliency Project Project-Specific Analysis and Addendum to the California Vegetation Treatment Program Environmental Impact Report, Adopting CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and Authorizing Filing of a Notice of Determination

8.3. Approval of City's Response to 2025-26 Civil Grand Jury Final Report "Pothole Damage: Improving Claims Processes within Santa Clara County"

8.4. Approval of City's Response to 2025-26 Civil Grand Jury Final Report "VTA's Management and Oversight of BART Silicon Valley Phase II"

9. BIDS AND PROPOSALS

9.1. Award a Professional Services Agreement to Kimley-Horn for a Not-to-Exceed Amount of $237,117 for the Development of the City of Gilroy Comprehensive Roadway Safety Action Plan, Add the Project to the Capital Improvement Program, and Adopt a Budget Amendment Resolution to Appropriate Grant and Gas Tax Funds to the Project

1. Staff Report:
   John Doughty, Public Works Director

2. Public Comment

3. Recommended Action:

    1. Award a Professional Services Agreement to Kimley-Horn for an amount not to exceed $237,117.25 for the development of the City of Gilroy Comprehensive Roadway Safety Action Plan (Project) No. 26-RFP-PW-529, and authorize the City Administrator to execute the contract and associated documents;
    2. Add the Project to the Fiscal Year 2027 (FY27) Capital Improvement Program (CIP) with Project Number 801180; and
    3. Adopt a resolution amending the FY26 budget within Gas Tax Fund (205) to appropriate $189,693.80 in FY 2024 SS4A Grant Funds to the Project, along with $47,423.45 in local match from the Gas Tax Fund balance, for a total of $237,117.25.

10. PUBLIC HEARINGS

10.1. Public Hearing on Downtown Gilroy Street Banner Policy and Program Guidelines and Fee Schedule Amendment

1. Staff Report:
   John Doughty, Public Works Director

2. Public Comment

3. Recommended Action:

    1. Open Public Hearing
    2. Close Public Hearing
    3. Adopt a Resolution:
        a. Approving the Downtown Gilroy Street Banner Policy and Program Guidelines; and
        b. Approving the updated fee schedule to include a new fee for installation (and removal) of Downtown Streetlight-Pole Banners.

10.2. Consideration of the Report of Abatement of Weeds and Refuse within the City of Gilroy and Adoption of a Resolution Confirming the Imposition of Assessment Liens against the Land

1. Disclosure of Ex-Parte Communications

2. Staff Report:
   Sharon Goei, Community Development Director

3. Open Public Hearing

4. Close Public Hearing

5. Recommended Action:
Adopt a resolution allowing the assessment of fees, minus any qualifying objections, as reported by the Santa Clara County Weed Abatement Program.

10.3. Adoption of an Urgency Ordinance of the City Council of the City of Gilroy Establishing a Temporary Moratorium on the Issuance of New Tobacco Retailer Permits Citywide Through December 31, 2026

1. Disclosure of Ex-Parte Communications
2. Staff Report:
Sharon Goei, Community Development Director
3. Open Public Hearing
4. Close Public Hearing
5. Recommended Action:
Adopt an Urgency Ordinance of the City Council of the City of Gilroy establishing a temporary moratorium on the issuance of new Tobacco Retailer Permits Citywide through December 31, 2026.

11. UNFINISHED BUSINESS

11.1. Consideration of Tobacco Retailer Permit Prohibited Areas Around Youth-Oriented Facilities

1. Staff Report:
Sharon Goei, Community Development Director
2. Public Comment
3. Recommended Action:
Council provide direction regarding the definition of youth-oriented facilities and its desire to prohibit new tobacco retailers from opening in those areas.

12. INTRODUCTION OF NEW BUSINESS

12.1. Report on GilroyConnect/SeeClickFix: Service Level Agreement Performance Update, Benchmarking Comparison, and Communication Protocols

1. Staff Report:
Bryce Atkins, Deputy Director of Community Development
2. Public Comment
3. Recommended Action:
Council receive the report.

12.2. Consider Recommended Actions Before Adopting a Zoning Code Amendment to Section 30.41.31 (Specific Provisions – Noise) (FAIR Memo – Hilton)

1. Staff Report:

Sharon Goei, Community Development Director

2. Public Comment

3. Recommended Action:
Staff recommends that the City Council authorize both of the following actions concurrently before final adoption of any Zoning Code amendment to Section 30.41.31 (Specific Provisions – Noise):

    1. Direct staff to prepare a Zoning Code amendment to Section 30.41.31; and
    2. Direct staff to retain the services of a qualified acoustical engineer to conduct a technical analysis of the proposed amendment, quantify the actual reduction in noise levels experienced at residential property lines, and evaluate the feasibility of achieving the proposed standard without materially impacting commercial, industrial, and mixed-use development.

13. CITY ADMINISTRATOR'S REPORTS

14. CITY ATTORNEY'S REPORTS

15. ADJOURNMENT

City of Gilroy

Proclamation

WHEREAS, excessive screen time has become increasingly prevalent among individuals of all ages across Gilroy, impacting physical health, sleep quality, attention, and overall well-being; and

WHEREAS, high levels of screen use have been associated with reduced sleep, decreased focus, and diminished opportunities for meaningful, in-person connection between Gilroy residents; and

WHEREAS, Screen-Free Week, observed annually during the second full week of July, encourages individuals and families in Gilroy to take intentional breaks from entertainment screens and engage in offline activities; and

WHEREAS, individuals, schools, and community organizations across Gilroy can participate by setting goals and hosting activities that promote connection, creativity, and well-being; and

WHEREAS, raising awareness of the importance of balanced screen use can support healthier lifestyles and stronger communities across the city.

NOW, THEREFORE, I, GREG BOZZO, Mayor of the City of Gilroy, on this 29th day of June 2026, along with my colleagues on the City Council, do hereby proclaim July 12th-18th, 2026 as

SCREEN-FREE AWARENESS WEEK

in the City of Gilroy, and I encourage all residents to participate by limiting their screen time and increasing offline activities to improve health, well-being and community.

Greg Bozzo

Greg Bozzo, Mayor

Attested to by:

Kim Mancera

Kim Mancera, City Clerk

City of Gilroy
STAFF REPORT

Agenda Item Title:	Approve a Professional Service Agreement with Visit Gilroy/Gilroy Welcome Center for Tourism Business Improvement District management
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator Andy Faber, City Attorney Kim Mancera, City Clerk
Department:	Economic Development
Submitted by:	Raissa de la Rosa, Economic Development Director
Prepared by:	Raissa de la Rosa, Economic Development Director

STRATEGIC PLAN GOALS: Promote Economic Development Activities

RECOMMENDATION

Approve a ten-year contract with Gilroy Visitors Bureau, dba Gilroy Welcome Center, effective January 1, 2028, through December 31, 2037, for the provision of Gilroy Tourism Business Improvement District services coinciding with the terms and in accordance with the provisions of that recently renewed assessment district.

EXECUTIVE SUMMARY

On June 15, 2026, City Council adopted Resolution No. 2026-44 renewing the Gilroy Tourism Business Improvement District (GTBID). The Gilroy Welcome Center was designated in the Resolution and the GTBID Management District Plan as the Owners' Association for provision of GTBID services. This contract provides the means by which all GTBID assessment funds collected, less an authorized two percent City administrative fee, are disbursed to pay for those services.

BACKGROUND

The City established the Gilroy Tourism Business Improvement District (GTBID) on September 17, 2012, for an initial five-year term through Resolution No. 2012-36,

pursuant to the Property and Business Improvement District Law of 1994 (Streets and Highways Code §36600 et seq.). The GTBID was subsequently renewed on October 17, 2016, by Resolution No. 2016-54 for an additional ten-year term that is set to conclude on December 31, 2027. On June 15, 2026, the GTBID was again renewed via Resolution No. 2026-44, further extending the life of the District for another ten-year period to end on December 31, 2037. Throughout the District's existence, the Gilroy Welcome Center (GWC) has been designated to act as the Owners' Association responsible for administering GTBID programs and activities. The GTBID is expected to generate approximately $324,000 annually.

ANALYSIS

The proposed agreement formalizes the Gilroy Welcome Center's (GWC) role as the Owners' Association for the Gilroy Tourism Business Improvement District (GTBID), as designated by City Council in Resolution No. 2026-44. Establishing this contract ensures the GTBID operates in full compliance with the Property and Business Improvement District Law of 1994 and the Council-approved Management District Plan.

The scope of work outlined in the agreement provides the core framework for fiscal accountability, legal compliance, and transparent administration of GTBID assessment revenues. Requirements such as preparation of the Annual Report, maintenance of financial records, and participation in periodic independent audits are statutory or best-practice mechanisms that ensure assessment funds are properly managed, spent in alignment with the Management District Plan, and subject to regular oversight. Collectively, these responsibilities allow the City to verify that the GTBID is functioning as intended, that assessment revenues are safeguarded, and that planned tourism-related improvements are delivered. Approval of the agreement enables continued GTBID operations under a clear structure that protects the interests of the City, assessed businesses, and the public.

ALTERNATIVES

As the approved 2026 Resolution of Formation and Management District Plan identify the GWC as the Owners' Association, no alternatives exist.

FISCAL IMPACT/FUNDING SOURCE

The City is authorized to collect a 2% administrative fee on all assessments collected for the life of the District. The GTBID is estimated to generate $324,000 in assessments in its first year.

PUBLIC OUTREACH

Not applicable.

NEXT STEPS

None.

Attachments:

1. Contract Process Form - GTBID GWC 2026 PSA

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City of Gilroy
Agreement/Contract Tracking

Today's Date:	July 21 2026	**Your Name:**	Raissa de la Rosa
Contract Type:	Services over $5k - Consultant	**Phone Number:**	408-846-0587

Contract Effective Date: *(Date contract goes into effect)*	1/1/2028
Contract Expiration Date:	12/31/2037
Contractor / Consultant Name and Address:	Gilroy Visitors Bureau, dba Gilroy Welcome Center
Contract Subject: *(no more than 100 characters)*	Designation as the Gilroy Tourism Business Improvement District Owners' Association
Contract Amount: *(Inclusive of Orig. and all amendment amounts)*	Click here to enter text.all GTBID assessment funds collected within thirty days of collection, less a two percent (2%) City administrative fee as authorized in the GTBID Managemetn District Plan.

By submitting this form, I confirm this information is complete:	☒ **Procurement method per City Purchasing Policy followed** (including Special Policies such as Local Vendor Preference and Wage Theft) ☒ **AB339, Bargaining Group was notified on: N/A** (Write 'N/A' if not applicable) ☒ **Item is budgeted in Org/Obj_1001570 / 51630_____** ☒ **Terms of the agreement** (start date and completion dates or "until project completion", cap of compensation to be paid) ☒ **Scope of Services, Terms of Payment, Milestone Schedule and exhibit(s) attached** ☒ **W-9 (Taxpayer ID or SS#) and Contractor License # if applicable** ☒ **Insurance** (Certificate and Endorsement Pages) ☒ **Contractor/Consultant signature, name and title** ☒ **City Administrator or Department Head Name**, **City Clerk** (Attest)**, City Attorney** (Approved as to Form)

Routing Steps for Electronic Signature	
Department Head	Signed by: Raissa de la Rosa C37BEE37C2684EE...
Risk Manager	Signed by: Michael Horta 4E2F009D1BCB4D6...
City Attorney Approval As to Form	Signed by: Andy Faber 1979C9EB5B68470...
City Administrator (if needed)	Signed by: 27176E633E034D6...

Docusign Envelope ID: D7F26965-205E-828D-81AD-301416D8A751

City Clerk Attestation	Signed by: Kim Mancera 6430695D7EC6481...

Docusign Envelope ID: D7F26965-205E-828D-81AD-301416D8A751

AGREEMENT FOR SERVICES
(For contracts over $5,000 - CONSULTANT)

This AGREEMENT made this 3rd day of August, 2026, between:

CITY: City of Gilroy, having a principal place of business at 7351 Rosanna Street, Gilroy, California

and CONSULTANT: Gilroy Visitors Bureau, dba Gilroy Welcome Center, having a principal place of business at 8155-6 Arroyo Circle, Gilroy, CA 95020.

ARTICLE 1. TERM OF AGREEMENT

This Agreement will become effective on January 1, 2028, and will continue in effect through December 31, 2037, unless terminated in accordance with the provisions of **Article 7** of this Agreement.

Any lapse in insurance coverage as required by Article 5, Section D of this Agreement shall terminate this Agreement regardless of any other provision stated herein.

Initial
FJ
Initial

ARTICLE 2. INDEPENDENT CONTRACTOR STATUS

It is the express intention of the parties that CONSULTANT is an independent contractor and not an employee, agent, joint venturer or partner of CITY. Nothing in this Agreement shall be interpreted or construed as creating or establishing the relationship of employer and employee between CITY and CONSULTANT or any employee or agent of CONSULTANT. Both parties acknowledge that CONSULTANT is not an employee for state or federal tax purposes. CONSULTANT shall not be entitled to any of the rights or benefits afforded to CITY'S employees, including, without limitation, disability or unemployment insurance, workers' compensation, medical insurance, sick leave, retirement benefits or any other employment benefits. CONSULTANT shall retain the right to perform services for others during the term of this Agreement.

ARTICLE 3. SERVICES TO BE PERFORMED BY CONSULTANT

A. Specific Services

CONSULTANT agrees to: Perform the services as outlined in **Exhibit "A"** ("Specific Provisions") and **Exhibit "B"** ("Scope of Services"), within the time periods described in **Exhibit "C"** ("Milestone Schedule").

B. Method of Performing Services

CONSULTANT shall determine the method, details and means of performing the above-described services. CITY shall have no right to, and shall not, control the manner or determine the method of accomplishing CONSULTANT'S services.

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C. Employment of Assistants

CONSULTANT may, at the CONSULTANT'S own expense, employ such assistants as CONSULTANT deems necessary to perform the services required of CONSULTANT by this Agreement, subject to the prohibition against assignment and subcontracting contained in **Article 5** below. CITY may not control, direct, or supervise CONSULTANT'S assistants in the performance of those services. CONSULTANT assumes full and sole responsibility for the payment of all compensation and expenses of these assistants and for all state and federal income tax, unemployment insurance, Social Security, disability insurance and other applicable withholding.

D. Place of Work

CONSULTANT shall perform the services required by this Agreement at any place or location and at such times as CONSULTANT shall determine is necessary to properly and timely perform CONSULTANT'S services.

ARTICLE 4. COMPENSATION

A. Consideration

In consideration for the services to be performed by CONSULTANT, CITY agrees to pay CONSULTANT the amounts set forth in **Exhibit "D"** ("Payment Schedule"). In no event however shall the total compensation paid to CONSULTANT exceed the Gilroy Tourism Business Improvement District (GTBID) assessment funds collected within thirty days of colleciton during the Term of this Agreement, less a two percent (2%) City administrative fee as authorized in the GTBID Management District Plan.

B. Invoices

CONSULTANT shall submit invoices for all services rendered.

C. Payment

Payment shall be due according to the payment schedule set forth in **Exhibit "D"**. No payment will be made unless CONSULTANT has first provided City with a written receipt of invoice describing the work performed and any approved direct expenses (as provided for in **Exhibit "A"**, **Section IV**) incurred during the preceding period. If CITY objects to all or any portion of any invoice, CITY shall notify CONSULTANT of the objection within thirty (30) days from receipt of the invoice, give reasons for the objection, and pay that portion of the invoice not in dispute. It shall not constitute a default or breach of this Agreement for CITY not to pay any invoiced amounts to which it has objected until the objection has been resolved by mutual agreement of the parties.

D. Expenses

CONSULTANT shall be responsible for all costs and expenses incident to the performance of services for CITY, including but not limited to, all costs of equipment used or provided by

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CONSULTANT, all fees, fines, licenses, bonds or taxes required of or imposed against CONSULTANT and all other of CONSULTANT'S costs of doing business. CITY shall not be responsible for any expenses incurred by CONSULTANT in performing services for CITY, except for those expenses constituting "direct expenses" referenced on **Exhibit "A."**

ARTICLE 5. OBLIGATIONS OF CONSULTANT

A. Tools and Instrumentalities

CONSULTANT shall supply all tools and instrumentalities required to perform the services under this Agreement at its sole cost and expense. CONSULTANT is not required to purchase or rent any tools, equipment or services from CITY.

B. Workers' Compensation

CONSULTANT agrees to provide workers' compensation insurance for CONSULTANT'S employees and agents and agrees to hold harmless, defend with counsel acceptable to CITY and indemnify CITY, its officers, representatives, agents and employees from and against any and all claims, suits, damages, costs, fees, demands, causes of action, losses, liabilities and expenses, including without limitation reasonable attorneys' fees, arising out of any injury, disability, or death of any of CONSULTANT'S employees.

C. Indemnification of Liability, Duty to Defend

1. As to professional liability, to the fullest extent permitted by law, CONSULTANT shall defend, through counsel approved by CITY (which approval shall not be unreasonably withheld), indemnify and hold harmless CITY, its officers, representatives, agents and employees against any and all suits, damages, costs, fees, claims, demands, causes of action, losses, liabilities and expenses, including without limitation attorneys' fees, to the extent arising or resulting directly or indirectly from any willful or negligent acts, errors or omissions of CONSULTANT or CONSULTANT'S assistants, employees or agents, including all claims relating to the injury or death of any person or damage to any property.

2. As to other liability, to the fullest extent permitted by law, CONSULTANT shall defend, through counsel approved by CITY (which approval shall not be unreasonably withheld), indemnify and hold harmless CITY, its officers, representatives, agents and employees against any and all suits, damages, costs, fees, claims, demands, causes of action, losses, liabilities and expenses, including without limitation attorneys' fees, arising or resulting directly or indirectly from any act or omission of CONSULTANT or CONSULTANT'S assistants, employees or agents, including all claims relating to the injury or death of any person or damage to any property.

D. Insurance

In addition to any other obligations under this Agreement, CONSULTANT shall, at no cost to CITY, obtain and maintain throughout the term of this Agreement: (a) Commercial Liability Insurance on a per occurrence basis, including coverage for owned and non-owned automobiles,

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with a minimum combined single limit coverage of $1,000,000 per occurrence for all damages due to bodily injury, sickness or disease, or death to any person, and damage to property, including the loss of use thereof; and (b) Professional Liability Insurance (Errors & Omissions) with a minimum coverage of $1,000,000 per occurrence or claim, and $2,000,000 aggregate; provided however, Professional Liability Insurance written on a claims made basis must comply with the requirements set forth below. Professional Liability Insurance written on a claims made basis (including without limitation the initial policy obtained and all subsequent policies purchased as renewals or replacements) must show the retroactive date, and the retroactive date must be before the earlier of the effective date of the contract or the beginning of the contract work. Claims made Professional Liability Insurance must be maintained, and written evidence of insurance must be provided, for at least five (5) years after the completion of the contract work. If claims made coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the earlier of the effective date of the contract or the beginning of the contract work, CONSULTANT must purchase so called "extended reporting" or "tail" coverage for a minimum of five (5) years after completion of work, which must also show a retroactive date that is before the earlier of the effective date of the contract or the beginning of the contract work. As a condition precedent to CITY'S obligations under this Agreement, CONSULTANT shall furnish written evidence of such coverage (naming CITY, its officers and employees as additional insureds on the Comprehensive Liability insurance policy referred to in (a) immediately above via a specific endorsement) and requiring thirty (30) days written notice of policy lapse or cancellation, or of a material change in policy terms.

E. Assignment

Notwithstanding any other provision of this Agreement, neither this Agreement nor any duties or obligations of CONSULTANT under this Agreement may be assigned or subcontracted by CONSULTANT without the prior written consent of CITY, which CITY may withhold in its sole and absolute discretion.

F. State and Federal Taxes

As CONSULTANT is not CITY'S employee, CONSULTANT shall be responsible for paying all required state and federal taxes. Without limiting the foregoing, CONSULTANT acknowledges and agrees that:

- CITY will not withhold FICA (Social Security) from CONSULTANT'S payments;
- CITY will not make state or federal unemployment insurance contributions on CONSULTANT'S behalf;
- CITY will not withhold state or federal income tax from payment to CONSULTANT;
- CITY will not make disability insurance contributions on behalf of CONSULTANT;

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- CITY will not obtain workers' compensation insurance on behalf of CONSULTANT.

ARTICLE 6. OBLIGATIONS OF CITY

A. Cooperation of City

CITY agrees to respond to all reasonable requests of CONSULTANT and provide access, at reasonable times following receipt by CITY of reasonable notice, to all documents reasonably necessary to the performance of CONSULTANT'S duties under this Agreement.

B. Assignment

CITY may assign this Agreement or any duties or obligations thereunder to a successor governmental entity without the consent of CONSULTANT. Such assignment shall not release CONSULTANT from any of CONSULTANT'S duties or obligations under this Agreement.

ARTICLE 7. TERMINATION OF AGREEMENT

A. Sale of Consultant's Business/ Death of Consultant.

CONSULTANT shall notify CITY of the proposed sale of CONSULTANT's business no later than thirty (30) days prior to any such sale. CITY shall have the option of terminating this Agreement within thirty (30) days after receiving such notice of sale. Any such CITY termination pursuant to this **Article 7.A** shall be in writing and sent to the address for notices to CONSULTANT set forth in **Exhibit A, Subsection V.H.**, no later than thirty (30) days after CITY' receipt of such notice of sale.

If CONSULTANT is an individual, this Agreement shall be deemed automatically terminated upon death of CONSULTANT.

B. Termination by City for Default of Consultant

Should CONSULTANT default in the performance of this Agreement or materially breach any of its provisions, CITY, at CITY'S option, may terminate this Agreement by giving written notification to CONSULTANT. For the purposes of this section, material breach of this Agreement shall include, but not be limited to the following:

1. CONSULTANT'S failure to professionally and/or timely perform any of the services contemplated by this Agreement.

2. CONSULTANT'S breach of any of its representations, warranties or covenants contained in this Agreement.

CONSULTANT shall be entitled to payment only for work completed in accordance with the terms of this Agreement through the date of the termination notice, as reasonably determined by CITY, provided that such payment shall not exceed the amounts set forth in this Agreement for the tasks described on Exhibit C" which have been fully, competently and timely rendered by

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CONSULTANT. Notwithstanding the foregoing, if CITY terminates this Agreement due to CONSULTANT'S default in the performance of this Agreement or material breach by CONSULTANT of any of its provisions, then in addition to any other rights and remedies CITY may have, CONSULTANT shall reimburse CITY, within ten (10) days after demand, for any and all costs and expenses incurred by CITY in order to complete the tasks constituting the scope of work as described in this Agreement, to the extent such costs and expenses exceed the amounts CITY would have been obligated to pay CONSULTANT for the performance of that task pursuant to this Agreement.

C. Termination for Failure to Make Agreed-Upon Payments

Should CITY fail to pay CONSULTANT all or any part of the compensation set forth in Article 4 of this Agreement on the date due, then if and only if such nonpayment constitutes a default under this Agreement, CONSULTANT, at the CONSULTANT'S option, may terminate this Agreement if such default is not remedied by CITY within thirty (30) days after demand for such payment is given by CONSULTANT to CITY.

D. Transition after Termination

Upon termination, CONSULTANT shall immediately stop work, unless cessation could potentially cause any damage or harm to person or property, in which case CONSULTANT shall cease such work as soon as it is safe to do so. CONSULTANT shall incur no further expenses in connection with this Agreement. CONSULTANT shall promptly deliver to CITY all work done toward completion of the services required hereunder, and shall act in such a manner as to facilitate any the assumption of CONSULTANT's duties by any new consultant hired by the CITY to complete such services.

ARTICLE 8. GENERAL PROVISIONS

A. Amendment & Modification

No amendments, modifications, alterations or changes to the terms of this Agreement shall be effective unless and until made in a writing signed by both parties hereto.

B. Americans with Disabilities Act of 1990

Throughout the term of this Agreement, the CONSULTANT shall comply fully with all applicable provisions of the Americans with Disabilities Act of 1990 ("the Act") in its current form and as it may be amended from time to time. CONSULTANT shall also require such compliance of all subcontractors performing work under this Agreement, subject to the prohibition against assignment and subcontracting contained in Article 5 above. The CONSULTANT shall defend with counsel acceptable to CITY, indemnify and hold harmless the CITY OF GILROY, its officers, employees, agents and representatives from and against all suits, claims, demands, damages, costs, causes of action, losses, liabilities, expenses and fees, including without limitation reasonable attorneys' fees, that may arise out of any violations of the Act by the CONSULTANT, its subcontractors, or the officers, employees, agents or representatives of either.

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C. Attorneys' Fees

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorneys' fees, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which that party may be entitled.

D. Captions

The captions and headings of the various sections, paragraphs and subparagraphs of the Agreement are for convenience only and shall not be considered nor referred to for resolving questions of interpretation.

E. Compliance with Laws

The CONSULTANT shall keep itself informed of all State and National laws and all municipal ordinances and regulations of the CITY which in any manner affect those engaged or employed in the work, or the materials used in the work, or which in any way affect the conduct of the work, and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. Without limiting the foregoing, CONSULTANT agrees to observe the provisions of the Municipal Code of the CITY OF GILROY, obligating every contractor or subcontractor under a contract or subcontract to the CITY OF GILROY for public works or for goods or services to refrain from discriminatory employment or subcontracting practices on the basis of the race, color, sex, religious creed, national origin, ancestry of any employee, applicant for employment, or any potential subcontractor.

F. Conflict of Interest

CONSULTANT certifies that to the best of its knowledge, no CITY employee or office of any public agency interested in this Agreement has any pecuniary interest in the business of CONSULTANT and that no person associated with CONSULTANT has any interest that would constitute a conflict of interest in any manner or degree as to the execution or performance of this Agreement.

G. Entire Agreement

This Agreement supersedes any and all prior agreements, whether oral or written, between the parties hereto with respect to the rendering of services by CONSULTANT for CITY and contains all the covenants and agreements between the parties with respect to the rendering of such services in any manner whatsoever. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding.

No other agreements or conversation with any officer, agent or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Such other agreements or conversations shall be considered as unofficial information and in no way binding upon CITY.

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H. Governing Law and Venue

This Agreement shall be governed by and construed in accordance with the laws of the State of California without regard to the conflict of laws provisions of any jurisdiction. The exclusive jurisdiction and venue with respect to any and all disputes arising hereunder shall be in state and federal courts located in Santa Clara County, California.

I. Notices

Any notice to be given hereunder by either party to the other may be effected either by personal delivery in writing or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing in **Exhibit "A"**, **Section V.H.** but each party may change the address by written notice in accordance with this paragraph. Notices delivered personally will be deemed delivered as of actual receipt; mailed notices will be deemed delivered as of three (3) days after mailing.

J. Partial Invalidity

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

K. Time of the Essence

All dates and times referred to in this Agreement are of the essence.

L. Waiver

CONSULTANT agrees that waiver by CITY of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement.

Executed at Gilroy, California, on the date and year first above written.

CONSULTANT:

GILROY VISITORS BUREAU dba
GILROY WELCOME CENTER

Signed by:
By: Frank Johnson
340584B9E37E4B4...
Name: Frank Johnson
Title: Executive Director

Social Security or Taxpayer
Identification Number 77-0553294

CITY:

CITY OF GILROY

Signed by:
By: Matt Morley
22176E633E034D6...
Name: Matt Morley
Title: City Administrator

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Approved as to Form

Signed by:
Andy Faber
1979C9EB5B68470...

City Attorney

ATTEST:

Signed by:
Kim Mancera
6430695D7EC6481...

City Clerk

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EXHIBIT "A"

SPECIFIC PROVISIONS

I. PROJECT MANAGER

CONSULTANT shall provide the services indicated on the attached **Exhibit "B"**, Scope of Services ("Services"). (All exhibits referenced are incorporated herein by reference.) To accomplish that end, CONSULTANT agrees to assign Frank Johnson, Gilroy Welcome Center Executive Director, who will act in the capacity of Project Manager, and who will personally direct such Services.

Except as may be specified elsewhere in this Agreement, CONSULTANT shall furnish all technical and professional services including labor, material, equipment, transportation, supervision and expertise to perform all operations necessary and required to complete the Services in accordance with the terms of this Agreement.

II. NOTICE TO PROCEED/COMPLETION OF SERVICE

A. NOTICE TO PROCEED

CONSULTANT shall commence the Services upon delivery to CONSULTANT of a written "Notice to Proceed", which Notice to Proceed shall be in the form of a written communication from designated City contact person(s). Notice to Proceed may be in the form of e-mail, fax or letter authorizing commencement of the Services. For purposes of this Agreement, the Economic Development Director and Manager shall be the designated City contact person(s). Notice to Proceed shall be deemed to have been delivered upon actual receipt by CONSULTANT or if otherwise delivered as provided in the **Section V.H.** ("Notices") of this **Exhibit "A"**.

B. COMPLETION OF SERVICES

When CITY determines that CONSULTANT has completed all of the Services in accordance with the terms of this Agreement, CITY shall give CONSULTANT written Notice of Final Acceptance, and CONSULTANT shall not incur any further costs hereunder. CONSULTANT may request this determination of completion when, in its opinion, it has completed all of the Services as required by the terms of this Agreement and, if so requested, CITY shall make this determination within two (2) weeks of such request, or if CITY determines that CONSULTANT has not completed all of such Services as required by this Agreement, CITY shall so inform CONSULTANT within this two (2) week period.

III. PROGRESS SCHEDULE

The schedule for performance and completion of the Services will be as set forth in the attached **Exhibit "C"**.

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IV. PAYMENT OF FEES AND DIRECT EXPENSES

Payments shall be made to CONSULTANT as provided for in **Article 4** of this Agreement.

Direct expenses are charges and fees not included in **Exhibit "B"**. CITY shall be obligated to pay only for those direct expenses which have been previously approved in writing by CITY. CONSULTANT shall obtain written approval from CITY prior to incurring or billing of direct expenses.

Copies of pertinent financial records, including invoices, will be included with the submission of billing(s) for all direct expenses.

V. OTHER PROVISIONS

A. STANDARD OF WORKMANSHIP

CONSULTANT represents and warrants that it has the qualifications, skills and licenses necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and CITY expressly relies upon CONSULTANT'S representations and warranties regarding its skills, qualifications and licenses. CONSULTANT shall perform such Services and duties in conformance to and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California.

Any plans, designs, specifications, estimates, calculations, reports and other documents furnished under this Agreement shall be of a quality acceptable to CITY. The minimum criteria for acceptance shall be a product of neat appearance, well-organized, technically and grammatically correct, checked and having the maker and checker identified. The minimum standard of appearance, organization and content of the drawings shall be that used by CITY for similar purposes.

B. RESPONSIBILITY OF CONSULTANT

CONSULTANT shall be responsible for the professional quality, technical accuracy, and the coordination of the Services furnished by it under this Agreement. CONSULTANT shall not be responsible for the accuracy of any project or technical information provided by the CITY. The CITY'S review, acceptance or payment for any of the Services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and CONSULTANT shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONSULTANT'S negligent performance of any of the services furnished under this Agreement.

C. RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT

CITY, through its authorized employees, representatives or agents, shall have the right, at any and all reasonable times, to audit the books and records (including, but not limited to, invoices, vouchers, canceled checks, time cards, etc.) of CONSULTANT for the purpose of verifying any and all charges made by CONSULTANT in connection with this Agreement. CONSULTANT shall maintain for a minimum period of three (3) years (from the date of final payment to

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CONSULTANT), or for any longer period required by law, sufficient books and records in accordance with standard California accounting practices to establish the correctness of all charges submitted to CITY by CONSULTANT, all of which shall be made available to CITY at the CITY's offices within five (5) business days after CITY's request.

D. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data (including, but not limited to, computer data and source code), drawings, descriptions, documents, discussions or other information developed or received by or for CONSULTANT and all other written and oral information developed or received by or for CONSULTANT and all other written and oral information submitted to CONSULTANT in connection with the performance of this Agreement shall be held confidential by CONSULTANT and shall not, without the prior written consent of CITY, be used for any purposes other than the performance of the Services, nor be disclosed to an entity not connected with the performance of the such Services. Nothing furnished to CONSULTANT which is otherwise known to CONSULTANT or is or becomes generally known to the related industry (other than that which becomes generally known as the result of CONSULTANT'S disclosure thereof) shall be deemed confidential. CONSULTANT shall not use CITY'S name or insignia, or distribute publicity pertaining to the services rendered under this Agreement in any magazine, trade paper, newspaper or other medium without the express written consent of CITY.

E. NO PLEDGING OF CITY'S CREDIT.

Under no circumstances shall CONSULTANT have the authority or power to pledge the credit of CITY or incur any obligation in the name of CITY.

F. OWNERSHIP OF MATERIAL.

All material including, but not limited to, computer information, data and source code, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports and other material developed, collected, prepared (or caused to be prepared) under this Agreement shall be the property of CITY, but CONSULTANT may retain and use copies thereof subject to **Section V.D** of this **Exhibit "A"**.

CITY shall not be limited in any way in its use of said material at any time for any work, whether or not associated with the City project for which the Services are performed. However, CONSULTANT shall not be responsible for, and City shall indemnify CONSULTANT from, damages resulting from the use of said material for work other than PROJECT, including, but not limited to, the release of this material to third parties for work other than on PROJECT.

G. NO THIRD PARTY BENEFICIARY.

This Agreement shall not be construed or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any claim or right of action hereunder for any cause whatsoever.

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H. NOTICES.

Notices are to be sent as follows:

CITY: Economic Development Department
City of Gilroy
7351 Rosanna Street
Gilroy, CA 95020

CONSULTANT: Gilroy Visitors Bureau / Gilroy Welcome Center
8155-6 Arroyo Circle
Gilroy, CA 95020

I. FEDERAL FUNDING REQUIREMENTS.

☐ If the box to the left of this sentence is checked, this Agreement involves federal funding and the requirements of this **Section V.I.** apply.

☒ If the box to the left of this sentence is checked, this Agreement does not involve federal funding and the requirements of this **Section V.I.** do not apply.

1. DBE Program

CONSULTANT shall comply with the requirements of Title 49, Part 26, Code of Federal Regulations (49 CFR 26) and the City-adopted Disadvantaged Business Enterprise programs.

2. Cost Principles

Federal Acquisition Regulations in Title 48, CFR 31, shall be used to determine the allowable cost for individual items.

3. Covenant against Contingent Fees

The CONSULTANT warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the CONSULTANT, to solicit or secure this Agreement, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift or any other consideration, contingent upon or resulting from the award or formation of this Agreement. For breach or violation of this warranty, the Local Agency shall have the right to annul this Agreement without liability or, at its discretion, to deduct from the agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

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EXHIBIT "B"

SCOPE OF SERVICES

On June 15, 2026, the City Council adopted Resolution No. 2026-44, hereinafter the "Resolution," renewing the Gilroy Tourism Business Improvement District, herinafter "GTBID," in accordance with the provisions of the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. Contractor was designated in the Resolution and the GTBID Management District Plan as the Owners' Association for provision of GTBID services. The Streets and Highways Code Section 36651 requires the City contract with the Owners' Association for those services.

The City reserves the right to suspend, terminate or abandon the execution of any work by Contractor upon adoption of a resolution disestablishing the GTBID pursuant to the 1994 Law. Per the 1994 Law, such a resolution may only be adopted if (1) The City Council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district and a noticed hearing on disestablishment is held, or (2) in the thirty-day period following the anniversary of the district's formation, owners paying fifty percent or more of the assessment file a written protest with the City and a hearing on diestablishment is held. In the event the City disestablishes the GTBID, Contractor shall be entitled to retain GTBID revenues only for paying the Contractor's current liabilities of the GTBID. Pursuant to the 1994 Law, Contractor shall refund to City any remaining GTBID revenues or any revenues derived from the sale of assets acquired with GTBID revenues to enable distribution of the revenues to the owners which paid the assessment. Contractor agrees that City has and reserves the right to deny the transfer of GTBID revenues and/or suspend, terminate or abandon the execution of any work by the Contractor in accordance with the agreement or misfeasance, nonfeasance, or gross malfeasance, or criminal conduct as determined by a court of competent jurisdiciton. Any retention of GTBID revenues by Contractor shall comply with the 1994 Law.

The full Scope of Services which Contractor must abide by are outlined in detail within the Coumcil approved GTBID Management District Plan, hereto attached as Attachment 1 to this Agreement.

Furthermore, Contractor shall provide the following services:

1. Preparation of the Annual Report required by the Property and Busines Improvement District Law of 1994 (the "Law"), which shall include the following and be delivered to the City at least thirty (30) days preceding the fiscal year for which assessments are to be levied and collected to pay the cost of improvements:

a. Any recommended changes to the boundaries

b. Improvements and activities to be provided for that fiscal year

c. An estimate of cost for providing the improvements and activities

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d. The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied agains his/her business for that fiscal year

e. The amount of any surplis or deficit revenues to be carried over from a previous fiscal year

f. The amount of any contributions to be made from sources other than assessments.

2. Develop and maintain financial records related to receipt and/or expenditure of all funds received from City.

3. Engage and fully cooperate with an independent auditor. Audits to be conducted every three (3) years. Contractor shall provide all documents, financial records, project data, and any other materials reasonably required to complete the audit. The audit will evaluate compliance with contract terms, performance measures, financial accuracy, and any other criteria established by the city. All costs associated with the audit shall be borne by Contractor.

Contractor may use subcontractors to provide any portion of the services identified in this Exhibit A without prior written consent of the City. Contractor shall remain fully responsible for compliance by its subcontractors with all the terms of this Agreement, regardless of the terms of any agreement between Contractor and its subcontractors.

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EXHIBIT "C"

MILESTONE SCHEDULE

Consultant shall follow all reporting, deliverables, and milestones requirements in accordance with the provisions of the Property and Business Imporvement District Law of 1994, Streets and Highways Code section 36600 et seq., as well as the GTBID Management District Plan (Attachment 1).

In addition, Consultant will adhere to the following deliverable schedule:

- Board meetings as required by the Board Bylaws

- Annual Reports as required by the Property and Busines Improvement District Law of 1994 (the "Law"), which shall include the following and be delivered to the City at least thirty (30) days preceding the fiscal year for which assessments are to be levied and collected to pay the cost of improvements:

a. Any recommended changes to the boundaries

b. Improvements and activities to be provided for that fiscal year

c. An estimate of cost for providing the improvements and activities

d. The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied agains his/her business for that fiscal year

e. The amount of any surplis or deficit revenues to be carried over from a previous fiscal year

f. The amount of any contributions to be made from sources other than assessments.

- Audits to be conducted every three (3) years. Contractor shall provide all documents, financial records, project data, and any other materials reasonably required to complete the audit. The audit will evaluate compliance with contract terms, performance measures, financial accuracy, and any other criteria established by the city. All costs associated with the audit shall be borne by Contractor. The audits will be due within the first calendar year quarter of the following years:

Audit 1: 2031

Audit 2: 2034

Audit 3: 2037

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EXHIBIT "D"

PAYMENT SCHEDULE

City shall forward to Consultant all GTBID assessment funds collected within thirty days of collection, less a two percent (2%) City administrative fee as authorized in the GTBID Managemetn District Plan.

Payment of all applicable federal, state, and local taxes shall be Consultant's sole responsibility.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 7/15/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	PINHEIRO INSURANCE AGENCY, INC. 190 First St Gilroy, CA 95020
CONTACT NAME:	Stefanie Pinheiro
PHONE (A/C, No, Ext):	(408)842-4619
FAX (A/C, No):	(408)842-3587
E-MAIL ADDRESS:	stefanie@pinheiroinsurance.com
INSURED	GILROY VISITORS BUREAU, INC, dba: VISIT GILROY Frank Johnson 8155 Arroyo Circle Ste 6 GILROY, CA 95020

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Nova Casualty Company	
INSURER B : State Fund	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. *LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. LIMITS SHOWN ARE INCLUSIVE OF AMOUNTS REQUESTED BY THE CERTIFICATE HOLDER AND MAY NOT REFLECT POLICY LIMIT AMOUNTS IN EXCESS OF THOSE REQUESTED. ***Not Applicable in WY**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR	X		CF1ML-10001096-09	7/1/2026	7/1/2027	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:						Glass covg	$ Included
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB X OCCUR						EACH OCCURRENCE	$ 1,000,000
	EXCESS LIAB CLAIMS-MADE			CF1UM-10000228-09	7/1/2026	7/1/2027	AGGREGATE	$
	DED RETENTION $							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						X PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N / A		1639492-2026	7/1/2026	7/1/2027	E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
							Business prop	30,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Location: 8155 Arroyo Circle Ste 6 Gilroy, CA 95020

Certholder is additional insured

City of Gilroy, its officers, officials and employees

CERTIFICATE HOLDER

City of Gilroy
7351 Rosanna Street
Gilroy, CA 95020

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

SOCIAL SERVICES - GENERAL LIABILITY EXTRA ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. SECTION I – COVERAGES, COVERAGE A - BODILY INJURY AND PROPERTY DAMAGE LIABILITY, Paragraph **2. Exclusions** is amended as follows:

1. EXPECTED OR INTENDED INJURY EXTENSION

Paragraph **a. Expected Or Intended Injury** is deleted and replaced by the following:

a. "Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect persons or property.

2. NON OWNED AIRCRAFT CHARTERED WITH CREW EXTENSION

Paragraph **g. Aircraft, Auto Or Watercraft** is amended to add an exception provision to the exclusion as follows:

a. This exclusion does not apply to aircraft chartered with crew to any insured.

b. This exception provision does not apply if the chartered aircraft is owned by any insured.

c. This insurance is excess over any other valid and collectible insurance available to the insured whether primary, excess, or contingent.

3. NON OWNED WATERCRAFT EXTENSION

Subparagraph **(2)** of **g. Aircraft, Auto Or Watercraft** is deleted and replaced by the following:

(2) A watercraft you do not own that is:

(a) Less than 60 feet long; and

(b) Not being used to carry persons or property for a charge;

This provision applies to any person who, with your consent, either uses or is responsible for the use of a watercraft.

This insurance is excess over any other valid and collectible insurance available to the insured for aircraft, auto or watercraft whether primary, excess, or contingent.

4. PROPERTY SOLD OR ABANDONED BY YOU

Subparagraph **(2)** of **j. Damage To Property** is deleted and replaced by the following:

(2) Premises you sell, give away or abandon, if the "property damage" arises out of any part of those premises, and occurred from hazards that were known by you or should have reasonably been known by you at the time the property was sold, given away or abandoned.

5. DAMAGE TO PREMISES RENTED TO YOU

a. The last Paragraph of **2. Exclusions** is deleted and replaced by the following:

Exclusions **c.** through **n.** do not apply to damage to premises while rented to you, or temporarily occupied by you with the permission of the owner, when the damage is caused by fire, lightning, explosion, smoke, water or leaks from automatic fire protective systems. A separate limit of insurance applies to this coverage as described in **SECTION III – LIMITS OF INSURANCE**.

b. Paragraph **6.** of **SECTION III – LIMITS OF INSURANCE** is deleted and replaced by the following:

6. Subject to Paragraph **5.** above, the Damage To Premises Rented To You Limit is the most we will pay under Coverage **A** for damages because of "property damage" to any one premises while rented to you, or temporarily occupied by you with permission of the owner, caused by fire, lightning, explosion, smoke, water or leaks from automatic fire protective systems. The Damage To Premises Rented To You limit will apply to all damage proximately caused by the same "occurrence", whether such damage results from fire, lightning, explosion, smoke, water or leaks from automatic fire protective systems, or any combination of any of these.

The Damage To Premises Rented To You Limit will be the higher of:

(1) $1,000,000; or

(2) The amount shown on the Declarations for Damage To Premises Rented To You.

6. INVITEE PROPERTY DAMAGE LEGAL LIABILITY

a. The following is added to subparagraph **(4)** of **j. Damage To Property**:

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However, this exclusion does not apply to "property damage" to your "invitee's" personal property in your care, custody or control caused by fire, lightning, explosion, smoke, water, leaks from automatic fire protective systems; or vandalism or malicious mischief:

(a) On premises you own or rent or on ways next to premises you own or rent; and

(b) Arising out of your operations.

For the purposes of this endorsement, personal property does not include any of the following:

(c) Accounts, bills, currency, food stamps or other evidences of debt; deeds, money, notes, or securities;

(d) Contraband, or property in the course of illegal transportation or trade; or

(e) Blueprints, documents, drawings, manuscripts, records or valuable papers.

b. The following is added to **SECTION III – LIMITS OF INSURANCE**:
Subject to Paragraph **5.** above, the most we will pay under Coverage **A** for the sum of all damages sustained by all "invitees" because of "property damage" to personal property of such "invitees" in your care, custody or control is $15,000.

7. Paragraph **2. Exclusions** is amended to add the following exclusion:
Willful Violation Of A Penal Code Or Statute
"Bodily injury", "incidental medical malpractice liability" or "property damage" arising out of the willful violation of a penal code, statute or regulation relating to the sale or distribution of pharmaceuticals by or with the knowledge or consent of the insured.

B. SECTION I – COVERAGES, COVERAGE B – PERSONAL AND ADVERTISING INJURY LIABILITY, Paragraph **2. Exclusions** is amended as follows:

1. Subparagraph **a. Knowing Violation Of Rights Of Another** is amended to add the following:
This exclusion does not apply to "personal and advertising injury" caused by malicious prosecution.

2. Subparagraph **e. Contractual Liability** is deleted and replaced by the following:

e. Advertising injury for which the insured has assumed liability in a contract or agreement. This exclusion does not apply to liability for damages that the insured would have in the absence of the contract or agreement.

This provision does not apply if **COVERAGE B - PERSONAL AND ADVERTISING INJURY LIABILITY** is excluded by endorsement.

C. SUPPLEMENTARY PAYMENTS – COVERAGES A AND B, Paragraph **1.** is amended as follows:

1. The limit in subparagraph **b.** is increased to $2,500.

2. The limit in subparagraph **d.** is increased to $500 a day.

D. ADDITIONAL INSUREDS

1. SECTION II - WHO IS AN INSURED is amended to include, as an additional insured, any person(s) or organization(s) for whom a written contract or written agreement between you and such person(s) or organization(s) exists and requires such person(s) or organizations(s) to be added as an additional insured to your Policy, but only for liability arising out of "bodily injury," "property damage" or "personal and advertising injury".

a. This endorsement applies only if the written contract or written agreement is:

(1) Currently in effect or becomes effective during the term of this Policy; and

(2) Executed prior to the "bodily injury", "property damage", or "personal and advertising injury".

b. The insurance afforded to such additional insured only:

(1) Applies to the extent permitted by law; and

(2) Will not be broader than that which you are required by the written contract or written agreement to provide for such additional insured.

2. The insurance provided to the additional insured by this endorsement applies as follows:

a. The person(s) or organization(s) is an additional insured but only for liability caused in whole or in part by your acts or omissions or the acts or omissions of those acting on your behalf:

(1) In connection with your premises owned by or rented to you; or

(2) In the performance of your ongoing operations.

b. If the additional insured is an architect, engineer or surveyor, this insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or failure to render any professional services including:

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(1) The preparing, approving, or failing to prepare or approve maps, drawings, opinions, reports, surveys, change orders, designs or specifications; or

(2) Supervisory, inspection or engineering services.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured if the “occurrence" which caused the "bodily injury" or "property damage" or the offense which caused the "personal and advertising injury" involved the rendering of or the failure to render any professional services by or for you.

c. If the additional insured is a lessor of equipment, this insurance only applies to liability caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such additional insured and does not apply to any “occurrence” which takes place after the equipment lease expires.

d. If the additional insured is a state or governmental agency or political subdivision and has issued a permit in connection with premises you own, rent or control, this insurance applies only with respect to the following hazards for which the state or political subdivision has issued such permit:

(1) The existence, maintenance, repair, construction, erection, or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners or decoration and similar exposures;

(2) The construction, erection or removal of elevators; or

(3) The ownership, maintenance, or use of any elevators covered by this insurance.

e. If the additional insured is a state or governmental agency or political subdivision that has issued a permit or authorization with respect to operations performed by you or on your behalf, then this insurance does not apply to:

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or

(2) "Bodily injury" or "property damage" included within the “products-completed operations hazard”.

f. If the additional insured is a manager or lessor of insured premises, that person or organization is an additional insured only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you.

This insurance does not apply to:

(1) Any "occurrence" that takes place after you cease to be a tenant in that premises; or

(2) Structural alterations, new construction or demolition operations performed by or on behalf of the manager or lessor of insured premises.

g. If the additional insured is grantor of franchise, that person(s) or organization(s) is only an additional insured with respect to liability as grantor of a franchise to you.

h. If the additional insured is an owner or other interest from whom land has been leased, that person(s) or organization(s) is only an additional insured with respect to liability arising out of the ownership, maintenance or use of that part of the land leased to you.

This insurance does not apply to:

(1) Any "occurrence" that takes place after you cease to lease that land; or

(2) Structural alterations, new construction or demolition operations performed by or on behalf of the owner or other interest from whom land has been leased.

i. If the additional insured is a mortgagee, assignee, or receiver, that person(s) or organization(s) is only an additional insured with respect to their liability as such and arising out of the ownership, maintenance or use of the premises by you.

This insurance does not apply to structural alterations, new construction or demolition operations performed by or for that mortgagee, assignee or receiver.

j. If the additional insured is a controlling interest, that person(s) or organization(s) is an additional insured but only for their liability arising out of:

(1) Their financial control of you; or

(2) Premises they own, maintain or control while you lease or occupy those premises.

(3) Their requirements for certain performance placed upon you, as a non-profit organization, in consideration for funding or financial contributions you receive from them; or

As respects Paragraph **j.(2)** above, this insurance does not apply to:

(4) Structural alterations, new construction or demolition operations performed by or on behalf of the person or organization; or

(5) Any “occurrence” which takes place after you cease to be a tenant in that premises.

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k. If the additional insured is a vendor, that person(s) or organization(s) is only an additional insured with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business, but only if this Policy provides coverage for “bodily injury” or “property damage” included within the “products-completed operations hazard”.

(1) This insurance afforded to the vendor does not apply to:

(a) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;

(b) Any express warranty unauthorized by you;

(c) Any physical or chemical change in the product made intentionally by the vendor;

(d) Repackaging, except when unpacked under the instructions of the manufacturer for the sole purpose of inspection, demonstration, testing or the substitution of parts and then repackaged in the original container;

(e) Any failure by the vendor to make inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of "your products";

(f) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of "your products";

(g) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or

(h) "Bodily injury" or "property damage” arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:

(i) The exceptions contained in subparagraphs **k.(d)** or **k.(f);** or

(ii) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of "your products".

(2) This insurance does not apply to any insured person or organization, from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

l. If the additional insured is a member or volunteer this insurance only applies with respect to their liability for your activities or activities they perform on your behalf.

m. If the additional insured is a trustee or member of the Board of Governors this insurance only applies with respect to their duties as such.

3. With respect to the insurance afforded to an additional insured as provided in Paragraphs **D.1.** and **D.2.** above, the most we will pay on behalf of the additional insured is the amount of insurance:

a. Required by the contract or agreement; or

b. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

4. With respect to the insurance afforded to an additional insured as provided in Paragraphs **D.1.** and **D.2.** above, this insurance shall not increase the applicable Limits of Insurance shown in the Declarations.

5. If an Additional Insured endorsement is attached to this Policy that specifically names a person or organization as an insured, then the above subsection **D. ADDITIONAL INSUREDS** does not apply to such person(s) or organization(s).

6. Paragraph **4. Other Insurance** of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS** is amended to include:

For the purposes of the coverage provided by this endorsement, regardless of whether other insurance is available to an additional insured on a primary basis, this insurance will be primary and noncontributory if a written contract between you and the additional insured specifically requires that this insurance be primary and noncontributory.

E. SECTION II - WHO IS AN INSURED is amended as follows**:**

1. BROADENED NAMED INSURED

Paragraph **3.** is deleted and replaced by the following**:**

3. Any business entity organized under the laws of the United States of America (including any state thereof, its territories or possessions), or Canada (including any province thereof) will qualify as a

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City of Gilroy
STAFF REPORT

Agenda Item Title:	**Adopt a Resolution Approving the West Santa Clara Landscape Resiliency Project Project-Specific Analysis and Addendum to the California Vegetation Treatment Program Environmental Impact Report, Adopting CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and Authorizing Filing of a Notice of Determination**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Administration
Submitted by:	Matt Morley, City Administrator
Prepared by:	Andrew Young, Emergency Services & Volunteer Coordinator

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt the CEQA Findings and Statement of Overriding Considerations for the West Santa Clara Landscape Resiliency Project (WSCLRP);
2. Adopt the Mitigation Monitoring and Reporting Program (MMRP) contained in Attachment A of the Project-Specific Analysis (PSA) and Addendum;
3. Approve the West Santa Clara Landscape Resiliency Project PSA and Addendum to the California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report for activities occurring within the City of Gilroy's jurisdiction;
4. Acknowledge the Saratoga Fire Protection District as the CEQA Lead Agency and the City of Gilroy as a Responsible Agency pursuant to CEQA Guidelines Section 15096; and
5. Adopt the attached Resolution and authorize filing of a Notice of Determination.

EXECUTIVE SUMMARY

The West Santa Clara Landscape Resiliency Project (WSCLRP) is a regional vegetation management and wildfire resilience initiative led by the Saratoga Fire Protection District. Because portions of the project area are located within the City of Gilroy, the City is acting as a Responsible Agency under the California Environmental Quality Act (CEQA) and must consider the Project-Specific Analysis (PSA), Mitigation Monitoring and Reporting Program, and CEQA Findings. Approval of the PSA/Addendum would allow future qualifying vegetation treatment activities within City jurisdiction to utilize the completed environmental review and mitigation framework.

BACKGROUND

Wildfire risk throughout Santa Clara County continues to increase due to prolonged drought, climate change, historic fire suppression practices, vegetation accumulation, and continued development within and adjacent to wildland areas. In response, regional agencies, landowners, and wildfire resilience partners collaborated to develop the West Santa Clara Landscape Resiliency Project.

The WSCLRP encompasses approximately 143,375 acres extending along the western portion of Santa Clara County from the Santa Clara Valley into the Santa Cruz Mountains. The project includes approximately 74,738 acres of ecological restoration treatments, 56,818 acres of Wildland-Urban Interface (WUI) fuel reduction treatments, and 11,819 acres of strategically located fuel break treatments. The project area includes both public and private lands and involves multiple participating landowners and agencies.

The City of Gilroy is identified as one of the participating public landowners whose properties are included within the project area. Inclusion of City-owned properties within the project area does not require implementation of treatments but allows future qualifying vegetation management activities to utilize the environmental review completed through the PSA/Addendum.

The California Board of Forestry and Fire Protection certified the California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report (EIR) in December 2019. The WSCLRP PSA/Addendum tiers from and supplements the CalVTP Program EIR by evaluating project-specific environmental conditions and proposed treatment activities within the project area. Saratoga Fire Protection District serves as the CEQA Lead Agency for the PSA/Addendum and the City of Gilroy would serve as a

Responsible Agency.

ANALYSIS

The Saratoga Fire Protection District, acting as the CEQA Lead Agency, prepared the West Santa Clara Landscape Resilience Project (WSCLRP) Project-Specific Analysis (PSA) and Addendum to the California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report (EIR).

The City of Gilroy's role is limited to its responsibilities as a CEQA Responsible Agency. Pursuant to CEQA Guidelines Section 15096, Responsible Agencies must independently review and consider the environmental documentation prepared by the Lead Agency before approving project activities within their jurisdiction.

The PSA/Addendum evaluates vegetation treatment activities that may occur over time based on funding availability, landowner participation, agency priorities, and wildfire risk reduction objectives. Treatment activities may include:

- Ecological restoration treatments
- Wildland-urban interface fuel reduction
- Fuel break establishment and maintenance
- Defensible space treatments
- Mechanical thinning
- Pruning and limbing
- Removal of hazardous, dead, dying, or diseased vegetation
- Biomass processing and disposal
- Ongoing maintenance treatments

The PSA/Addendum incorporates the environmental protections established under the CalVTP Program EIR, including Standard Project Requirements (SPRs), mitigation measures, and a comprehensive Mitigation Monitoring and Reporting Program (MMRP). These measures address potential impacts to:

- Biological resources
- Cultural and tribal cultural resources
- Air quality
- Water quality and hydrology
- Geology and soils
- Recreation
- Transportation
- Noise

- Public services and utilities
- Hazardous materials
- Public health and safety

The CEQA Findings prepared for the City conclude that project impacts are adequately addressed through implementation of the adopted SPRs and mitigation measures. Consistent with the findings certified by the California Board of Forestry and Fire Protection for the CalVTP Program EIR, certain environmental impacts remain significant and unavoidable. Therefore, adoption of a Statement of Overriding Considerations is required.

Significant unavoidable impacts include potential impacts to views from vegetation removal and impacts from smoke where prescribed burns are utilized. There is no specific project or method identified for Gilroy and the City Council would ultimately evaluate and approve any fuel mitigation activities within Gilroy city limits.

Implementation of projects is anticipated to:

- Reduce wildfire intensity and spread
- Increase protection of lives, property, and critical infrastructure
- Enhance firefighter access and operational effectiveness
- Improve forest and ecosystem health
- Reduce hazardous fuel accumulation
- Improve community wildfire resilience
- Strengthen regional coordination of wildfire mitigation activities

Staff has independently reviewed and considered the:

- CalVTP Program EIR
- WSCLRP PSA/Addendum
- Mitigation Monitoring and Reporting Program (MMRP)
- CEQA Findings
- Statement of Overriding Considerations

Staff finds the environmental documentation adequate to support the City's Responsible Agency approval. Accordingly, staff recommends adoption of the CEQA Findings, Statement of Overriding Considerations, and MMRP, and approval of the PSA/Addendum.

ALTERNATIVES

Alternative 1 – Approve the Recommended Action (Recommended)

Adopt the Resolution, CEQA Findings, Statement of Overriding Considerations, and MMRP and approve the PSA/Addendum for use within the City's jurisdiction.

Alternative 2 – Deny the Request

The City Council may decline to approve the PSA/Addendum. This would limit the City's ability to utilize the completed environmental review for future qualifying vegetation treatment activities and could reduce opportunities for coordinated regional wildfire resilience efforts.

FISCAL IMPACT/FUNDING SOURCE

There is no direct fiscal impact associated with this action. Approval of the PSA/Addendum does not authorize expenditures or commit City funding. Establishing CEQA coverage for future qualifying vegetation management activities may improve the City's ability to pursue future funding opportunities and regional partnerships; however, any future project implementation and associated funding requests would be subject to separate City review and approval.

PUBLIC OUTREACH

Public review and agency coordination for the PSA/Addendum were conducted by Saratoga Fire Protection District as Lead Agency in accordance with CEQA requirements.

This item was publicly noticed and included on the City Council agenda.

NEXT STEPS

Upon Council approval:

1. The Resolution will become effective immediately.
2. The City will adopt the CEQA Findings and Statement of Overriding Considerations.
3. The City will adopt the Mitigation Monitoring and Reporting Program.

4. Staff will file a Notice of Determination.
5. The City may utilize the PSA/Addendum as a Responsible Agency for future qualifying vegetation treatment activities within City jurisdiction.
6. Future treatment projects, if any, will proceed subject to applicable permits, funding, landowner participation, and implementation requirements contained within the PSA/Addendum and MMRP.

Attachments:

1. Resolution Approving the West Santa Clara Landscape Resiliency Project Project-Specific Analysis and Addendum
2. West Santa Clara Landscape Resilience Project_Project-Specific Analysis - Addendum to the CalVTP
3. Attachment A - Mitigation Monitoring and Reporting Program
4. CEQA Findings and Statement of Overriding Considerations
5. Notice of Determination

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ADOPTING CEQA FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM, APPROVING THE WEST SANTA CLARA LANDSCAPE RESILIENCY PROJECT PROJECT-SPECIFIC ANALYSIS AND ADDENDUM TO THE CALIFORNIA VEGETATION TREATMENT PROGRAM ENVIRONMENTAL IMPACT REPORT, AND AUTHORIZING FILING OF A NOTICE OF DETERMINATION

WHEREAS, the California Board of Forestry and Fire Protection certified the California Vegetation Treatment Program Environmental Impact Report ("CalVTP Program EIR") in December 2019; and

WHEREAS, the Saratoga Fire Protection District prepared the West Santa Clara Landscape Resiliency Project ("WSCLRP") Project-Specific Analysis and Addendum ("PSA/Addendum") pursuant to CEQA and the CalVTP Program EIR; and

WHEREAS, Saratoga Fire Protection District serves as the CEQA Lead Agency for the WSCLRP PSA/Addendum; and

WHEREAS, portions of the WSCLRP project area are located within the jurisdiction of the City of Gilroy; and

WHEREAS, the City of Gilroy serves as a Responsible Agency pursuant to CEQA Guidelines Section 15096; and

WHEREAS, the City Council has reviewed and considered the CalVTP Program EIR, the PSA/Addendum, the Mitigation Monitoring and Reporting Program, and the CEQA Findings and Statement of Overriding Considerations; and

WHEREAS, the City Council finds that the PSA/Addendum adequately evaluates the environmental impacts associated with the proposed activities within the City's jurisdiction and that adoption of the Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program is appropriate.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gilroy hereby:

Section 1.

Finds that the foregoing recitals are true and correct and are incorporated herein by reference.

Section 2.

Adopts the CEQA Findings and Statement of Overriding Considerations for the West Santa Clara Landscape Resiliency Project.

Section 3.

Adopts the Mitigation Monitoring and Reporting Program contained in Attachment A to the PSA/Addendum.

Section 4.

Approves the West Santa Clara Landscape Resiliency Project Project-Specific Analysis and Addendum to the California Vegetation Treatment Program Environmental Impact Report for activities occurring within the City of Gilroy's jurisdiction.

Section 5.

Authorizes and directs the appropriate City officials to file a Notice of Determination in accordance with CEQA.

Section 6.

Authorizes the City Manager or designee to take such actions as necessary to implement this Resolution.

PASSED AND ADOPTED at a Regular Meeting of the City Council this 3rd day of August 2026 by the following vote.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

_____
Greg Bozzo, Mayor

ATTEST:

_____
Kim Mancera, City Clerk

PROJECT-SPECIFIC ANALYSIS
AND ADDENDUM TO THE
CalVTP PROGRAM EIR

West Santa Clara Landscape Resiliency Project

Prepared for:

Saratoga Fire Protection District

The Santa Clara County Firesafe Council

APRIL 2026

PROJECT-SPECIFIC ANALYSIS AND ADDENDUM
TO THE CALVTP PROGRAM EIR

West Santa Clara Landscape Resiliency Project

Prepared for:

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APRIL 2026

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Attachments

A Mitigation Monitoring and Reporting Program
B Biological Resources

LIST OF ABBREVIATIONS

AB	Assembly Bill
BMP	Best Management Practices
Board	California Board of Forestry and Fire Protection
CAAQS	California ambient air quality standard
CAL FIRE	California Department of Forestry and Fire Protection
Cal-IPC	California Invasive Plant Council
Caltrans	California Department of Transportation
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDB	California Natural Diversity Database
CWHR	California Wildlife Habitat Relationships
dB	decibels
dbh	diameter at breast height
DPR	Department of Pesticide Regulation
EPA	US Environmental Protection Agency
ESA	Endangered Species Act
FUDS	formerly used defense sites
GHG	greenhouse gas
GIS	Geographic Information System
HCP	habitat conservation plan
hex-grid	hexagonal-grid
IPaC	Information for Planning and Consultation
judgement	Judgement After Appeal
LRA	Local Responsibility Area
MBARD	Monterey Bay Air Resources District
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
NAAQS	national ambient air quality standard
NAHC	Native American Heritage Commission
NAIP	National Agriculture Imagery Program
NCCP	natural community conservation plan
NOA	naturally occurring asbestos
NO_X	nitrous oxide

NWI	National Wetlands Inventory
NWIC	Northwest Information Center
PG&E	Pacific Gas & Electric
PM	particulate matter
PRC	Public Resource Code
Program EIR	Program Environmental Impact Report
PSA	project-specific analysis
ROG	reactive organic gas
RPF	Registered Professional Foresters
SCCFSC	Santa Clara County Fire Safe Council
SCCP	Santa Clara County Parks
SCVHP	Santa Clara Valley Habitat Plan
SENL	single-event noise level
SFD	Saratoga Fire Protection District
SOD	sudden oak death
SPR	standard project requirement
SRA	State Responsibility Area
TAC	toxic air contaminants
TMP	Traffic Management Plan
UCSB	University of California Santa Barbara
USFWS	United States Fish and Wildlife Service
USFWS	US Fish and Wildlife Service
USGS	US Geological Survey
VMT	vehicle miles traveled
WLPZ	Watercourse and Lake Protection Zone
writ	Peremptory Writ of Mandate
WSCLRP	West Santa Clara Landscape Resiliency Project
WUI	wildland-urban interface

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1 INTRODUCTION

1.1 PROJECT OVERVIEW

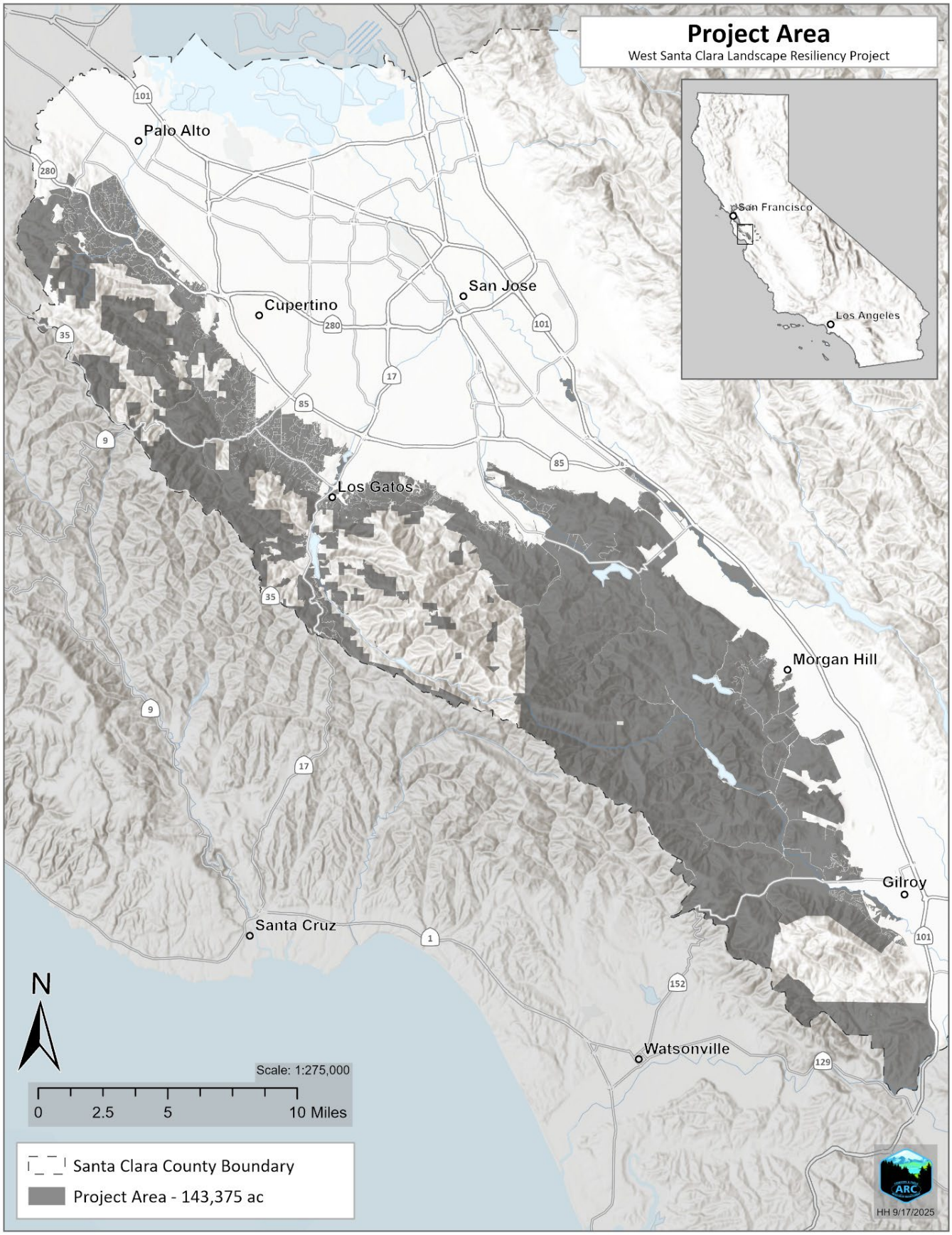
Located along the western boundary of Santa Clara County, the West Santa Clara Landscape Resiliency Project (WSCLRP) covers approximately 143,375 acres, from the wildland-urban interface (WUI) of the Santa Clara Valley and southern Bay Area west into the Santa Cruz Mountains (Map 1-1). The majority of treatment coverage in the project area would be ecological restoration treatments across approximately 74,738 acres, with significant sections of WUI fuel reduction treatments across approximately 56,818 acres, and a network of strategically planned fuel breaks occupying approximately 11,819 acres primarily along ridgetops and important ingress and egress routes throughout the project area.

The project area consists of a discontinuous collection of public and private parcels roughly bound by San Mateo County to the north, major thoroughfares that run to the east (from north to south: Foothill Expressway, State Route [SR] 85, and SR 101), the intersection of SR 101 and SR 129 to the south, and San Mateo and Santa Cruz Counties to the west, primarily along Skyline Boulevard (SR 35) and Summit Road (Map 1-1). The criteria and methodology used to delineate the project area are described under "Project Area Formulation and Mapping," below.

The project area contains an array of landscape conditions. Vegetation types within the project area include grassland and oak savanna, mixed chaparral and shrubland, hardwood forest, and mixed-conifer forest dominated by redwood (*Sequoia sempervirens*) and Douglas-fir (*Pseudotsuga menziesii*). These natural landscapes tightly border and, in most cases, intermix with dense residential communities and critical infrastructure. This dynamic is most pronounced along the eastern boundary of the project where the urban footprint of the greater San Jose metropolitan area meets the foothills of the Santa Cruz Mountains, creating a nearly continuous band, over 50 miles north to south, of WUI communities where the built environment is highly intertwined with densely vegetated and fire-prone wildlands.

These landscapes are increasingly affected by wildfire. Some factors that have led to these conditions include the elimination of cultural burning since the late 1800s, exclusion and suppression of beneficial fire over the last 100 years, a lack of vegetation management, climate change, periods of successive drought, and continued development in the WUI. These factors have resulted in increased spread of forest pathogens, overly dense forests, and high fuel loading, in turn, creating hazardous conditions that can lead to catastrophic wildfire. Compounding these effects are successional changes, such as conifer species displacing hardwoods and other fire resilient native plant species, in turn, lowering biodiversity and affecting the suitability of these habitats for rare and special-status wildlife and plants. Consequently, ecosystems have undergone major structural and compositional changes that warrant strategic treatment to redirect the effects of changing climatic and ecological conditions.

This project serves to facilitate future landscape-scale wildfire resilience treatments across a variety of settings and land ownership types (e.g., landscape-scale treatments on public land in primarily wildland conditions, small-scale treatments conducted adjacent to urban homes that combine vegetation management efforts with defensible space treatments). This work aims to mitigate wildfire risk, increasing community and ecological wildfire resiliency and enhancing biological diversity.



Source: Information developed by ARC in collaboration with SCC FSC, SFD, and project partners in 2025.

Map 1-1. WSCLRP Project Area and Vicinity

1.1.1 Project Area Formulation and Mapping

The project area, a discontinuous collection of public and private parcels, was compiled based on a strategic Geographic Information System (GIS) mapping procedure in which parcels were selected for inclusion in the project area according to characteristics that define wildfire hazard to human and natural communities. This section outlines this methodology, employing three distinct steps—initial mapping, field verification, and final mapping—to formulate the project area.

INITIAL MAPPING

The process of developing the project area began by setting a geographical boundary of Santa Clara County. Then, the project area was refined to include only lands west of US Highway 101, bound to the north by San Mateo County, west by Santa Cruz County, and south by San Benito County. Within this refined area, communication began with regional public landowners to confirm their interest in partnering on the project and identifying lands they wanted in the project area or not (see the "Landowners" section below for more information). These public parcels formed an initial extent of the project area and allowed the identification of adjoining candidate private parcels to be considered for inclusion into the project area based on continuity with public lands and overlap with the Wildfire Risk to Structures dataset created by Tukman Geospatial.[1] The Wildfire Risk to Structures data set considers a series of factors to determine relative fire risk on a scale from lowest to highest in a continuous hexagonal-grid (hex-grid) pattern across the landscape. Parcels that overlapped with Wildfire Risk to Structures hex-grids of moderate to highest risk were selected. These parcels were mapped as WUI treatment type, and all nonoverlapping parcels were identified as the ecological restoration treatment type. The collection of public and private parcels shown in Map 1-2 was the baseline for initial treatment type mapping, field verification, and final mapping. Professional judgment was used to further refine treatment type identification based on conditions illuminated by aerial imagery, building footprint, vegetation, topography, and other available public datasets.

FIELD VERIFICATION

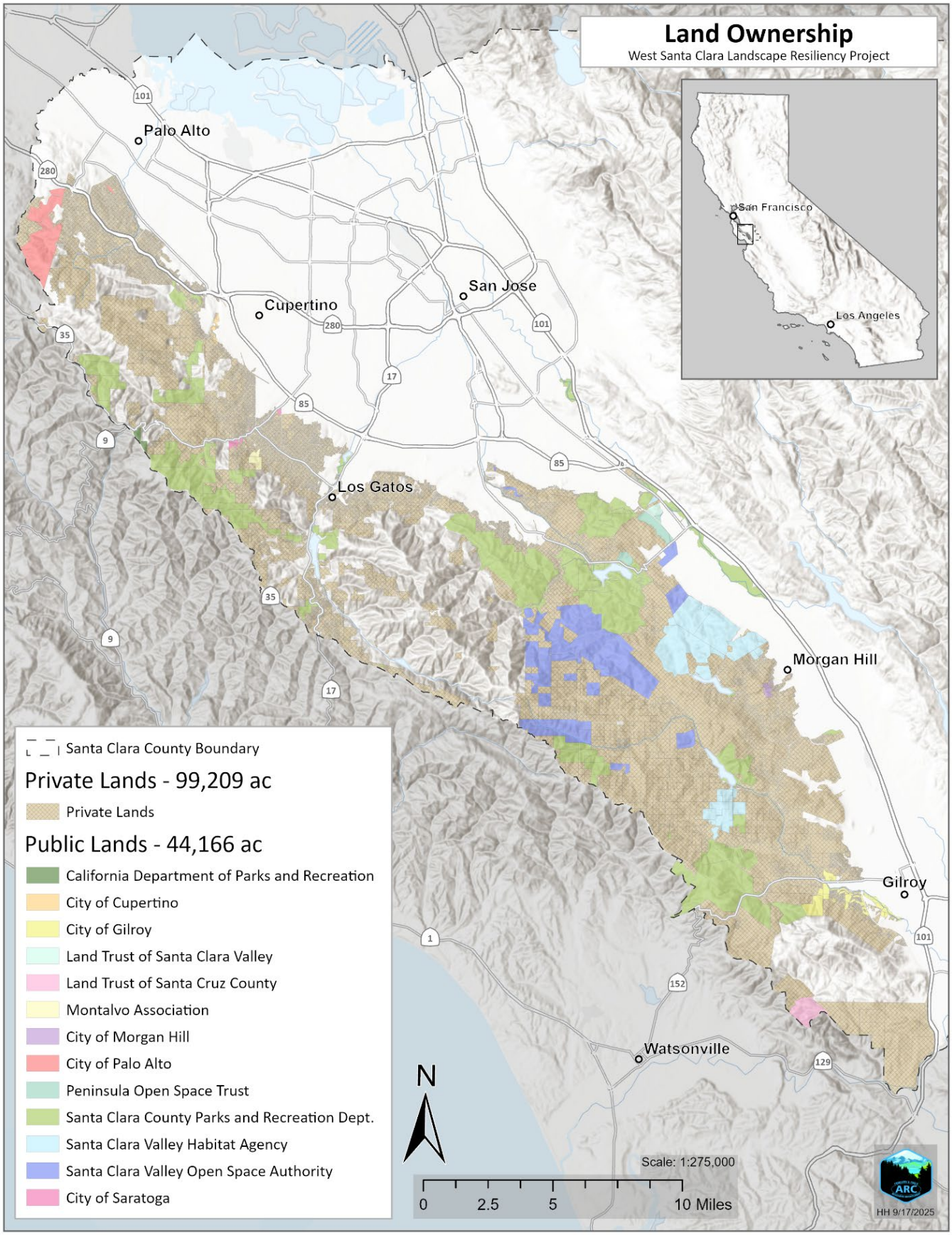
Following this procedure, landscape conditions were field verified across the initial mapped project area. After field observations, the project area was extended into the adjacent WUI and residential areas along the eastern project boundary, and the project description was expanded to include defensible space treatments due to the proximity, intermix, and high degree of connectivity with wildland vegetation and hazardous fuel conditions in relative proximity to residential areas. This decision was made, in part, with the context of the 2025 Palisades and Eaton Fires in mind, particularly the manner in which extreme weather spread fire downslope and across densely developed residential areas to an unprecedented degree.

FINAL MAPPING

To determine the extent of the project area into the WUI communities and the developed residential margin along the eastern project boundary, three factors were considered in order of importance: (1) parcel overlap with moderate to highest Wildfire Risk to Structures hex-grids, (2) vegetation conditions determined from aerial imagery and field observations (e.g., density and continuity with infrastructure), and (3) high topographic variation. The purpose of developing these criteria was to establish a consistent method for parcel inclusion or exclusion in more developed areas. In areas where these criteria did not definitively support parcel inclusion or exclusion, California Department of Forestry and Fire Protection (CAL FIRE) WUI[2] modeling data was considered as a secondary criterion, with the recognition that the Wildfire Risk to Structures is a more detailed model driven by more current data sets.

[1] The Wildfire Risk to Structures model incorporates the following input data sets: flame length, extreme fire weather potential, ember load index, suppression difficulty, dense urban without wildland vegetation, human development proximity, transmission line proximity, distribution line proximity, historic ignitions, and structure density. More information is available at: https://tukmangeospatial.egnyte.com/dl/MuqO0RacS9.

[2] CAL FIRE's mapped WUI data (2025) is available at: https://egis.fire.ca.gov/portal/home/item.html?id=0c80c733a1f54d60acbf88f3389d4197.



Source: Information adapted by ARC in 2025.

Map 1-2. Land Ownership in the WSCLRP Project Area

Additional considerations were made in the interest of maintaining consistency across project mapping, such as using roads and city blocks to bound the project whenever possible and allowing professional judgment to supplement the three-criteria procedure in situations where conditions supported both inclusion and exclusion of individual parcels; for example, parcels within approximately one hex-grid (800 feet) of, but not overlapping, moderate to highest Wildfire Risk to Structures hex-grids were evaluated for inclusion in the project area to account for potential error introduced by the large cell size of individual hex-grids.

Fuel break treatment type was mapped on established two-track roads on prominent ridgelines or along the margin of residential developments in wildland settings and on paved roads identified as important ingress or egress routes throughout the project area. Proposed fuel breaks have been mapped to intersect with the footprint of parcels included in the project area; rights-of-way managed by the California Department of Transportation (Caltrans) and other agencies are not included in the project area.

Identification of the project area and proposed treatment types considered the Santa Clara County Community Wildfire Prevention Plan, including consultation and oversight by fire districts and fire safe councils within the project area, CAL FIRE, other experienced fire behavior specialists, and Registered Professional Foresters (RPFs). See Section 2.2, "Treatment Types," for treatment type maps (Maps 2-1, 2-2).

1.1.2 Landowners

Approximately 99,209 acres of private land are included in the project area, ranging from large parcels of forest and rangeland to residential communities. The public landowners whose lands constitute approximately 44,166 acres of the project area and have expressed interest in using this PSA/Addendum are California State Parks; Santa Clara County Parks; Santa Clara Valley Habitat Agency; Santa Clara Valley Open Space Authority; Peninsula Open Space Trust; the Cities of Palo Alto, Cupertino, Saratoga, Morgan Hill, and Gilroy; and the Land Trusts of Santa Clara County and Santa Cruz County. Parcels included in the project area were evaluated for feasibility of vegetation management treatments; therefore, only select lands owned by these public landowners are included, as described above in the "Project Area Formulation and Mapping" section. See Map 1-2 for land ownership and lands included in the project area. The large gaps across much of the northern half of the project area are primarily composed of the major land holdings of Midpeninsula Open Space District and San Jose Water Company, whose lands have existing California Environmental Quality Act (CEQA) coverage for vegetation treatment. The large gap in the project area southwest of Gilroy is a collection of private lands that also have existing CEQA coverage.

Inclusion of a parcel in the project area does not allow access to implement treatments or for other purposes without the permission of that landowner. Landowners included in the project area may opt into using this PSA/Addendum for CEQA coverage of vegetation management activities if they choose. This PSA/Addendum does not supersede any existing permits or agreements that already exist, so treatment activities may occur under this PSA/Addendum simultaneously and on the same land as implementation of other plans and permits, such as timber harvest plans or CEQA exemptions.

Additionally, the inclusion of one parcel and not an adjacent parcel along the eastern boundary of the project area does not indicate that vegetation should not be managed on that parcel or around that structure; wildfire prevention should be considered for all urban areas in the region.

1.2 PHASED IMPLEMENTATION

Upon approval, the WSCLRP PSA/Addendum will provide CEQA compliance coverage for vegetation management across 143,375 acres of Santa Clara County in the Santa Cruz Mountains, enabling long-term flexibility for Saratoga Fire Protection District, Santa Clara County Fire Safe Council, and other regional partners and collaborators to plan and implement wildfire resilience treatments across the project area. These treatments would not all happen at once but would be phased and maintained over time based on availability of funding, resources, community outreach opportunities, and partner collaboration.

To support informed decision-making on the location of wildfire resilience treatments under the WSCLRP, a parallel effort will be implemented to strategically prioritize treatment areas for implementation. This effort is referred to as LLPRT (Landscape Level Prioritized Resilience Treatments), which identifies strategically prioritized resilience treatment areas based on an array of planning documents (e.g., unit fire plans, community wildfire protection plans), spatial data, and professional expertise that considers how fire moves across the landscape including, but not limited to, topography, prevailing wind, Wildfire Risk to Structures, fire history, access, costs, protecting and conserving sensitive resources, vegetation type and density, and treatment maintenance. Essentially, LLPRT incorporates landscape-scale GIS data, sophisticated wildfire modeling results, local environmental conditions, and professional expertise to determine wildfire hazard and assign priority for treatments to inform treatment phasing for implementation of the WSCLRP.

Partners or collaborators can view data sets on the LLPRT web map platform to identify prioritized treatment areas, download this information, and plan treatments for implementation.

1.3 DOCUMENT PURPOSE

The California Board of Forestry and Fire Protection (Board) certified the Program Environmental Impact Report (Program EIR) for the CalVTP in December 2019. The Program EIR evaluates the potential environmental effects of implementing vegetation treatments throughout the State Responsibility Area (SRA) and selected portions of the Local Responsibility Area (LRA) in California.

This document serves as a project-specific analysis (PSA) to evaluate whether the proposed treatments would be within the scope of the CalVTP Program EIR. The treatment types and treatment activities are consistent with the CalVTP. If a proposed vegetation treatment project is covered by the evaluation of environmental effects in the Program EIR, it may be approved using a finding that the project is within the scope of the Program EIR for its CEQA compliance, consistent with State CEQA Guidelines Section 15168(c)(2).

An addendum to an EIR is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in new or substantially more severe significant environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168. In this case, there are no changed circumstances, but the proposed revisions or changes in the project, compared to the Program EIR, are the inclusion of areas outside the CalVTP treatable landscape and proposed revisions to certain standard project requirements; therefore, this document is both a PSA and an addendum to the CalVTP Program EIR for review and analysis of the proposed project under CEQA. The PSA checklist includes the criteria to support an addendum to the CalVTP Program EIR for these proposed revisions or changes in the project, compared to the Program EIR. The checklist evaluates each resource in terms of whether the later treatment project, including the "changed condition" of additional geographic area, would result in significant impacts that would be substantially more severe than those covered in the Program EIR or would result in any new impacts that were not covered in the Program EIR.

It is improbable that every acre within the 143,375-acre project area would be treated. The purpose of a more expansive project area is to provide CEQA coverage across key strategic areas, which span public and private landowners, in upcoming planning efforts, such as updated unit fire plans, community wildfire prevention plans, or other strategic planning efforts. With landscape-scale CEQA coverage, the Saratoga Fire Protection District and other entities operating in the project area can facilitate collaborations across landowners on regional treatment priorities to increase the health and safety of the landscape and the communities encompassed in the project area. This PSA does not put any restrictions on landowners from obtaining other permits or conducting other projects or work on their land that do not trigger CEQA compliance. Rather, the PSA would be available for public agencies to use when CEQA compliance is required for a project on public or private land.

Vegetation management requires compliance with CEQA if it involves a discretionary approval by a public agency. Prescribed fire, defensible space clearance, and fuel break treatments may be exempted from CEQA pursuant to Section 21080.49 of the Public Resources Code (PRC), which provides a statutory exemption to CEQA for wildfire risk reduction projects that meet certain requirements (e.g., treatments do not exceed 50 acres in size, fuel breaks extend up to 200 feet from structures, tree removal of less than 12 inches diameter at breast height [dbh]). Alternatively, vegetation management treatments may qualify for a categorical exemption from CEQA pursuant to State CEQA

Guidelines Section 15301 ("Class 1, Existing Facilities"), which includes maintenance of existing landscaping and native growth, or Section 15304 ("Class 4, Minor Alterations to Land"), which includes fuel management activities within 30 to 100 feet of a structure provided certain qualifications are met. Other categorical and statutory CEQA exemptions may also be relevant (e.g., State CEQA Guidelines Section 15269). Project proponents may design a vegetation management treatment within the boundaries of the WSCLRP area and seek CEQA coverage through the PSA or an exemption depending on schedule and treatment objectives.

Also, given the landscape-scale of the project and limited spatial resolution of publicly accessible land ownership boundaries, the potential exists that during pretreatment field layout, the RPF or qualified forestry professional may determine that treatment area boundaries need to shift slightly from the project area identified in this PSA/Addendum to meet treatment objectives and reflect on-the-ground conditions. The RPF or qualified professional would determine whether all resources in the area outside the project boundary were considered in the PSA/Addendum or are substantially the same as those considered in the PSA/Addendum, including that the cultural records search encompassed any expanded area. If resources are present that were not considered in the PSA/Addendum, additional CEQA documentation (e.g., revised PSA) must be prepared to document whether a new significant impact or substantial increase in the severity of an identified significant impact would occur from treatments in the area outside the project boundary. All relevant standard project requirements (SPRs) and mitigation measures (MMs) would be applied throughout the entire treatment area.

Implementation of treatments in chaparral and coastal sage scrub under this PSA/Addendum will conform to the requirements of the Judgment After Appeal (judgment) and Peremptory Writ of Mandate (writ) issued by the San Diego Superior Court in *California Chaparral Institute et al. v. Board of Forestry and Fire Protection*. The requirements are presented in SPR CHAP/CSS-1. See the "Chaparral and Coastal Sage Scrub," section under "Impact BIO-3 in Section 4.5, "Biological Resources," for additional information.

1.3.1 Roles Under CEQA

For the purposes of the CalVTP Program EIR and this PSA/Addendum, a project proponent is any public agency that provides funding for vegetation treatment or has land ownership, land management, or other regulatory responsibility in the treatable landscape and is seeking to fund, authorize, or implement vegetation treatments consistent with the CalVTP. This document is being prepared for the Saratoga Fire Protection District (SFD), in its role as CEQA lead agency, to comply with CEQA for the implementation of vegetation treatments that require a discretionary action of SFD (e.g., implementation of treatments on the properties within its jurisdiction, administer grant funding). The PSA/Addendum would provide environmental information to SFD in its consideration of approval of funding allocations and implementation of treatments.

As the CEQA lead agency, SFD would be responsible for ensuring that implementation of MMs and SPRs related to its discretionary approval occurs in accordance with the Mitigation Monitoring and Reporting Program (MMRP) pursuant to Section 15097(a) of the State CEQA Guidelines. Please refer to the Mitigation Monitoring and Reporting Program (Attachment A) for additional explanation of roles regarding monitoring and reporting.

USE OF THE PSA/ADDENDUM BY OTHER AGENCIES

This PSA/Addendum, in conjunction with the CalVTP Program EIR, may be used for CEQA compliance by other public agencies acting in a responsible agency role when a discretionary approval is needed pertaining to covered activities in the project area, including for public funding through other sources (e.g., CAL FIRE Forest Health Grants). For example, Santa Clara County Parks (SCCP) owns lands within the project area and would implement treatments therein. Therefore, SCCP could use this PSA/Addendum as a responsible agency for CEQA compliance for treatments carried out by the agency on its lands.

A responsible agency would consider its action in light of the PSA/Addendum and confirm the action's environmental effects are covered. If so, and in conformance with State CEQA Guidelines Section 15096, the responsible agency would adopt its findings, using the SFD findings as a guide if desired, adopt the MMRP as it pertains to its project-related approval, and file a notice of determination regarding their project-related approval.

In the circumstance where another public agency seeks to use the WSCLRP PSA/Addendum for CEQA compliance and there is no related discretionary approval required of SFD, SFD would have no involvement, oversight, or other obligation in the approval, implementation, or documentation of that agency's actions. For example, the vegetation treatments on SCCP property may require discretionary approval by an agency other than SFD.

1.3.2 Proposed Project Revisions

Under this project, the proposed treatment types and treatment activities are consistent with the Program EIR. However, the project includes land outside the treatable landscape that was not analyzed in the Program EIR. SFD has deemed that certain requirements of four SPRs are operationally infeasible, would prevent achievement of project goals, or are not warranted to maintain the impact analyses conclusions in the Program EIR due to site-specific circumstances.

Revisions to the treatable landscape and four SPRs constitute a change to the CalVTP Program EIR's description of later project activities and of the analyzed treatment design and implementation. These revisions and substantial evidence that proposed changes do not result in any new or substantially more severe significant impacts on any of the resources evaluated in the Program EIR and described in this PSA/Addendum are described below.

PROJECT AREA OUTSIDE THE CalVTP TREATABLE LANDSCAPE

Among the criteria for determining if a project is within the scope of the CalVTP Program EIR is whether it is located in the CalVTP treatable landscape (i.e., the geographic extent of analysis covered in the Program EIR) (Map 1-3).[3] Although most of the WSCLRP area would be inside, portions of the project area would extend outside the treatable landscape described in the CalVTP Program EIR.

Approximately 95,061 acres of the proposed project area is within the treatable landscape, and 48,314 acres of the project area fall outside the treatable landscape. The portions that are located outside the treatable landscape range from small, discontinuous sections of wildland directly adjacent to other portions of the project area to large swaths of primarily residential communities intermixed with vegetated tracts of wildland. Treating these areas would expand the connectivity of restorative treatments in vegetative and landscape conditions that are essentially the same or substantially similar to those within the treatable landscape in the project area.

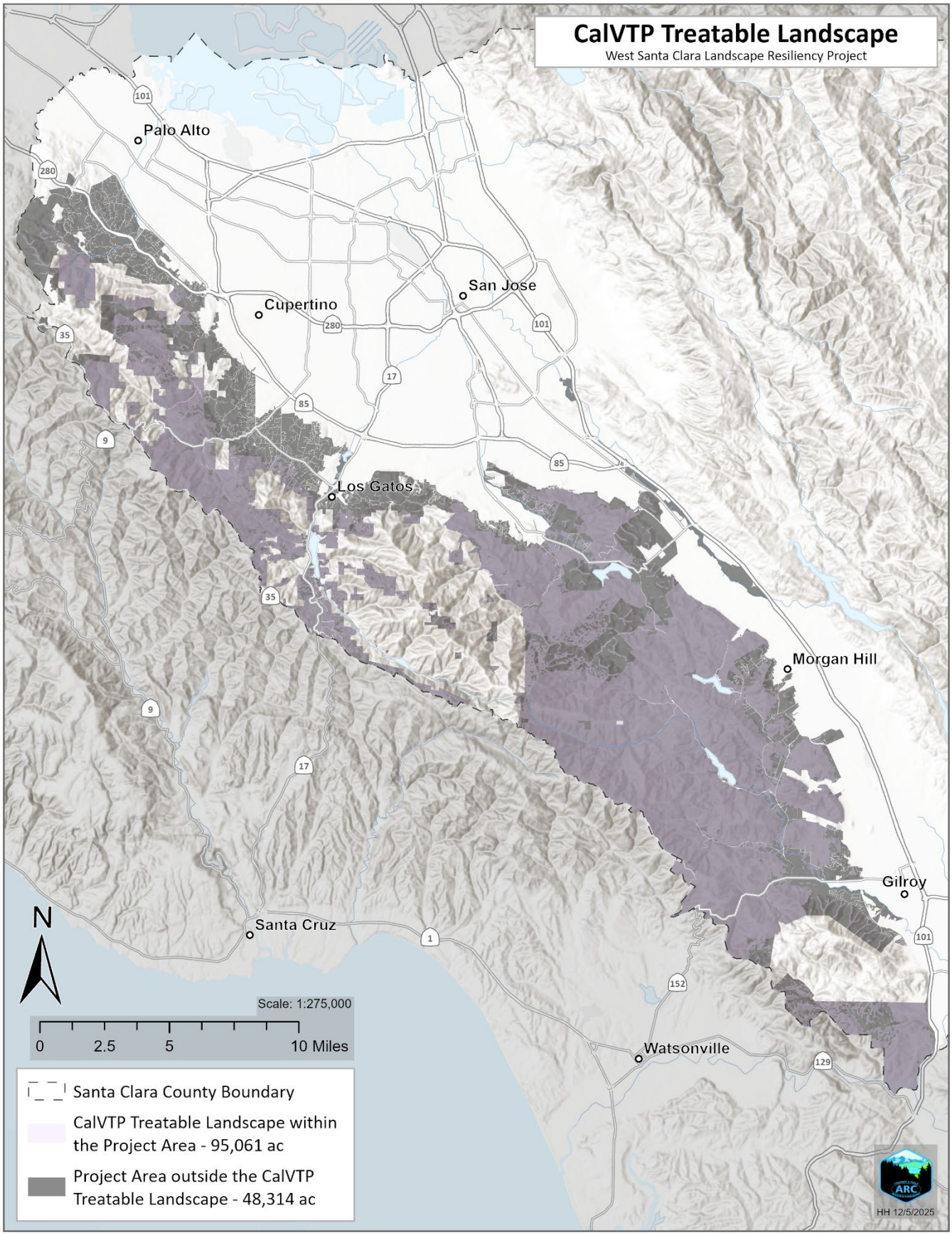
The inclusion of areas that are outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, the ecosystem and environmental conditions within and outside CalVTP treatable landscape of this project area are either essentially the same or are CEQA-exempt landscapes. Further, the proposed treatment types and treatment activities are consistent with those evaluated in the Program EIR; therefore, impacts analyzed in this PSA/Addendum would not result in any new or substantially more severe significant impacts than evaluated in the Program EIR. All resource impacts analyzed as part of this PSA/Addendum address the inclusion of land outside the treatable landscape in Chapter 4, "Project-Specific Analysis/Addendum."

PROPOSED REVISIONS TO CalVTP STANDARD PROJECT REQUIREMENTS

While the proposed treatment types and treatment activities are consistent with the CalVTP, SFD and partners consulted in development of this project description have determined that specific requirements of certain SPRs are operationally infeasible, if implemented as presented in the Program EIR; would prevent achievement of project objectives; or are not warranted to maintain the impact analyses conclusions in the Program EIR due to site-specific circumstances.

Because SPRs are part of the CalVTP program description and are incorporated into later activities as a standard part of treatment design and implementation, revisions (beyond clarifying edits) would constitute a change to the CalVTP.

[3] Per the Program EIR (CalVTP Final Program EIR Volume II Appendix PD-1), the treatable landscape was developed using desktop applications to apply buffers around geographic and topographic features and demarcate jurisdictional boundaries (e.g., SRA and LRA); the method resulted in some treatable landscape areas that are shown on maps to be pixelated and scattered and some that are inheld areas surrounded by treatable landscape. If the areas of the proposed project outside the CalVTP treatable landscape have essentially the same, or substantially similar, landscape conditions as the treatable landscape, the environmental analysis of the Program EIR would be applicable.



Source: Information from CAL FIRE, adapted by ARC in 2025.

Map 1-3. Treatable Landscape within the WSCLRP Project Area

The proposed revisions to SPRs are described below. These proposed changes would not result in any new or substantially more severe significant impacts on any of the resources evaluated in the Program EIR and described in this PSA/Addendum. Evidence to explain this conclusion is presented under each applicable resource, as summarized below and presented throughout Chapter 4, "Project-Specific Analysis/Addendum" (see Section 4.4, "Archaeological, Historical, and Tribal Cultural Resources"; Section 4.6, "Geology, Soils, Paleontology, and Mineral Resources"; Section 4.9, "Hazardous Materials, Public Health and Safety"; and Section 4.10, "Hydrology and Water Quality."

In addition to the revisions described below, SPR CHAP/CSS-1 has been added to ensure adherence to the requirements of the writ. The addition of SPR CHAP/CSS-1 is a legal provision that does not constitute a revision of the CalVTP; therefore, the addition of SPR CHAP/CSS-1 is not addressed in this section. See the "Chaparral and Coastal Sage Scrub" section under Impact BIO-3 in Section 4.5, "Biological Resources," for additional information.

SPR CUL-4: Archaeological Surveys

SPR CUL-4, as presented in the Program EIR, requires an archaeological survey report for all treatment activities and treatment types, including treatments that do not result in ground disturbance or other risk of impact on archaeological or historical resources (e.g., manual treatments and herbicide application).

A revision to the SPR is proposed such that archaeological surveys would be conducted for only ground-disturbing treatment activities (i.e., treatments that include the use of heavy equipment) and prescribed burning treatment activities.

An excerpt of the original language of SPR CUL-4 is as follows:

> *The project proponent will coordinate with an archaeologically-trained resource professional and/or qualified archaeologist to conduct a site-specific survey of the treatment area. The survey methodology (e.g., pedestrian survey, subsurface investigation) depends on whether the area has a low, moderate, or high sensitivity for resources, which is based on whether the records search, pre-field research, and/or Native American consultation identifies archaeological or historical resources near or within the treatment area. A survey report will be completed for every cultural resource survey completed. The specific requirements will comply with the applicable state or local agency procedures. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.*

The SPR revision modifies the last sentence of the excerpt to state the following:

> *This SPR applies to all treatment activities that have the potential for ground disturbance beyond existing road surfaces, including treatment maintenance.*

As described in CalVTP Program EIR Section 2.5.2, some treatment activities, such as manual treatments and application of herbicide, would not result in ground disturbance and are effectively used in sensitive areas and habitats. Example activities include burn pile construction by hand, carrying material to a chipper, lopping and scattering material, and other manual activities. Surveying for cultural resources if there is no potential for impact would result in inefficient and unnecessary use of human and financial resources. This revision to SPR CUL-4 would prevent unnecessarily slowing down implementation while maintaining the overall intent of SPR CUL-4 in areas where ground disturbance activities have a likelihood of affecting cultural resources.

Potential impacts resulting from revisions to SPR CUL-4 are discussed below under Sections 4.4, "Archaeological, Historical, and Tribal Cultural Resources." As explained in that section, the proposed revisions to SPR CUL-4 would not result in any new or substantially more severe significant impacts than were analyzed in the Program EIR. Impacts on other resources would not occur as a result of these revisions, because SPR CUL-4 is not required to reduce environmental effects on any other resources from implementation of the project. The proposed revisions to SPR CUL-4 are shown in the MMRP (Attachment A).

SPR GEO-1: Suspend Disturbance during Heavy Precipitation

SPR GEO-1, as presented in the Program EIR, requires suspension of treatment activities including mechanical treatments, herbicide application, and prescribed herbivory during heavy precipitation (i.e., if the National Weather Service forecast is a chance [30 percent or more] of rain within the next 24 hours). As described in the CalVTP Program EIR, mechanical treatments and herbicide application conducted during precipitation events can result in soil disturbance, erosion, increased runoff, soil destabilization, and water quality impacts.

A revision to the SPR is proposed such that mechanical treatments would be suspended if (1) it is raining, (2) soils are saturated, or (3) soils are wet enough to be compacted by mechanical treatment activities and that herbicide application would be suspended if the National Weather Service forecast is a "chance" (30 percent or more averaged over each hour) of rain within the next 24-hour period.

An excerpt of the original language of SPR GEO-1 is as follows:

> *The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance.*

The SPR revision modifies the first sentence of the excerpt to state the following:

> *The project proponent will suspend prescribed herbivory and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours (from 12:00 am to 12:00 pm) and will suspend mechanical treatments when (1) it is raining, (2) soils are saturated, and/or, (3) soils are wet enough to be compacted by mechanical activities.*

Potential impacts resulting from revisions to SPR GEO-1 are discussed below in Sections 4.5, "Biological Resources"; 4.6, "Geology, Soils, Paleontology, and Mineral Resources"; and 4.10, "Hydrology and Water Quality." As explained in these sections, the proposed revisions to SPR GEO-1 would not result in any new or substantially more severe significant impacts than were analyzed in the Program EIR. Impacts on other resources would not occur as a result of these revisions, because SPR GEO-1 is not required to reduce environmental effects on any other resources from implementation of the project. The proposed revisions to SPR GEO-1 are shown in the MMRP (Attachment A).

SPR HAZ-1: Maintain All Equipment

SPR HAZ-1, as presented in the Program EIR, requires that the project proponent inspect all equipment for leaks prior to the start of treatment activities and every day thereafter until equipment is removed from the site, and any equipment found leaking must be promptly removed.

A revision to the SPR is proposed to promptly stabilize any equipment found leaking and fix it on-site or remove the leaking equipment from the treatment area, outside of the Watercourse and Lake Protection Zones (WLPZs).

An excerpt of the original language of SPR HAZ-1 is as follows:

> *The project proponent will maintain all diesel- and gasoline-powered equipment per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed. This SPR applies to all treatment activities and treatment types, including treatment maintenance.*

The SPR revision modifies the second-to-last sentence of the excerpt to state the following:

> *Any equipment found leaking will be promptly stabilized and fixed on-site or removed.*

This revision gives the project proponent the flexibility to fix equipment on-site if feasible and continue treatment rather than requiring all leaking equipment be removed. This would help to prevent unnecessarily slowing down of implementation while maintaining the overall intent of SPR HAZ-1 to minimize hazardous material releases in treatment areas from equipment use.

Equipment is checked daily for leaks and is not staged in WLPZs or near sensitive resources. This revision allows leaking equipment to be stabilized immediately and to be moved to a less sensitive area, rather than requiring it to be demobilized and potentially risk spreading the leak through more environmentally sensitive habitat areas or other sensitive resources. All other applicable SPRs would be followed to minimize this impact.

Potential impacts resulting from revisions to SPR HAZ-1 are discussed below in Section 4.3, "Air Quality"; Section 3.9, "Hazardous Materials"; and Section 4.10, "Hydrology and Water Quality." As explained in these sections, the proposed revisions to SPR HAZ-1 would not result in any new or substantially more severe significant impacts than were analyzed in the Program EIR. Impacts on other resources would not occur as a result of these revisions, because SPR HAZ-1 is not required to reduce environmental effects to any other resources from implementation of the project. The proposed revisions to SPR HAZ-1 are shown in the MMRP (Attachment A).

SPR HYD-4: Identify and Protect Watercourse and Lake Protection Zones

SPR HYD-4, as presented in the Program EIR, requires that the project proponent establish WLPZs on either side of Class I, Class II, Class III, and Class IV watercourses, as defined by the California Forest Practice Rules, California Code of Regulations Title 14, Section 916.5 (14 CCR Section 916.5).

A revision to the SPR is proposed to establish the WLPZs for only the watercourses within 300 feet of the manual, mechanical, prescribed pile burning, and herbicide treatments.

An excerpt of the original language of SPR HYD-4 is as follows:

> *The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). WLPZs are classified based on the uses of the stream and the presence of aquatic life. Wider WLPZs are required for steep slopes.*

The SPR revision modifies the second-to-last sentence of the excerpt to state the following:

> *The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) within 300 feet of mechanical, manual, herbicide application, and prescribed pile burning treatment or staging areas on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916.5 of the California Forest Practice Rules (February 2019 version).*

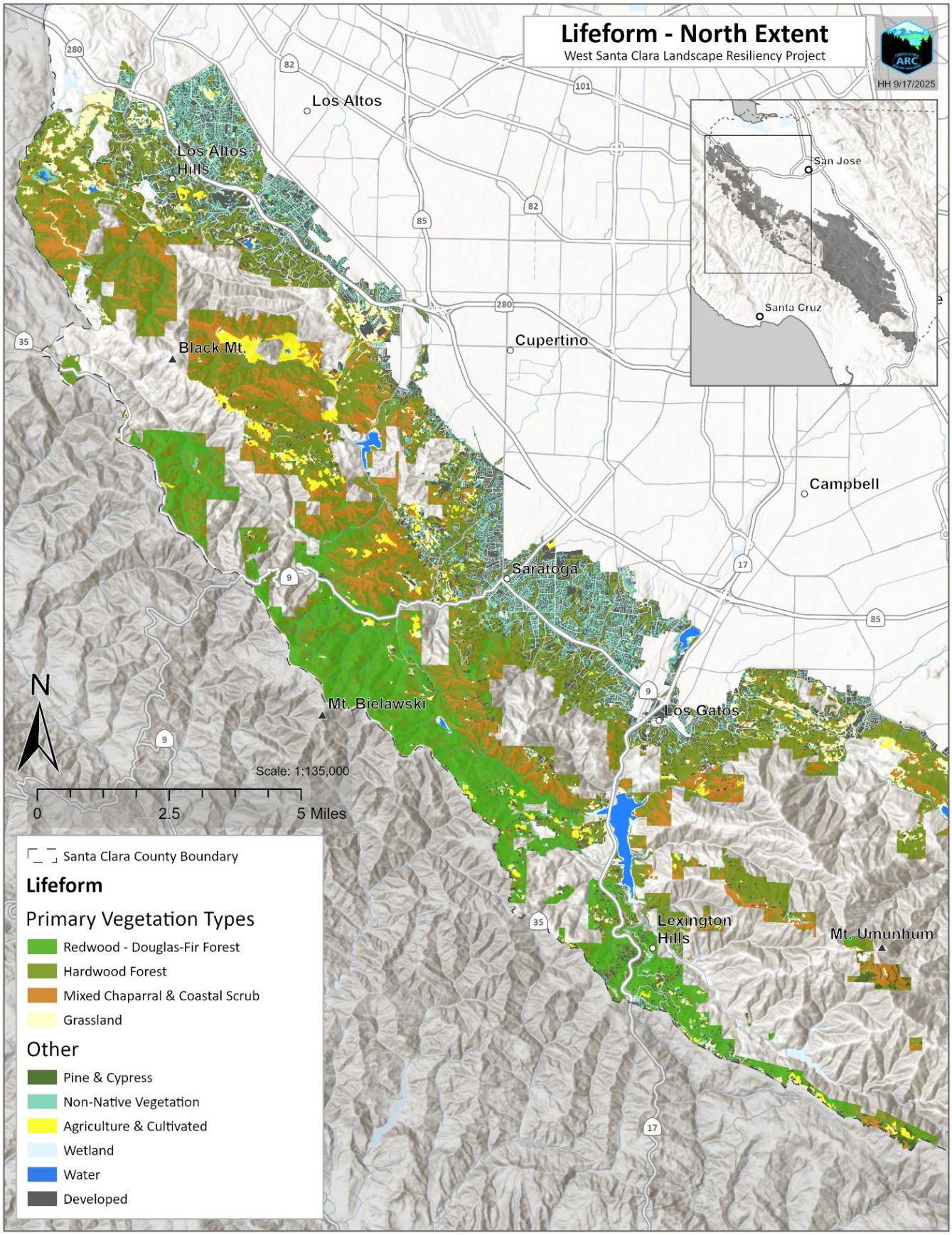
This revision would limit the amount of time spent by the project proponent identifying and delineating WLPZs, as well as limit the amount of high-visibility flagging used throughout the project area. This would help ensure that all WLPZs within a treatment area, or near a staging area, are recently flagged, without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area, while maintaining overall intent of SPR HYD-4 to prevent degradation of watercourses during implementation of manual, mechanical, and prescribed pile burning. Existing roads used for ingress or egress to project areas would not constitute a "treatment or staging area" for the purposes of this revision.

Potential impacts resulting from revisions to SPR HYD-4 are discussed below in Section 4.5, "Biological Resources"; Section 4.6, "Geology, Soils, Paleontology, and Mineral Resources"; Section 4.9, "Hazardous Materials"; and Section 4.10, "Hydrology and Water Quality." As explained in these sections, the proposed revisions to SPR HYD-4 would not result in any new or substantially more severe significant impacts than were analyzed in the Program EIR. Impacts on other resources would not occur as a result of these revisions, because SPR HYD-4 is not required to reduce environmental effects to any other resources from implementation of the project. The proposed revisions to SPR HYD-4 are also shown in the MMRP (Attachment A).

1.4 EXISTING CONDITIONS

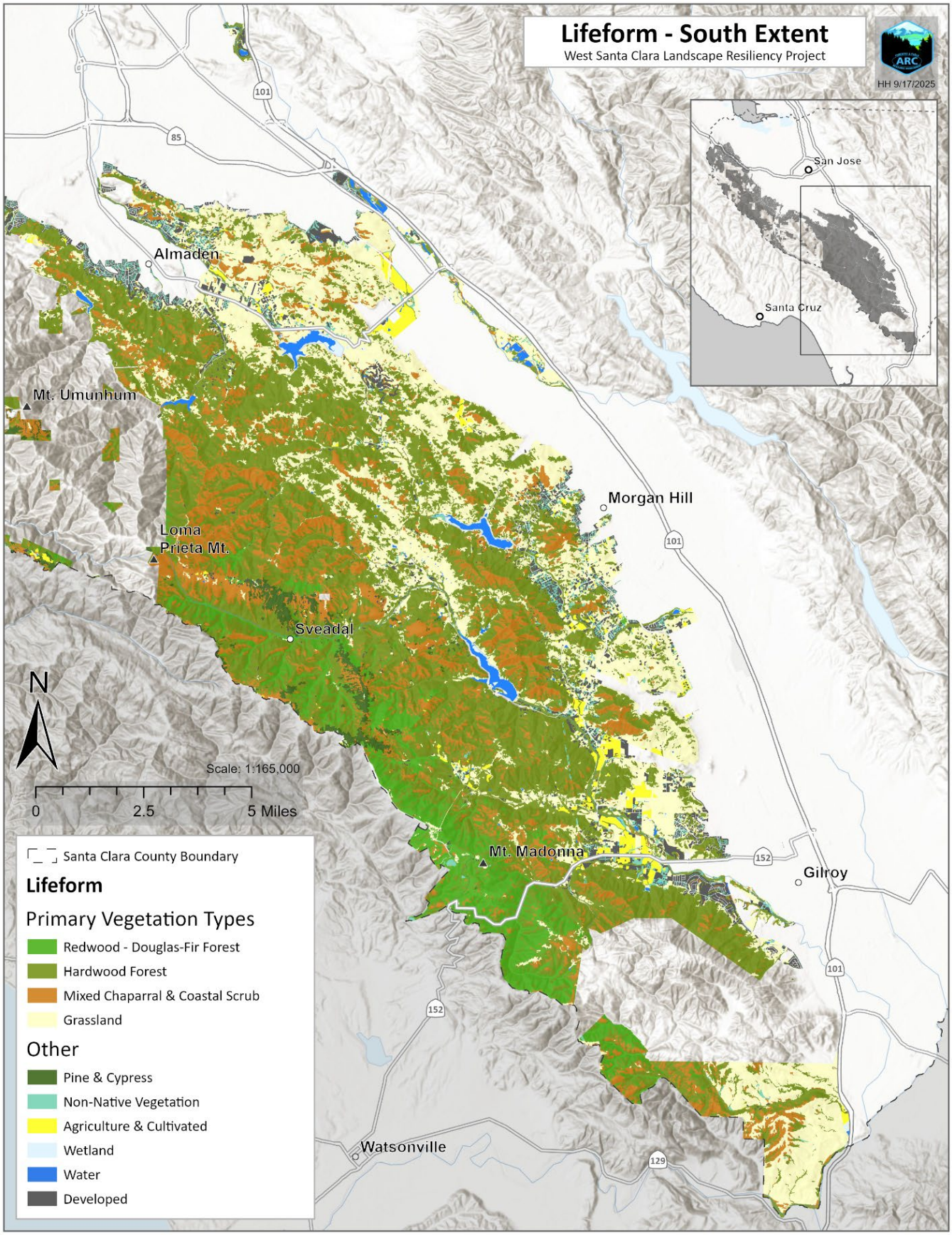
This section details existing conditions in the project area, including discussions of vegetation, WUI development and infrastructure, historical land use, and fire history. The maps below depict lifeform[4] across the project area (Maps 1-4 and 1-5), a mapping unit classified by broad vegetation and land cover types. Lifeform is an appropriate classification to provide an overview of the extent and variety of environmental conditions in the project area, ranging from native wildland vegetation to developed WUI areas and cultivated lands. The following subsections describe the condition of primary vegetation types, distinct features and conditions of wildland and WUI environments, and the role of past wildfire in shaping these conditions.

[4] Derived from the Santa Cruz and Santa Clara County Enhanced Lifeform Map created by Tukman Geospatial. More information is available at: https://tukmangeospatial.egnyte.com/dl/5YsnZoXrk7.



Source: Information from the Santa Cruz and Santa Clara County Enhanced Lifeform Map by Tuckman Geospatial, adapted by ARC in 2025.

Map 1-4. Lifeform in the Northern Extent of the Project Area



Source: Information from the Santa Cruz and Santa Clara County Enhanced Lifeform Map by Tuckman Geospatial, adapted by ARC in 2025.

Map 1-5. Lifeform in the Southern Extent of the Project Area

1.4.1 Vegetation Types

Species composition, condition, fuel loading, and potential treatments for primary vegetation types are described below. Although additional vegetation types are present throughout the project area, this section details the most prominent vegetation types where treatments are expected to occur. Treatment specifics are outlined in further detail in Section 2.1, "Treatment Prescription," and Section 2.2, "Treatment Types," of this document.

REDWOOD-DOUGLAS-FIR FOREST

Redwood–Douglas-fir forest stands occur across the higher-elevation ridgetops and lower-elevation riparian draws across the project area, concentrated in wetter areas that receive high precipitation (Figure 1-1). The redwood forests in the southern section of the project area are some of the farthest south contiguous stands in the native range of redwood, as few areas south of the Santa Cruz Mountains in California possess climatic conditions suitable for the species. Regionally, these forests are typically characterized by groves of dominant second-growth redwood with areas of co-dominant or dominant Douglas-fir overstory. Understory species like tanoak (*Notholithocarpus densiflorus*) and California bay laurel (*Umbellularia californica*) are prevalent while California buckeye (*Aesculus californica*) and big-leaf maple (*Acer macrophyllum*) occur less commonly. Smaller-stature understory shrub species include hazelnut (*Corylus cornuta*), huckleberry (*Vaccinium ovatum*), toyon (*Heteromeles arbutifolia*), and coffeeberry (*Frangula californica*).

Source: Photograph taken by Heath Hooper of ARC in 2025.

Figure 1-1. A Dense Stand of Second-Growth Redwood Forest near Mount Madonna and SR 152, Unincorporated Santa Clara County (Summer 2025)

Forest density within the project area ranges from approximately 200 to 400 trees per acre (TPA) in redwood–Douglas-fir forest types, which is approximately twice as dense compared to stands with natural background fire return intervals. This greater density is most pronounced in small (1 to 12 inches dbh) and midrange (12 to 24 inches dbh) trees. A healthier, less dense forest stand would have approximately 100 to 200 TPA in redwood–Douglas-fir forests. Although high-density stands are naturally occurring in some systems, they rarely occur at the scale and extent of many contemporary forests.

Dense conditions not only contribute to high fuel-loading but also spread forest pathogens, like sudden oak death (SOD), among various hardwoods, and Douglas-fir root rot (*Coniferiporia weirii*), red ring rot (*Porodaedalea pini*), and pitch canker (*Fusarium circinatum*) in Douglas-fir trees. These dense stands are considered impaired forest conditions that require restorative treatments, which predominantly focus on removal of smaller trees to reduce density and competition for resources between individual trees. The management and treatment objectives of redwood–Douglas-fir forests would focus on increasing healthy growth of larger trees, increasing sunlight penetration to the forest floor to increase native plant diversity, and reducing ladder fuels and the associated wildfire hazard, ultimately promoting increased resilience to wildfire.

HARDWOOD FOREST

Hardwood forests across the project area are primarily composed of California bay laurel, coast live oak (*Quercus agrifolia*), canyon live oak (*Quercus chrysolepis*), California black oak (*Quercus kelloggii*), Shreve oak (*Quercus parvula var. shrevei*), interior live oak (*Quercus wislizeni*), California sycamore (*Platanus racemosa)*, big-leaf maple, and Pacific madrone (*Arbutus menziesii*) (Figure 1-2). These forests occur across a range of environments, from flat valley floors and steep canyon walls to riparian corridors and sun-exposed ridgetops with drier soils. The overstory is dominated by mature hardwoods intermixed with dominant or co-dominant Douglas-fir, some of which have grown through hardwood canopies and are in various phases of vegetation type transition toward Douglas-fir-dominated overstories. Understories are composed of hardwood regeneration and a mix of native shrubs, including toyon, coffeeberry, and poison oak (*Toxicodendron diversilobum*). Forest density of hardwood stands is variable, but mature trees are typically spaced 20–40 feet apart, with a more open canopy structure allowing for a diverse understory. Smaller diameter oaks and madrones (i.e., less than 8 inches dbh) are frequent in the mid- and lower-canopy ranges, connecting horizontal continuities of vegetation. Particularly in the southern extent of the project area and lower elevation foothills throughout, oak-dominated savannas are widespread across typically flatter topography and valley floors. In these environments, grassland is the dominant and, in some cases only, understory component. In these oak savannas, tree spacing is variable but often far greater than 20–40 feet.

Hardwood forests across the project area are affected by the compounding effects of forest pathogens, like SOD, and encroachment of Douglas-fir due to fire exclusion. With competition from co-dominant Douglas-fir trees, oaks and other hardwoods are more prone to various pathogens, like SOD and Pacific Madrone root rot. Hardwood mortality from competition with Douglas-fir trees and the spread of forest pathogens leads to higher amounts of dead and down woody debris in the understory, creating higher fuel connectivity. Forest density in hardwood stands in the project area can be up to 500 TPA in small (1 to 12 inches dbh) trees, primarily where Douglas-fir encroachment occurs. A healthy, resilient hardwood forest would exhibit characteristics of variable forest structure and residual densities ranging from 50–100 TPA; a diverse mosaic of native understory species, including native forbs, grasses, and shrubs, such as toyon and coffeeberry; and a diverse range of wildlife habitat features and refugia, such as tree cavities, snags, mature trees, and riparian corridors. Strategic treatment in hardwood forests would break up fuel continuity in the forest floor, create openings needed for native flora, and remove encroaching Douglas-fir trees to restore hardwood habitat conditions. Prescribed burn treatments (i.e., pile burning and broadcast burning) can be used as follow-up treatments to manual and mechanical treatments in hardwood-dominated forests to promote forest health and native flora, improve resilience, mitigate pest and pathogen outbreaks, and reduce biomass and fuels.

Source: Photograph taken by Heath Hooper of ARC in 2025.

Figure 1-2. Oak Woodland Exhibiting Hazardous Fuel Loading in a Wildland-Urban Interface Area in Blossom Hill, Los Gatos (Spring 2025)

MIXED CHAPARRAL AND COASTAL SCRUB

Across the project area, mixed chaparral and coastal scrub occur primarily on south-facing slopes, higher elevation ridgelines, and disturbed areas (Figure 1-3). Chaparral communities in the project area are typically dominated by manzanita (*Arctostaphylos* spp.), chamise (*Adenostoma fasciculatum*), or *Ceanothus* spp. with components of other shrub species, such as scrub oak (*Quercus berberidifolia*), toyon, coffeeberry, birchleaf mountain mahogany (*Cercocarpus montanus*), silk-tassel (*Garrya elliptica*), and poison oak. In the southern section of the project area, knobcone and gray pine populations are widely intermixed with chaparral. The prominent shrub species that constitute coastal scrub communities in the project area are California sagebrush (*Artemisia californica*), *Salvia* spp., and coyote brush (*Baccharis pilularis*). Across northern California shrublands, and particularly in chaparral communities, the exclusion of fire has disrupted natural fire return intervals in these fire-adapted landscapes, resulting in thick duff layers, accumulations of dead and dying shrubs, and in some cases, conifer encroachment into chaparral. These dynamics often result in dense, impenetrable thickets with a high degree of vertical and horizontal fuel continuity that hinders wildlife movement and facilitates fire movement. Further, these shifts in shrubland structure can contribute to lower biodiversity of wildlife among homogenous shrubland stands. To counteract these dynamics, indigenous tribes in California used periodic fire in chaparral, creating mosaic habitats with structural diversity and an array of species to enhance forage and resource availability (Anderson and Keeley 2018).

Strategic management in mixed chaparral and shrubland habitats would involve reestablishing disturbance regimes to enhance wildlife habitat and reduce wildfire risk. Treatments would generally involve removing select shrubs to create a mosaic structure with retained vegetation. In areas where conifer or hardwood is encroaching into shrubland, encroaching populations would be selectively removed or eradicated to preserve species composition of native shrubs. In some cases, more intensive treatments would occur along roadsides or ridgelines that would act as fuel breaks in the event of wildfire. Away from fuel break locations, special considerations would be given to retain chapparal species, which are obligate seeders (i.e., species that rely on seedbanks for regeneration and do not

resprout from root crowns or lignotubers). Additionally, prescribed fire would be considered to promote the restoration of these fire-adapted habitats. Treatment would be timed to prevent the intrusion of invasive plant species in treated areas, and best practices would be implemented to avoid introduction of invasive plant seeds into treated areas.

The proposed project area encompasses chaparral and coastal sage scrub vegetation that meets the definition of the vegetation types subject to the restrictions of the writ. Within these chaparral and coastal sage scrub vegetation types, and pursuant to SPR CHAP/CSS-1, which was developed to be consistent with the writ, only certain ecological restoration, wildland urban interface fuel reduction, and fuel break maintenance treatments will be conducted. These proposed treatments are explained in Section 2.2, "Treatment Types." A detailed discussion of chaparral and coastal sage scrub is included in Section 4.5 Biological Resources, Impact BIO-3.

Source: Photograph taken by Heath Hooper of ARC in 2025.

Figure 1-3. Chamise Chaparral on Trappers Fire Road in Foothills Park, Palo Alto (Spring 2025)

GRASSLAND

"California annual and perennial grasslands" is a broadly applied term for the forb- and grass-dominated meadows and grasslands across the state. This vegetation type occurs throughout the project area on ridgetops and primarily south-facing slopes in the northern project extent and becoming more widespread in the south, where it dominates valley floors (Figure 1-4). It is the most abundant vegetation type across the lower elevations of the Santa Clara Valley, often occurring in the understory of oak savanna. A relatively large subset of grasslands across the project area grows in serpentine soils, a rare parent material high in heavy metals and low in nutrients. These unique soil characteristics lead to high biodiversity and prevalence of endemic species in serpentine grasslands, considered a sensitive habitat by California Department of Fish and Wildlife (CDFW) (Santa Clara County Department of Parks and Recreation 2025).

Most of the grasslands in the region are associated with historical and ongoing grazing, which has contributed to a high abundance of nonnative herbaceous species introduced by livestock. Despite the high component of nonnative species, California annual and perennial grasslands typically have high native species richness (NatureServe 2025).

Indigenous inhabitants of the region valued grasslands, historically using fire to maintain them and prevent encroachment of shrubs and woodland species. Northern California grasslands are currently declining with the encroachment of trees and shrubs due to the exclusion of fire.

California annual and perennial grasslands are a low-statured, "fine" fuel type, meaning that they grow, senesce, and lose fuel moisture quickly. Given their rapid life cycle and low bulk density, grasslands are typically a lower priority in terms of vegetation management and hazardous fuel loading. However, these characteristics pose serious risks under hazardous wildfire conditions. As a fine fuel, grasslands are generally more susceptible to combustion, particularly in proximity to potential ignition vectors in the WUI. Once ignited, high winds can drive fire quickly across grasslands and into more hazardous fuel types, like shrublands and woodlands. In the scope of this project, strategic management of grasslands would primarily focus on prescribed burning and herbivory to reduce fuel loads. In some cases, mechanical treatments, such as mowing, would be applied, particularly along fuel breaks and on the margins of WUI areas to decrease potential fire spread to structures and critical infrastructure. When strategically managed, prescribed burning and herbivory also help limit the abundance and spread of invasive grasses and herbs.

Source: Photograph taken by Heath Hooper of ARC in 2025.

Figure 1-4. Grassland Hillside in Calero County Park, South San Jose (Summer 2025)

1.4.2 Project Area Conditions

The 143,375-acre project area and surrounding region encompasses an array of landscapes, from features of the built environment to native Californian vegetation types, that often intermix. This section details the differences in vegetative and landscape conditions between wildland environments and the developed WUI and residential areas (WUI-residential). These conditions are primarily driven by the dynamics between natural and anthropogenic processes, such as human land use and development patterns, in the WUI and historical fire suppression.

Several similar vegetation treatment projects have already been implemented within and adjacent to the project area. These treatments at Sanborn and Upper Stevens Creek County Parks, which were implemented by Santa Clara County Parks under their 2022 Sanborn and Upper Stevens Creek Forest Health Plan and associated CalVTP PSA, and

the 2019 Mount Madonna Forest Health Plan at Mount Madonna County Park. Other treatments include the Nestldown Ranch Vegetation Treatment Project (2024), the Aldercroft FireWise and Lupine Lodge Project (2024) on the southeastern shore of Lexington Reservoir and along Los Gatos Creek, the Moody Gulch/Summit Road Vegetation Treatment Project (2024) in the Santa Cruz Mountains, and the Burn Operation at Calero County Park, which took place in 2024 and 2025. In addition, activities such as discing and mowing at Pearson Arastradero Preserve have been implemented as part of the Foothill Fires Management Plan. Collectively, these efforts contribute to the baseline condition of the landscape, as portions of the project area have already undergone vegetation treatments. Additional approved or pending vegetation management treatments may also exist within or adjacent to the project area.

WILDLAND CONDITIONS

Wildland environments are present throughout the project area, with isolated parcels intermixed between residential development and large contiguous swaths of private and publicly owned forest and rangeland that collectively span thousands of acres with limited human infrastructure. Vegetation composition across the lower elevations of the project area is dominated by grassland; oak woodland and savanna; pockets of scrub dominated by species, such as California sagebrush and coyote brush; and occasional southern aspect slopes of chaparral dominated by species such as chamise and buck brush (*Ceanothus cuneatus)*. In the middle-elevation foothills, these vegetation communities are also widespread and intermixed with dense hardwood forests of California bay laurel and coast live oak. Hardwood forests primarily occupy ravines, riparian corridors, and northern aspect slopes, while these environments in the southern portion of the project area also contain a significant component of California sycamore. Chaparral is widespread on southern-aspect, middle-elevation slopes and higher-elevation ridgelines throughout the project area. The rural, mountainous sections of the project area are characterized by large expanses of contiguous wildland vegetation, often distributed in mosaic patterns of various forest, scrub, and occasional ridgetop grassland patches. Dense forests of redwood and Douglas-fir are the dominant vegetation type along the crest of the Santa Cruz Mountains, also appearing in lower elevation draws and northern-aspect slopes throughout the project extent. Less common across the Santa Cruz Mountains are native stands or intermixed populations of knobcone pine (*Pinus attenuata*) and gray pine (*Pinus sabinana*) and disparate, often-nonnative plantations of pine or other conifer species. Nonnative species that are widespread throughout the project area and pose a heightened wildfire risk include various subspecies of *Eucalyptus* spp., broom (*Genista* spp.), and *Acacia* spp.

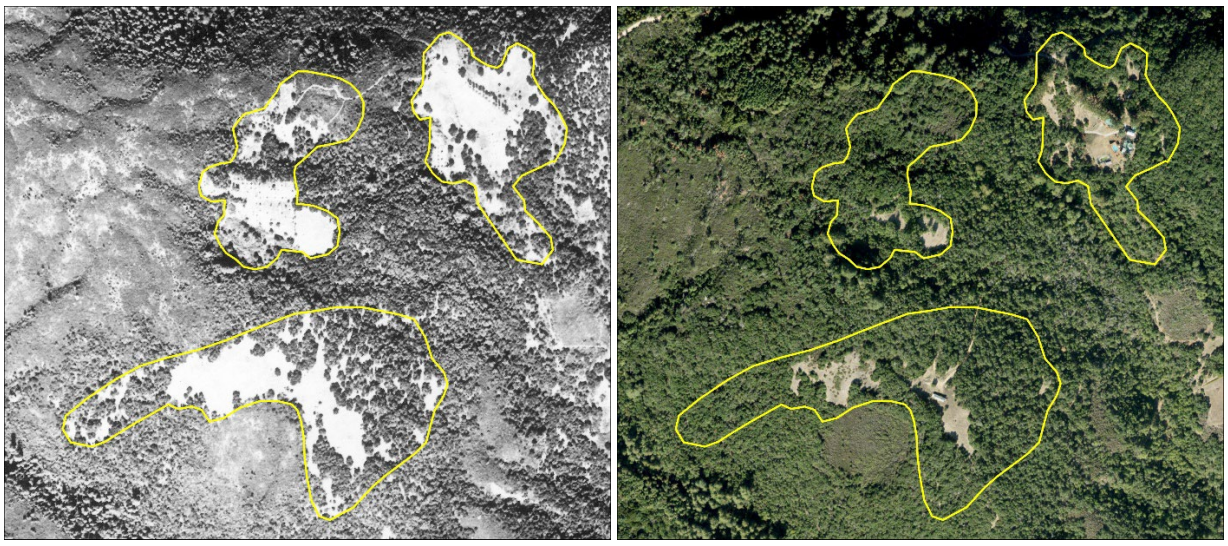
Native vegetation communities of the greater Santa Cruz Mountains region were once adapted to frequent fire from indigenous burning, which contributed to a more open vegetative structure of forests, shrublands, and grasslands (Mensing 2006). Expansive clearcut logging and agriculture in the late-1800s to mid-1900s was followed by the subsequent era of fire suppression and contributed to an array of landscape impacts. Since then, second-growth redwood forests have become established, growing in with higher-stand density than their old-growth counterparts. Climatic changes, such as drought and increasing yearly average temperatures, have heightened ecological stressors and influenced the spread of forest pathogens, like *Phytophthora ramorum*, or SOD. SOD-infected trees fall and contribute to high fuel loading in the understory of mixed-conifer and hardwood forests (Figure 1-5 below).

Additionally, hardwood, grassland, and shrubland ecosystems have changed from altered disturbance regimes over the last 100–200 years. Conifers have encroached into woodlands, grasslands, and shrublands, restricting native plant species and impairing wildlife habitat (Livingston et al. 2016; Midpeninsula Regional Open Space District 2025). Ecosystems are shifting in vegetation type and experiencing a decline in biodiversity due to changes in disturbance regimes over time. Consequently, landscapes have become increasingly prone to forest pathogens, have become vulnerable to spread of invasive species, and have increased in fuel loading. In the same period, residential and commercial development has increasingly expanded into the WUI, and thus, the region is at heightened risk of a destructive high severity wildfire event. Although existing vegetation management initiatives unrelated to this project have occurred on lands in the project area to address various goals, the majority of landscapes in the project area currently possess the characteristics of impaired forest conditions and are thus suitable for treatment in the near term.

Source: Photograph taken by Chloe Knowd of ARC in 2025.

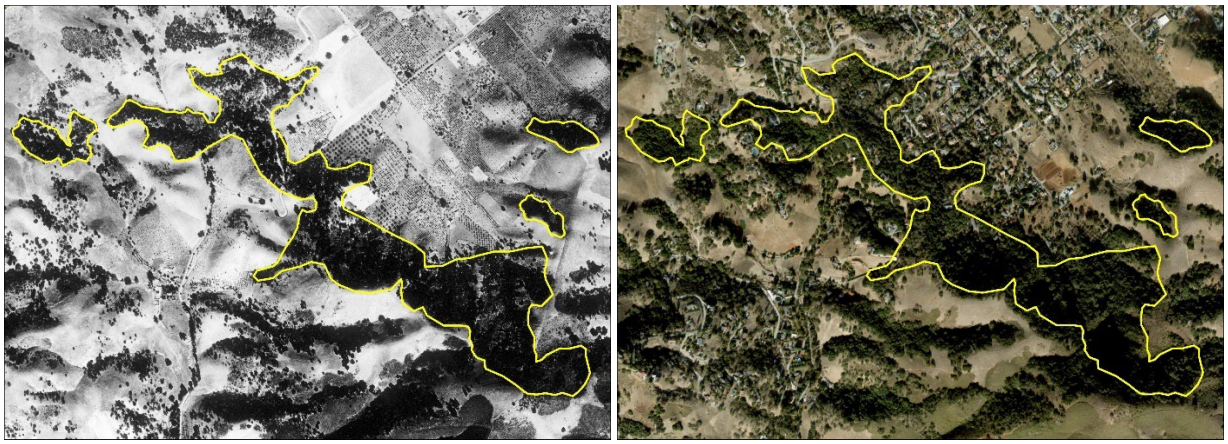
Figure 1-5. Madrone and Oak Mortality from SOD. Douglas-Fir Is Overtaking Declining Hardwoods.

These coinciding conditions create uniquely challenging landscapes in terms of fuel conditions and wildfire hazard, while contributing to degradation of habitat quality and ecological resilience. Figures 1-6 and 1-7 depict encroachment promoted by the lack of fire or similar disturbance, increased fuel loading within the project area, and how these dynamics interact with the expanding wildland-urban interface.



Sources: UCSB 1939 (left); County of Santa Clara, Vantor 2025 (right).

Figure 1-6. Forest Expansion into Grasslands (Outlined in Yellow) above Murphys Canyon West of Gilroy from 1939 (Left) to 2022 (Right)



Sources: UCSB 1939 (left); County of Santa Clara, Vantor 2025 (right).

Figure 1-7. Oak Woodland (Outlined in Yellow) and Residential Development Expansion between Llagas Road and El Toro, Morgan Hill from 1939 (Left) to 2022 (Right)

WUI-RESIDENTIAL CONDITIONS

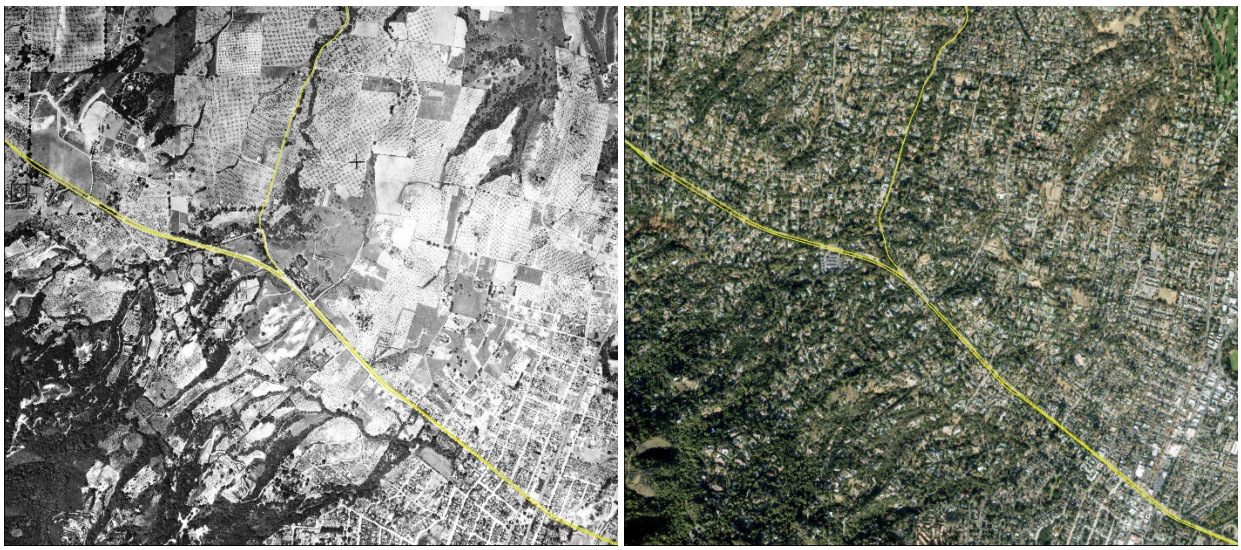
The project area and immediate surroundings are home to over 700,000 people[5] and contain critical infrastructure and resources (e.g., water resources) that serve millions of people. The majority of human development within or bordering the project is concentrated along the lower elevation eastern boundary of the project area that runs through the densely populated San Jose metropolitan area and into the Santa Clara Valley. WUI-residential landscapes along the eastern boundary of the project area range from low-density residential communities across rolling hills of oak woodland and savanna or in dense woodlands to higher-density development on flat terrain that abuts large contiguous areas of wildland vegetation. These conditions are nearly continuous across the eastern boundary of the project area, from Palo Alto in the north to Gilroy in the south.

The eastern boundary of the project area borders the region known as Silicon Valley, named for the concentration of technology, research, and educational facilities operating in the area. Several of such facilities directly border the project area, including the IBM laboratories south of San Jose and the offices of major companies, such as SAP and Tesla, which border the project area to the north adjacent to Stanford University. The Pacific Gas & Electric (PG&E) Metcalf Transmission Substation north of Morgan Hill is just outside the southeast border of the project area and provides power to the greater region through a network of transmission and distribution lines that traverse the project area. Additionally, the project area is bisected and bordered by several highly trafficked freeways, highways, and other major thoroughfares.

Apart from power distribution and major roadways, the rural mountainous sections of the project area contain additional critical infrastructure and dispersed residential communities. Several of the high elevation peaks within or adjacent to the project area host towers and other infrastructure relied upon to transmit cellular, broadband, broadcast, public safety, and other communications for the region. Many of the streams and tributaries that run through the eastern Santa Cruz Mountains feed into several reservoirs containing infrastructure for water intake, storage, and transfer that are managed and operated by Santa Clara Valley Water District and San Jose Water Company. Interior mountainous WUI-residential communities include concentrations of structures surrounded by dense wildland vegetation on ridgetops, on midslope flats, and at the base of ravines. Examples of these conditions in the project area include the Skyline Boulevard (SR 35) and Summit Road corridor, the region surrounding SR 17 and Lexington Reservoir, and in the rural southwestern extent of the project area in the vicinity of Loma Prieta Mountain, Sveadal, and Mount Madonna.

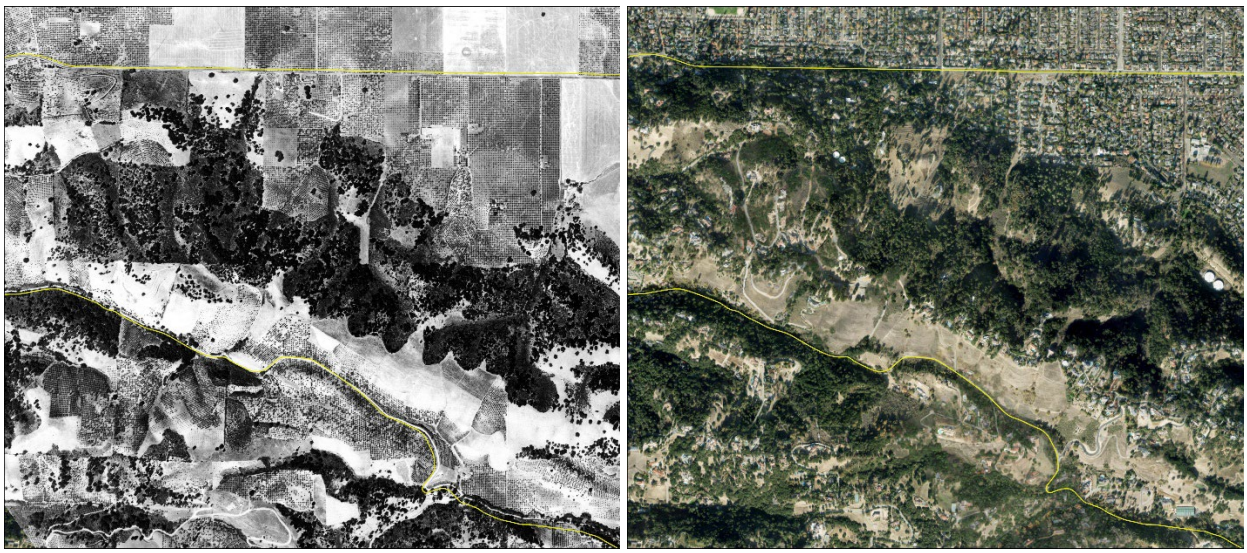
[5] 2020 Census population data, from: https://www.nhgis.org/.

Figures 1-8 and 1-9 depict how land use has shifted in WUI-residential environments, particularly throughout the eastern boundary of the project area.



Sources: UCSB 1948 (left); County of Santa Clara, Vantor 2025 (right).

Figure 1-8. Canopy Cover and Residential Development Expansion Surrounding the Intersection of Saratoga-Los Gatos Road and Quito Road (in Yellow) from 1948 (Left) to 2022 (Right)



Sources: UCSB 1939 (left); County of Santa Clara, Vantor 2025 (right).

Figure 1-9. Vegetation and Residential Development Expansion Surrounding Blossom Hill and Shannon Roads (in Yellow), East Los Gatos from 1939 (Left) to 2022 (Right)

Comparing the historical imagery on the left to the current conditions on the right illustrate how areas that were formerly undeveloped or used for agricultural purposes have widely transitioned to densely populated residential communities throughout the Santa Clara Valley and foothills of the Santa Cruz Mountains. Given the density of structures and human inhabitance, natural fire regimes have been interrupted in these environments, leading to increased fuel loads. Figure 1-8 of the region surrounding the intersection of Saratoga-Los Gatos Road (SR 9) and Quito Road depicts how residential development replaced agricultural lands and crept up into the foothills of the Santa Cruz Mountains. In the historical imagery, the darkest shades outline where oak and other hardwood

woodlands existed, primarily in riparian corridors and highly sloped hillsides, while flatter areas of lighter shades in the image were primarily grassland or cultivated lands. Compared with the current image on the right, there is an observable expansion of woodlands in terms of footprint and in canopy closure between neighboring trees, while the historically grassland and agricultural lands have predominantly been filled in with dense residential development and vegetation.

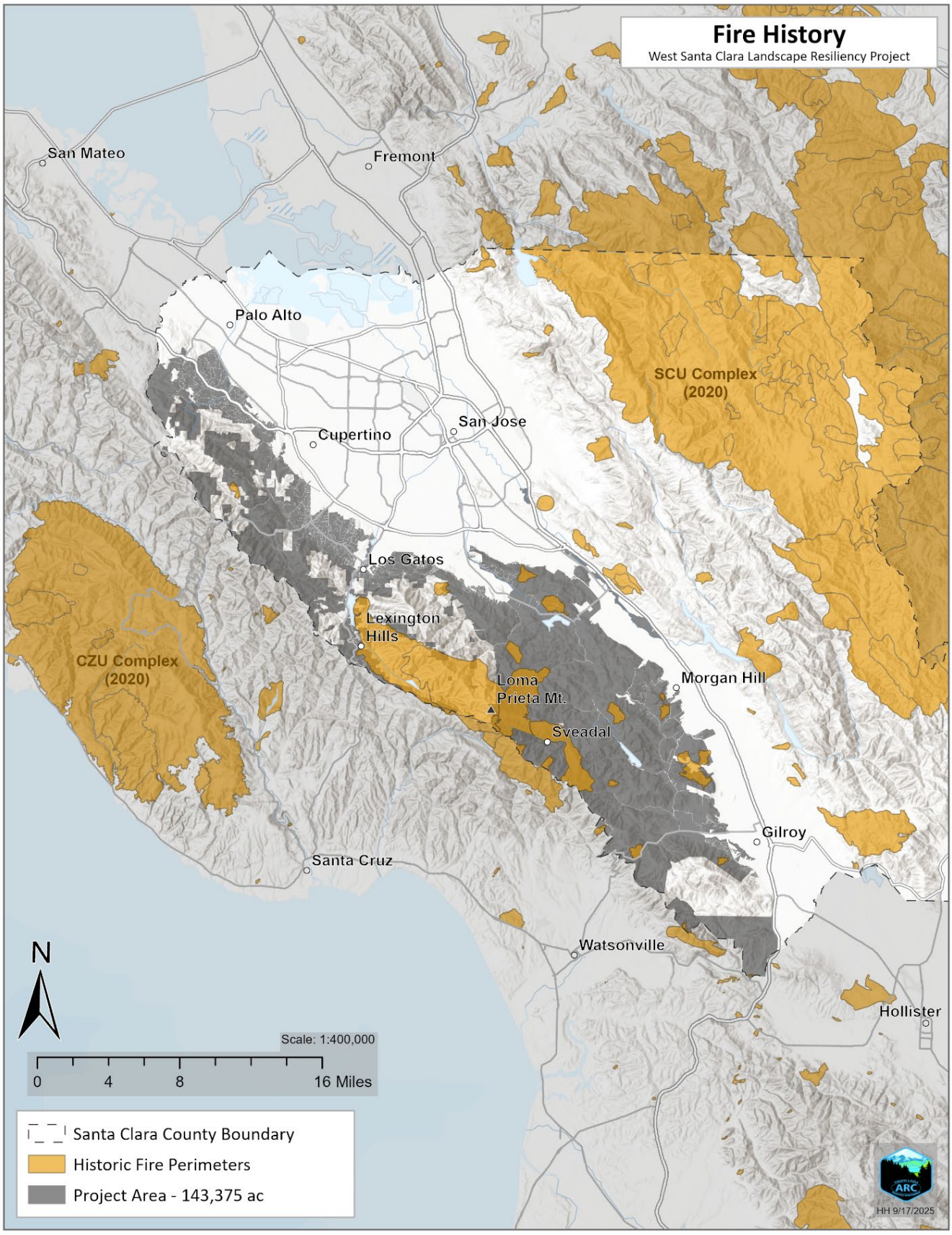
Conditions such as these, where residential communities are located on or directly adjacent to steep slopes intertwined with contiguous pathways of wildland vegetation, pose hazardous and potentially destructive wildfire conditions. The project area encompasses sections of WUI-residential environments where wildfire hazard poses a heightened risk to structures due to factors such as continuity of vegetation, proximity to fire-prone wildland areas, proximity to ignition vectors, and slope to allow mobility for wildfire protection practitioners and communities to identify potential avenues for wildfire flow into the WUI and take appropriate mitigative action.

Given the highly variable and intermixed nature of the WUI through much of the project area, these environments possess unique characteristics in terms of vegetation conditions and potential treatment options. In WUI-residential environments across the project area, treatments would focus on defensible space clearance, particularly within 1 to 5 feet of structures, and reduction of canopy connectivity through the pruning of tree limbs and strategic removal of trees and shrubs up to 100 feet from structures. For the complete list of treatment activities applicable to WUI communities, see the "Defensible Space Treatments" subsection of Section 2.1.1, "General Prescription," and Section 2.2.2, "Wildland-Urban Interface Fuel Reduction," of this document.

FIRE HISTORY

Wildfire prevalence, size, and severity in California and fire-prone environments globally have increased exponentially in recent decades. In California state history, 19 of the 20 largest wildfires in terms of area have occurred since 2000, and 13 of these occurred in the past decade (CAL FIRE 2024). Of the 20 most destructive wildfires in state history by number of structures affected, 18 took place since 2000, with 15 occurring in the past decade (CAL FIRE 2025a). The counties surrounding the project area have experienced two of these largest and most destructive fires in state history, both occurring in fall of 2020 when 95th-percentile fire weather conditions coincided with a concentration of lightning-caused ignitions to fuel the CZU Lightning Complex in Santa Cruz and San Mateo Counties and the SCU Lightning Complex in eastern Santa Clara County (Map 1-6). These simultaneous megafire events burned a cumulative 483,134 acres and affected 1,715 structures, and their proximity to population centers in the Bay Area brought about an increased concern for wildfire in the public consciousness.

Taking a closer look at fire history in the region surrounding the project area, several key takeaways can be identified. There is a concentration of past fires that occurred within and adjacent to the project area in the vicinity of Loma Prieta Mountain between the rural mountain communities of Lexington Hills and Sveadal (Map 1-6). Of these six overlapping events, two occurred over 40 years ago (the 1985 Lexington Fire and 1961 Austrian Gulch Fire), while four occurred since 2000 (the 2002 Croy Fire, 2008 Summit Fire, and Loma Fires of 2009 and 2016), mirroring the statewide increase in fires this century. Outside of these fires and the 2020 megafires, fire history in the area is notably sparse, occurring at frequencies well below the natural fire regimes of regional vegetation communities, especially when compared to other regions of the state that are both fire-prone and population-dense. However, the lack of fire history in the region does not indicate that it is not prone to future fire events; in other regions, including the burn footprints of both 2020 Lightning Complex fires, historical fire suppression has been shown to predispose vegetation across the landscape to high fuel loading and connectivity, as well as increase continuity into WUI environments. These conditions—connectivity between the WUI and dense wildland vegetation in fire suppressed landscapes along with climatic shifts increasing the intensity and duration of hazardous fire weather each year—have been observed in fueling several of the recent major fire events throughout the state (e.g., 2025 Palisades, Eaton, and Hughes Fires; 2021 Dixie Fire; and 2018 Camp Fire, to name a few) (CAL FIRE 2025b).



Source: Information from CAL FIRE, adapted by ARC in 2025.

Map 1-6. Fire History of the Vicinity of the Project Area, Highlighting the Proximity of the 2020 CZU and SCU Lightning Complexes

Additionally, the 2020 fires challenged preconceived notions regarding vegetation community susceptibility to high-severity wildfire. The CZU Lightning Complex in particular possessed fire behavior and severity unprecedented in the second-growth redwood-Douglas-fir forests of the Santa Cruz Mountains, while the SCU Lightning Complex traveled rapidly across grassland and oak savanna environments similar to those present within the project area. These coinciding dynamics playing out across ecosystems and landscapes in California heighten the urgency of vegetation management treatments for wildfire and ecological resilience.

1.5 PROJECT OBJECTIVES

The effects of fire suppression and climate change have altered and continue to impact the landscape of California. This combination of stressors has resulted in sensitive habitats that have both declined substantially in their habitat quality and increased their vulnerability to severe wildfire (Ayars et al. 2023; Stephens et al. 2022). Of particular concern are the increasing loss of grasslands, spread of invasive and highly flammable species, overcrowding in conifer and hardwood forests and subsequent understory mortality, and vulnerability of native oak woodland stands to pathogens, including SOD. These impactful conditions have been exacerbated by additional stressors, such as drought and increasing yearly average temperatures. The majority of these dead trees have now fallen to the forest floor and become entangled with overly abundant understory growth, creating hazardous conditions that increase the likelihood of high severity wildfire. Within the project area these dynamics play out in landscapes containing or bordering dense WUI development, highly trafficked road and highway systems, and other critical infrastructure. Simultaneously, development continues to expand deeper into fire-prone landscapes, creating more potential ignition vectors and increasing that likelihood that fire events have destructive and costly outcomes. To address hazardous and ecologically detrimental landscape conditions while minimizing the threat of destructive future fire events, environmentally sensitive landscape-level treatments are required to redirect the path of both changing climates and ecological conditions impacting the area.

Project objectives to address the coinciding hazardous conditions present in the region in terms of vegetation shifts, fuel loading, climatic changes, and proximity to urban development are to:

1. enhance landscape-level wildfire resiliency, protect critical infrastructure, and provide avenues for WUI communities to take home-hardening measures;
2. increase the ability to safely manage or suppress wildfire and restore use of prescribed fire;
3. improve habitat for rare, threatened, and endangered plant and wildlife species where they are present;
4. promote a mosaic of native vegetation types to support diverse floral, faunal, and fungal assemblages that are resilient to climate change; and
5. reduce impacts on natural and cultural resources.

2 PROJECT DESCRIPTION

2.1 TREATMENT PRESCRIPTION

This section outlines the restorative, resilience-focused vegetation treatment prescription that would be implemented to achieve vegetation management principles and goals within the WSCLRP area as initial and maintenance treatments. The treatment prescriptions are organized in three sections: a description of the general prescription; prescriptions specific to the three CalVTP Program EIR treatment types; and descriptions of the treatment activities, including operational specifications, applicable to this project.

2.1.1 General Prescription

For all projects developed under the CalVTP Program EIR, proposed vegetation management actions must be categorized under one of three treatment types: ecological restoration, WUI fuels reduction, or fuel break. In addition to these treatment types, treatment may be characterized by specific treatment goals; defensible space treatments may be proposed in either WUI fuel reduction or fuel break areas, and post-fire treatments may be proposed in any area that previously experienced wildfire, regardless of the mapped treatment type. The WSCLRP would employ all three treatment types (ecological restoration, WUI fuel reduction, fuel break) in different areas across the approximately 143,375-acre project area.

Because the three treatment types share a set of baseline prescription specifications, the general prescription outlined below describes the common elements that would be applied across the entire project pre- or post-fire, with the understanding that additional or modified prescriptions would apply based on site-specific objectives and requirements:

- Selectively remove trees less than or equal to 16 inches dbh[6] to increase crown spacing, reduce competition for available resources, and reduce horizontal and vertical fuel continuity:
  - retain select healthy, live trees less than or equal to 16 inches in diameter to achieve crown and bole spacing with less vertical and horizontal fuel continuity, promote the growth of residual trees, and promote habitat restoration:
    - retain healthy native hardwoods and conifers with appropriate canopy spacing, except where Douglas-fir trees and saplings are converting grassland, shrubland, or hardwood forest habitat types through shading; in which case, Douglas-fir up to 36 inches in diameter (i.e., seed trees, or trees that are outcompeting or otherwise supporting encroachment upon the existing vegetation type) would be removed to restore ecosystem conditions;
- remove any dead, dying, and diseased trees and hazard trees of any size:
  - where such trees do not present a safety hazard, retain existing standing habitat trees, consisting of standing dead, snags, or live trees with dead portions of stems or branches, that provide nesting and foraging habitat for birds and other wildlife;
- prune lower branches of trees 6–15 feet above the ground but not more than 33 percent of the trees crown where feasible;
- retain micro-stands of immature oak trees (i.e., young oak stands that do not have an established, dominant overstory) with a cluster radius of approximately 15–25 feet (30–50 feet in diameter) and spaced approximately 75–100 feet apart, where feasible, with consideration given to steepness or whether this retention could exacerbate fire behavior, or fire behavior proximal to key infrastructure and assets;

[6] Diameter limits for removal may be subject to local ordinances.

- retain 10–25 percent relative cover per acre, depending on the potential for exacerbated fire behavior, proximity to key infrastructure and assets, and the need to maintain micro-stands of understory vegetation that reflect the characteristic cover and composition of any sensitive natural communities, as described in *A Manual of California Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data). Vegetation retention should emphasize clumps or patches distributed across the treatment area to form a mosaic that supports habitat heterogeneity and quality (Strong et al. 2016). Root systems should be left intact to allow for resprouting, with horizontal crown separation of approximately 25 to 75 feet between clusters, depending on site-specific conditions and vegetation alliance characteristics; for chaparral communities, retain vegetation at a minimum of approximately 35 percent and a target of 50 percent within the immediate contiguous stand boundary of the vegetation type within a treatment polygon. Vegetation retention should create a mosaic pattern of patches or shrub islands to maintain a varied level of habitat continuity and structural diversity throughout the polygon, and should be consistent with retention standards outlined by the treatment type, CalVTP SPRs, and applicable MMs. Additional considerations are required for sensitive natural communities:
  - remove populations of nonnative vegetation:
  - apply herbicide to areas of removal to control reestablishment of nonnative species;
- process non-retained biomass for disposal (e.g., masticate, chip, lop and scatter, prescribed burning, prescribed herbivory, etc.); and
- when revegetating post-fire landscapes:
  - consider native forest conditions and desired future forest structure when determining planting spacing and species composition; and
  - install erosion control measures consisting of but not limited to mulching and straw application, hillside seeding with soil-stabilizing species, and erosion barriers such as silt fences.

DEFENSIBLE SPACE TREATMENTS

Wildfire protection measures taken on an individual structure basis are typically described in terms of defensible space, the strategic actions taken within the area immediately surrounding structures to prevent fire spread to structures in wildfire-prone areas. To safeguard important infrastructure and allow for expanded hazard mitigation activities in residential areas, defensible space treatments are included under this general prescription.

The project area encompasses 47,076 individual structures (County of Santa Clara 2025b). Given the highly intermixed nature of the natural and built environments throughout the project area, defensible space treatments are applicable across the entire project area, in all mapped treatment types where structures occur. However, these treatments would be primarily applied in areas mapped as WUI fuel reduction treatment type where structure densities are highest.

Maintenance of a defensible space around homes and structures (fire-resistant maintenance of vegetation within 100 feet of structures) is required by PRC Section 4291.[7] PRC Section 4291 and CAL FIRE's guidelines contain guidance for implementing defensible space in the SRA; at the time this PSA/Addendum was developed, the County of Santa Clara deferred to PRC Section 4291 as the minimum defensible space standard for Local Responsibility Areas (LRA) and does not define more restrictive standards. PRC Section 21080.49[8] was enacted in July 2025, providing a potential statutory exemption to CEQA for defensible space clearance under certain conditions. Despite being potentially CEQA-exempt by statute, it is foreseeable that defensible space treatments would be conducted under this PSA/Addendum (e.g., large scale, publicly funded grant in a residential area involving defensible space treatments). For guidance on potential defensible space vegetation management treatments, see CAL FIRE's guidelines[9] adopted from the language of PRC Section 4291 or the statutory exemption under PRC Section 21080.49.

[7] PRC 4291, from: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4291.&lawCode=PRC.
[8] CA SB 131, Section 11; https://legiscan.com/CA/text/SB131/id/3259518.
[9] CAL FIRE defensible space resources; http://fire.ca.gov/dspace, https://readyforwildfire.org/prepare-for-wildfire/defensible-space/.

POST-FIRE TREATMENTS

For lands within the project area affected by wildfire, treatments would align with the general prescription specifications with additional consideration of erosion control and soil stability, vegetation recovery monitoring, invasive species management, natural regeneration, and, in some cases, regeneration through replanting to reestablish desired vegetation composition. Post-fire restoration would be established and maintained using varying combinations of prescribed burning, manual, mechanical, targeted herbicide, and prescribed herbivory treatments, and restoration approaches would be shaped with consideration of existing conditions such as vegetation type and burn severity. Post-fire treatments are included under the "General Prescription" section because they would be conducted anywhere in the project area where a fire has occurred.

2.2 TREATMENT TYPES

This section outlines the prescription specifications that are unique to each treatment type and would be implemented in conjunction with the general treatment prescription above. Table 2-1 below outlines the treatment types that would be implemented under this proposed project and is followed by Map 2-1 and Map 2-2, which delineate the boundaries of each treatment type.

Table 2-1: Applicable Treatment Types

Treatment Type	Applicable Treatment Activities	Maximum Treatment Size (Acres)
Ecological restoration	Manual, mechanical, prescribed burning, targeted herbicide application, and prescribed herbivory.	74,738
WUI fuel reduction	Manual, mechanical, prescribed burning, targeted herbicide application, and prescribed herbivory.	56,818
Fuel break	Manual, mechanical, prescribed burning, targeted herbicide application, and prescribed herbivory.	11,819

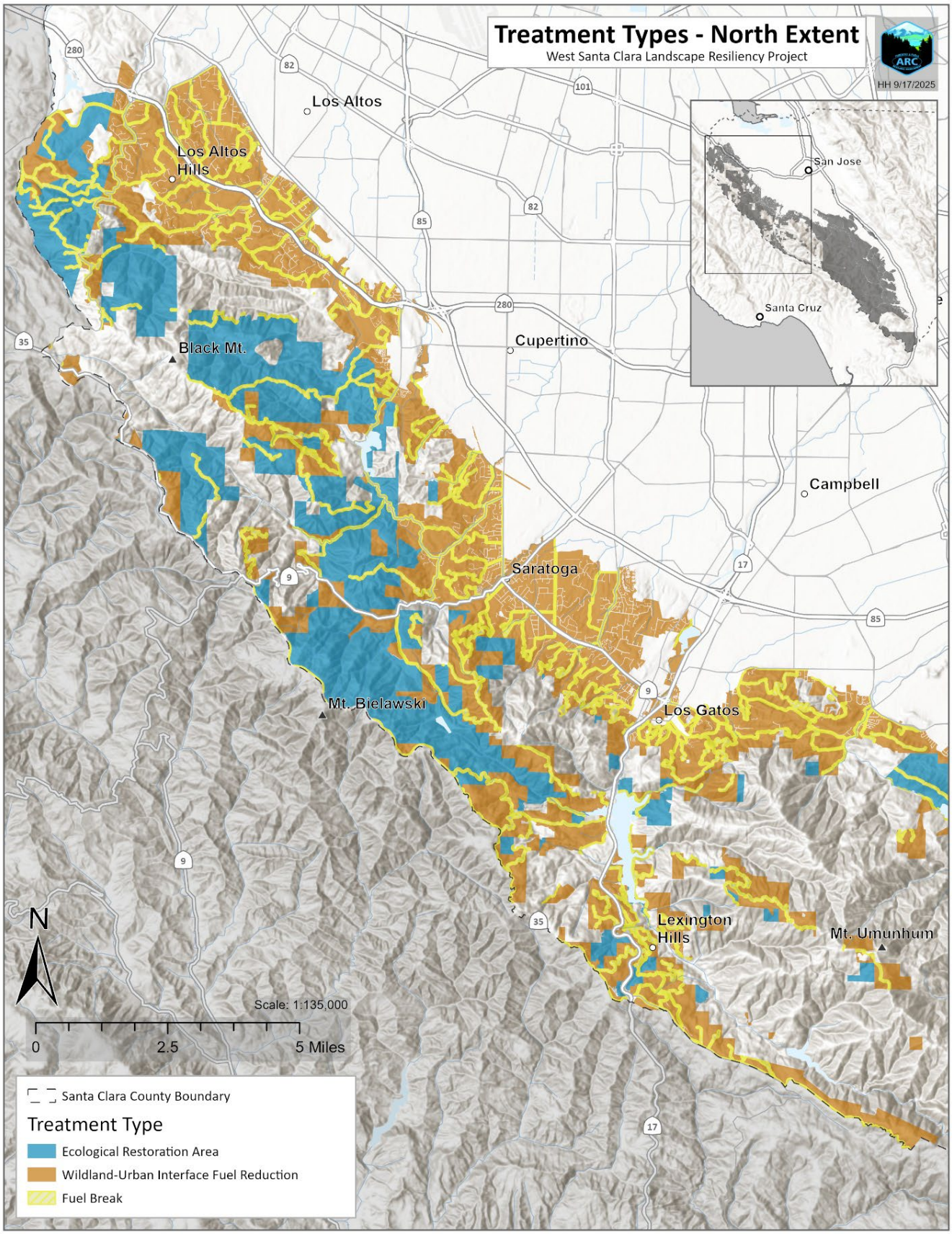
Source: Compiled by Ascent in 2025.

2.2.1 Ecological Restoration

The goal of the ecological restoration treatment type is to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape, relative to modern anthropogenic and climatic influences.

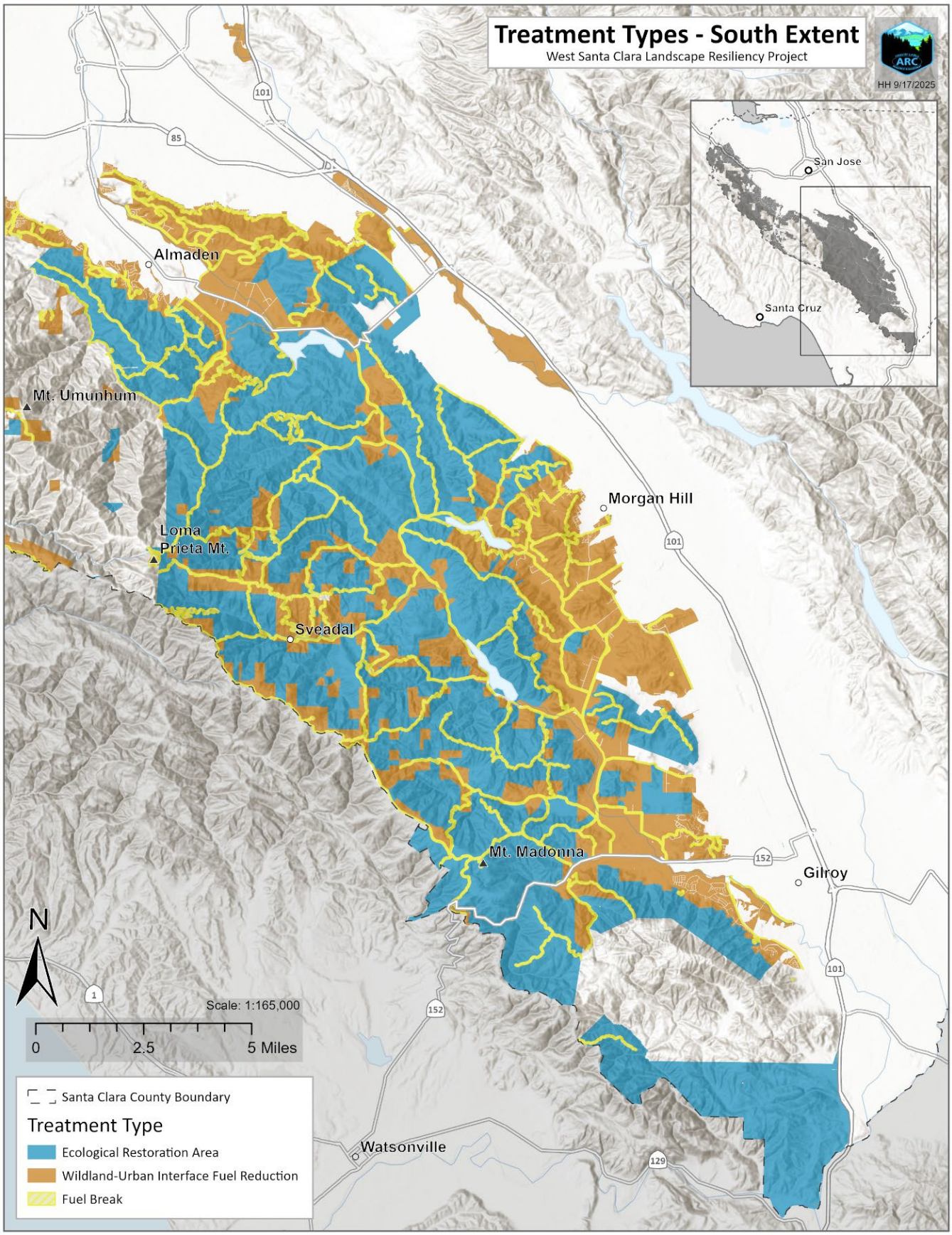
Ecological restoration treatments would follow the general treatment prescription above while adhering to the following specifications, more specific to attaining the goals of this treatment type:

- Retain healthy trees less than 16 inches in diameter with the goal of achieving a 10- to 20-foot residual spacing:
  - stands made up of only trees less than 16 inches in diameter would be thinned to a spacing of approximately 10–20 feet apart to disconnect horizontal and vertical fuel continuity while maintaining vegetation communities.
- Where snags do not present a safety hazard, retain approximately four to six foraging snags (less than 12 inches in diameter) and one or two cavity nesting snags (greater than 12 inches in diameter) per acre.
- Retain downed woody debris in strategic locations to maintain forest floor complexity, with a preference for larger, complex logs, generally greater than 12 inches in diameter and totaling approximately 10 tons per acre, while reducing fuel continuity:
  - the target retention for downed woody debris would be retention of four larger logs (large end greater than 16 inches in diameter, approximately 15 feet long).



Source: Information developed by ARC in collaboration with SCC FSC, SFD, and project partners in 2025.

Map 2-1. Treatment Types in the Northern Extent of the Project Area



Source: Information developed by ARC in collaboration with SCC FSC, SFD, and project partners in 2025.

Map 2-2. Treatment Types in the Southern Extent of the Project Area

- Consistent with the writ and as reflected in SPR CHAP/CSS-1, ecological restoration treatment within chaparral and coastal sage scrub vegetation types (Attachment B Figures B-1 through B-38) will consist of removal of flammable, nonnative vegetation. However, in stands of chaparral or coastal sage scrub that have a state rarity ranking of S4 or S5 and have generated following a fire within the last 15 years in an area that was previously characterized as woodland, ecological restoration treatments would be implemented as described in the general ecological restoration treatment prescription (see bullets above).

Ecological restoration treatments would be established and maintained using varying combinations of prescribed burning, manual, mechanical, targeted herbicide, and prescribed herbivory treatments (Figure 2-1).

Source: Strong et al. 2016; adapted by ARC 2025.

Figure 2-1: Examples of Ecological Restoration Treatment type Outcomes. Pretreatment Conditions Are Represented in the Left Diagram and Posttreatment Conditions Are Represented in the Right Diagram

2.2.2 Wildland-Urban Interface Fuel Reduction

The WUI fuel reduction treatment type targets areas where the wildland and built environment intermix to prevent or slow the spread of nonwind-driven wildfire between structures and wildlands, and vice versa, to prioritize protection of structures and infrastructure.

WUI fuel reduction treatments constitute a middle ground between ecological restoration and fuel break treatments. They employ ecologically restorative standards similar to those listed in the ecological restoration treatment type across large areas while implementing more intensive vegetation removal along the margins of critical infrastructure to prioritize their protection in the event of wildfire. Like fuel break prescriptions, WUI fuel reduction treatments would be designed to improve ingress and egress on evacuation routes, create emergency access points, and reinforce staging areas for wildfire suppression equipment and operations in proximity to infrastructure. WUI fuel reduction treatments also promote ecosystem resilience through the strategic retention of vegetation and trees that increase habitat value and removal of nonnative species that compete with native vegetation.

WUI fuels reduction treatments would adhere to the general prescription above and the following prescription parameters:

- Selectively remove trees less than or equal to 16 inches in diameter:
  - retain healthy trees and vegetation less than 16 inches in diameter with the goal of achieving a 10- to 20-foot spacing; and
  - prune tree canopies (above 6 feet) that make direct contact with infrastructure, neighboring tree canopies, or other flammable material.
- Remove or, in some cases, redistribute understory vegetation and downed woody debris to break up surface fuels and continuity to tree and shrub canopies:
  - remove surface biomass (approximately 0–3 feet from on the forest floor) within 100 feet of structures and other infrastructure to ensure adequate defensible space; and

- when chipping material within 100 feet of structures, spread chips away from structures and the boles of retained vegetation to the extent feasible (see Section 2.3.2, "Mechanical Treatment," below for detailed chipping specifications).

- Maintain the control of flammable, nonnative vegetation using manual treatment as a preferred activity.
- Remove vegetation or downed woody debris of any size within approximately 20 feet of the edge of roadways that impedes ingress or egress in the event of an emergency.
- Consistent with the writ and as reflected in SPR CHAP/CSS-1, WUI fuel reduction treatments within chaparral and coastal sage scrub habitat (Attachment B Figures B-1 through B-38) will be conducted only in chaparral and coastal sage scrub habitat that is located within 1,000 feet of the Interface layer mapped in the CAL FIRE WUI layer. Treatments will be implemented with a preference for hand thinning (manual treatments), and long-term maintenance of flammable, nonnative vegetation will be conducted. No WUI fuel reduction treatment will occur in chaparral outside the 1,000-foot buffer of the CAL FIRE WUI Interface layer.
- In stands of chaparral or coastal sage scrub that have a state rarity ranking of S4 or S5 and have generated following a fire within the last 15 years in an area that was previously characterized as woodland, WUI fuel reduction treatments would be implemented as described in the general WUI fuel reduction treatment prescription (see the bullet points above).

WUI fuel reductions would be established and maintained using varying combinations of manual, mechanical, prescribed burning, targeted herbicide, and prescribed herbivory treatments.

2.2.3 Fuel Break

In strategic locations, fuel breaks create zones of vegetation removal, often in a linear layout, which reduce wildfire risk and support fire suppression efforts by providing emergency responders with a staging area or access to a remote landscape for fire control actions. They can also facilitate safe emergency egress during wildfires. Fuel breaks reduce the likelihood that a severe fire would occur within the treated area by minimizing ignition potential, reducing vegetative fuels, and managing regrowth. In all cases, flammable, nonnative invasive plants would be controlled in maintenance treatments of fuel breaks.

Consistent with the writ and as reflected in SPR CHAP/CSS-1, new fuel breaks within chaparral and coastal sage scrub habitat (Attachment B Figures B-1 through B-38) will not exceed 300 feet in width, and long-term maintenance of flammable nonnative vegetation will be included in treatment.

In stands of chaparral or coastal sage scrub that have a state rarity ranking of S4 or S5 and have generated following a fire within the last 15 years in an area that was previously characterized as woodland, fuel breaks would be implemented as described in the fuel break treatment prescriptions below.

NON-SHADED FUEL BREAKS

In areas designated as non-shaded fuel breaks, vegetation would be removed to the extent that canopy cover is eliminated or nearly eliminated to create new or maintain existing fuel breaks for the purposes of wildland fire control and prescribed burning management. For the purposes of this project, non-shaded fuel breaks would occur only in non-forested vegetation types. In fuel breaks and areas adjacent to existing paved and unpaved roads and trails, standing dead and dying, as well as live, vegetation would be cleared. The width of new and reestablished fuel break segments would vary depending on site-specific conditions but would not exceed 200 feet (i.e., for the purposes of the analysis in this PSA/Addendum, non-shaded fuel break has been mapped with a 100-foot buffer on either side of paved and unpaved roads, and ridgeline fuel breaks).

SHADED FUEL BREAKS

Areas designated as shaded fuel breaks would have similar levels of vegetation removal with the goal of providing similar intended benefits as non-shaded fuel breaks. However, shaded fuel breaks differ in that select live vegetation that provide canopy cover would be retained to a level that provides shade and maintains the ecological benefits provided by the existing vegetation community while still reducing the potential spread of wildfire through the understory and into the canopy. Selective retention of overstory vegetation reduces light penetration to the soil surface, which can slow the regrowth of shrubs and sprouting hardwoods, benefit invasive plan management, and reduce erosion in posttreatment shaded fuel breaks. For the purposes of this PSA/Addendum, shaded fuel breaks would occur in forested vegetation types.

Shaded fuel breaks would be mapped to the same 100-foot buffer off the edge of roadways as non-shaded fuel breaks, and within that area, all dead and the majority of live vegetation would be removed while select, prominent individual trees or shrubs would be retained. Retention standards in shaded fuel breaks would depend on the size, density, and distribution of vegetation, as well as the dominant vegetation types, to result in a residual mosaic of retained vegetation spaced to the extent that horizontal and vertical fuel continuity is thinned while leaving the original vegetation community intact. This treatment is targeted for areas in which fuel breaks are planned in ecologically sensitive vegetation types, such as sensitive natural communities, to limit impacts on existing vegetation composition. Strategic shaded fuel breaks would be established where the residual forest conditions support the establishment of control lines for prescribed burning or to improve ingress and egress for evacuation and emergency vehicle access.

Shaded and non-shaded fuel break objectives would be met through the following prescription bounds in addition to the general prescription:

- Selectively remove of trees less than or equal to 16 inches in diameter:
  - retain healthy trees and vegetation less than 16 inches in diameter with the goal of achieving a 10–20 foot spacing; and
  - prune tree canopies (above 6 feet) that make direct contact with infrastructure, neighboring tree canopies, or other flammable material.
- Prune lower branches of trees 12–15 feet above the ground where directly adjacent to roads or other infrastructure, but not more than 33 percent of the trees crown where feasible.
- Remove understory vegetation and downed woody debris to break up surface fuels and continuity to tree and shrub canopies:
  - remove surface biomass (approximately 0–3 feet from on the forest floor) within 100 feet of roads or other infrastructure to ensure adequate access and break in fuel continuity; and
  - when chipping material within 100 feet of roads or infrastructure, spread chips away from structures and the boles of retained vegetation to the extent feasible (see Section 2.3.2, "Mechanical Treatment," below for detailed chipping specifications).
- Remove vegetation or downed woody debris of any size within approximately 20 feet of the edge of roadways that impedes ingress or egress in the event of an emergency.

Fuel breaks would be established and maintained using varying combinations of prescribed burning, manual, mechanical, targeted herbicide, and prescribed herbivory treatments.

2.3 TREATMENT ACTIVITIES

The proposed treatment activities for this project are manual treatments, mechanical treatments, prescribed burning, targeted herbicide application, and prescribed herbivory. Each treatment activity is described in more detail below and consistent with the treatment activities described in the Program EIR. Table 2-2 provides a summary of

treatments and the maximum acreage of each treatment activity in the project area. Treatment activities could occur during any time of the year. Prescribed burning would occur any day of the week or time of day within identified burn prescription windows. Manual treatments, mechanical treatments, and targeted herbicide application could occur on any day of the week but would generally be limited to daylight hours. Prescribed herbivory in one fenced area could occur across the span of days, up to a week at the longest.

Table 2-2: Applicable Treatment Activities

Treatment Activity	Equipment Used for Treatments	Typical Duration of Treatments	Maximum Treatment Size (Acres) *
Manual treatment	Chainsaws, hand saws, brush cutters, pole saws, hand lopping tools, shovels, weed wrenches, weed whips, machetes, pruning shears, other hand tools and hand-operated power tools, and passenger vehicle(s)/all-terrain vehicle(s).	1 week–6 months	143,375
Mechanical treatment	Tracked or wheeled masticators (e.g., skid steers or excavators with masticating heads), tracked and tow-behind chippers, bulldozer or tractor with brush rake or ball-and-chain crushing apparatus, loader with bucket and thumb attachments to pile material for burns or chipping, wheeled skidders, fire suppression vehicles and equipment (e.g., water apparatus, hand tools), and passenger vehicle(s)/all-terrain vehicle(s).	1 week–6 months	93,158
Prescribed burning–broadcast burning **	Drip torch/terra torch, aerial ignition devices, water tender, excavator, fire suppression vehicles and equipment (e.g., water apparatus, fire engines, bulldozers, tractors, skidders, mowers, loader, excavator, hand tools), and passenger vehicle(s)/all-terrain vehicle(s).	1 day–1 week	143,375
Prescribed burning–pile burning**	Drip torch/terra torch, aerial ignition devices, water tender, excavator, fire suppression vehicles and equipment (e.g., water apparatus, fire engines, bulldozers, tractors, skidders, mowers, loader, excavator, hand tools), air curtain burner, carbonizer, and passenger vehicle(s)/all-terrain vehicle(s).	1 day–1 week	143,375
Targeted herbicide application	Batch truck, application devices (e.g., backpack sprayer, manual brush applicator), and passenger vehicle(s)/all-terrain vehicle(s).	1 day–2 weeks	143,375
Prescribed herbivory	Electric fencing, 10 to 500 head of livestock, water trailer, herding animals (e.g., dogs), and passenger vehicle(s)/all-terrain vehicle(s).	1 day–1 month	143,375

* The sum of acres in maximum treatment size is greater than the total treatment acreage because acreages are approximate, and more than one treatment activity may occur in a given area. While manual treatment, prescribed burning, herbicide application, and prescribed herbivory may occur throughout the entire project area, these treatment activities will be limited to a much smaller area based on feasibility, the scope of individual treatments, and restrictions of the standard project requirements and mitigation measures.

** Cultural burning activities are included under prescribed burning.

Source: Information provided by SCCFSC; compiled by ARC in 2025.

2.3.1 Manual Treatment

Manual treatments primarily include the practice of removing or modifying vegetation through the use of nonmechanized hand tools (e.g., handsaws, Pulaskis, axes, loppers) or mechanized hand tools (e.g., chainsaws, hedge trimmers, pole saws) to cut, remove, hand pile, lop and scatter, and thin trees. In previously burned or otherwise disturbed landscapes in the project area, manual treatments also include tree planting. Generally, manual treatments are not limited by slopes and can be implemented in locations otherwise not accessible for mechanical treatment; however, implementing manual treatments in excessively steep areas may be unsafe and may increase the cost of treatment. Approximately 143,375 acres have been identified as areas in which manual treatment may be implemented in the project area. Manual treatment would be implemented within portions of this overall area based on resource protections, safety concerns, and feasibility.

Manual treatments would be applied to understory or restorative overstory treatment prescriptions where appropriate. For instance, a manual treatment crew would utilize loppers, chainsaws, or other hand tools to cut and remove understory trees and vegetation, or a hand crew would use a chainsaw paired with other felling tools to remove midrange diameter trees or in some cases larger diameter trees. When large trees jeopardize emergency ingress or egress, are deemed to be hazardous or a threat to infrastructure, or are identified to be causing shifts in surrounding vegetation composition in an undesirable manner through seeding (e.g., Douglas-fir encroachment), they would be removed through manual treatments. Additionally, manual treatments would be used to facilitate future prescribed burning efforts and in conjunction with mechanical treatments.

To implement manual treatments, one or two crews of approximately three to 20 members would use hand tools and hand-operated power tools to cut, clear, or prune trees, herbaceous vegetation, and woody shrubs. The duration of manual treatments varies greatly depending on treatment area conditions (e.g., density of tree and shrub fuel types or slope), the acreage to be treated, and the size of the hand crew. Under this project, manual treatments could be implemented in little as a 1-week period to an 18-month window.

General specifications for manual treatments across the project include:

- Cut vegetation during manual treatments would be scattered within the treatment area and lopped, or reduced to smaller pieces, to promote decomposition and reduce rearranged fuel heights.
- Slash material, such as cut branches, tree tops, or other small woody debris, would be lopped to a height below 30 inches from the ground:
  - tree boles or larger woody debris would be left on the ground and bucked to achieve ground contact and spaced at approximately 10 feet apart where feasible to avoid large accumulations of downed woody debris, or chipped.
- When chipping:
  - chipped residual material would generally average 3 inches in depth and not exceed approximately 6 inches,
  - chipped residual material would be minimized in forest gaps or openings where increased biodiversity of herbaceous understory regeneration is more likely, and
  - chipping equipment must follow all mechanized equipment specifications and avoidance measures.

2.3.2 Mechanical Treatment

As stated in Section 2.5.2 of the CalVTP Final Program EIR Volume II, mechanical treatments are designed to cut, uproot, crush/compact, or chop target trees and other vegetation. For the purpose of this PSA/Addendum, mechanical treatments include the practice of removing or modifying vegetation with heavy equipment, usually assorted with attachments that are appropriate for vegetation modification or processing, such as a masticating head attachment. Approximately 93,158 acres have been identified as the area within which mechanical treatment may be implemented. Mechanical treatment would be implemented within portions of this overall area based on resource protections, safety concerns, and feasibility.

Mechanical treatments would occur on flat to moderate slopes, less than 50 percent, and from existing roads and skid trails where equipment reaches from the edge of the infrastructure to treat adjacent trees and vegetation. Additionally, mechanical treatments would be applied to understory or restorative overstory treatment prescriptions where appropriate. For instance, understory treatments use smaller heavy equipment, such as a skid steer, to mulch or masticate woody material and vegetation, whereas larger equipment is used to assist the removal of midrange diameter hazard trees or encroaching Douglas-fir trees to reduce damage to the residual stand or increase operational efficiency.

A variety of heavy equipment is capable of conducting mechanical treatments for vegetation and forest management, and consideration should be given to the following specifications to determine what equipment is most appropriate for each project: equipment size and weight, type of tracks (rubber or steel), mobility and reach,

and available attachments. Equipment types used would include skid steers, excavators, tractors, tracked chippers, backhoes, skidders, slope mowers, or other available heavy equipment that would achieve project goals. Mechanical treatments would be used to facilitate future prescribed burning efforts. Mechanized equipment would be used to support the implementation of other treatment activities, such as manual treatments; for instance, a tracked chipper may be used to process vegetation removed under the manual treatment activity, or ATV/UTVs or other mechanized equipment or vehicles may be employed for watering or for transporting tools and equipment in areas where tree or shrub planting occurs. Mechanical treatments would occur outside designated sensitive resource avoidance buffers as appropriate, such that no ground disturbance from mechanized equipment would occur.

Remote-controlled masticators would be utilized as mechanical equipment. These types of machines are operated by a grounds person via remote control, while standing at a safe distance away, to cut or mulch vegetation. Remote-controlled masticators have a low center of gravity, which allows them to operate on moderate slopes (i.e., 35–50 percent). This treatment method also provides the opportunity for improved visibility and precision control because the operator can assess the work area from different vantage points, improving identification of sensitive resources in advance of treatment work.

To implement mechanical treatments, one hand crew of approximately five to 20 workers would aid equipment operators in achieving treatment specifications. The duration of mechanical treatments varies greatly depending on treatment area conditions (e.g., density of tree and shrub fuel types or slope) and the acreage to be treated. Under this project, mechanical treatments could be implemented over as little as a 1-week up to an 18-month period.

General specifications for mechanical treatments across the project include:

- Equipment movement would occur on slopes up to approximately 50 percent, whereas mechanical treatments would occur predominately on slopes up to 40 percent.
- Treatment would target above-ground vegetation, keeping masticating heads out of duff layers and minimizing direct disturbance to subsurface soil layers, allowing intact root systems to resprout and minimizing impacts on burrowing wildlife.
- When chipping, chipped residual material:
  - would be broadcast over at least 75 percent of treatment areas, and
  - would generally average 3 inches in depth and not exceed approximately 6 inches.
- Mechanical treatments would be minimized in forest gaps or openings where increased biodiversity of herbaceous understory regeneration is more likely, and equipment would avoid wetlands (e.g., wet meadows, seeps) and WLPZs:
  - some vegetation would be removed by reaching an excavator arm into a wet meadow or WLPZ such that no ground disturbance would occur within these areas.

2.3.3 Prescribed Burning

Prescribed burning is the intentional and strategic ignition of fire under specified conditions, which allows fire to behave in more predictable and controlled patterns to achieve a desired outcome. Prescribed burning is implemented by state-certified burn bosses and resources with CAL FIRE coordination. The "Broadcast Burning" and "Pile Burning" sections below describe the general parameters for these treatment activities under this PSA/Addendum. Prescribed burning would also include air curtain burning or carbonization, which are discussed in more detail in the "Biomass Processing" section below. All burning would be implemented in fall, winter, or spring and in accordance with regulations regarding the use of prescribed burning. This would include the preparation and implementation of a burn plan that includes a smoke management plan.

CULTURAL BURNING

Included under prescribed burning is cultural burning, a practice associated with Indigenous land stewardship under which burning is conducted for ecological and wildfire management benefits, as well as cultural and traditional purposes. Cultural burning practices, which can differ from the prescribed burning described in this section in terms of size, seasonality, timing, prepping/planning, and post-fire treatment, were suppressed following European colonization and the persecution of Native people and their land. However, in recent years, efforts to reintroduce Indigenous land stewardship practices continue to shape statewide approaches to wildland fire management (Wildfire and Forest Resilience Task Force 2022).

In this PSA/Addendum, cultural burning is considered under broadcast burning and pile burning and would be implemented in accordance with regulations, SPRs, and MMs associated with these treatment activities. This would include the preparation and implementation of a burn plan and a smoke management plan, when applicable, and obtaining any required permits to conduct the burn from fire authorities.

BROADCAST BURNING

Broadcast burning would occur under specified conditions that allow fire to spread within a confined, predetermined area to achieve desired fire behavior and characteristics that obtain management goals. Broadcast burns can be used in areas to reintroduce fire to the landscape where naturally occurring wildfire has been excluded outside its historical fire return interval due to nearly a century of fire suppression efforts. Approximately 143,375 acres of the project area have been identified as areas in which broadcast burning treatment may be implemented in the project area. Broadcast burning would be implemented within portions of this overall area based on resource protections, safety concerns, and feasibility.

Burn units are delineated with the intent of developing landscape connectivity and opportunities for unit compartmentalization through the strategic placement of treatment units and intermediate burn control lines. Burn unit sequencing is proposed to occur in a manner that prioritizes burning next to previously burned units.

Prescribed broadcast burns typically last approximately 1 day to 2 weeks, and the average number of workers on a prescribed burn is approximately 50. Equipment used for a prescribed burn includes between two and 10 engines, up to two bulldozers and bulldozer transports, masticators or track chippers (to create fuel break perimeter prior to broadcast burns), mechanized hand tools (e.g., chainsaw, high weed mowers, pole saws), an on-site water truck for fire suppression, and in the case of aerial ignitions, equipment such as drones, helitorches, and other ignition and aviation apparatus.

PILE BURNING

Pile burning involves the ignition of piles of woody debris that results from forest density reduction activities. Like broadcast burning, piles would only be ignited under a prescribed set of conditions. Pile burning is a useful tool for reducing the amount of biomass left in a project area. Although approximately 143,375 acres of the project area have been identified as areas in which pile burning treatment may be implemented, pile burning would be implemented within portions of this overall area based on resource protections, safety concerns, and feasibility.

Biomass from mechanical treatment and manual treatment would be piled using heavy equipment or hand crews and burned appropriately. As described in the Program EIR (CalVTP Final Program EIR Volume II Section 2.5.2, page 2-18), pile burning can be used as a means of reducing fuel loads and supporting ecological goals. Pile burning would occur in areas with little to no live overstory or areas where flame lengths and heat would not negatively impact overstory trees. Pile burning would not occur within WLPZ buffers.

Pile burning would occur over a 1-week to 1-month period, and the average number of workers on-site for pile burning would be 10. Equipment used for pile burning includes two to five Type 6 engines and an on-site water truck for fire suppression.

General specifications for prescribed burning treatments across the project include:

- In and around burn units and other areas where prescribed burning would occur:
  - clear vegetation and any combustible material from control lines around burn units;
  - remove dead, dying, or diseased trees; and
  - identify areas where fuel loads exceed safe levels for pile and broadcast burning and reduce fuel continuity.
- Avoid wetlands (e.g., wet meadows, seeps) or WLPZs for pile burning and all ignitions:
  - broadcast burning would be conducted into wetlands or WLPZs as long as no ignition or ground disturbance occurs within the WLPZ.

2.3.4 Targeted Herbicide Application

Targeted herbicide treatment involves the application of chemicals to targeted plants species to inhibit their growth and control their spread. There are various methods to apply herbicides, consisting of but not limited to backpack sprayer, boom sprayer on an ATV/UTV, and hand application, all of which have subsequent techniques to improve application. Targeted herbicide treatment would primarily be used to prevent the spread of the resprouting of invasive species in the project area. Approximately 143,375 acres have been identified as areas in which targeted herbicide application may be implemented in the project area. Herbicide application would be implemented within portions of this overall area based on resource protections, safety concerns, and feasibility. Herbicide treatments would not occur within WLPZ buffers. Targeted herbicide application would be completed by certified and licensed applicators using application methods, such as spot, foliar spray, or by hand (e.g., cut stump method).

During initial and maintenance treatments, herbicide would be used to control invasive vegetation and prevent growth of species such as French broom (*Genista monspessulana*) and yellow starthistle (*Centaurea solstitis*). Herbicides used under this PSA/Addendum would be consistent with those listed in Section 2.5.2 of the CalVTP Final Program EIR Volume II. Herbicides that may be applied include: borax (tetraborate decahydrate); clopyralid (monoethanolamine salt); glyphosate (isopropylamine salt, potassium salt, dimethylamine salt and diammonium salt); hexazinone; imazapyr (isopropylamine salt); sulfometuron methyl; triclopyr (butoxyethyl ester and triethylamine salt); nonylphenol 9 ethoxylates (NP9E); Cleantraxx (penoxsulam and oxyfluorfen); Velpar (hexazinone); and Indaziflam.

Typically, herbicide application would be carried out by two to four workers and would comply with the US Environmental Protection Agency (EPA) label directions, as well as California Environmental Protection Agency and Department of Pesticide Regulation (DPR) label standards. The project proponent would comply with all laws and regulations governing the use of herbicides for this project. Herbicide application under this project is likely to occur within a 1-week period.

2.3.5 Prescribed Herbivory

Prescribed herbivory may be implemented on up to 143,375 acres of the PSA/Addendum area; however, prescribed herbivory would be limited to a select subsection of this overall area based on resource protections, safety concerns, and feasibility. Prescribed herbivory (also known as "targeted grazing") is the use of domestic livestock, in this case sheep or goats, to accomplish specific and measurable vegetation management objectives. Objectives include removing herbaceous biomass (e.g., fine fuel loads) and woody biomass; reducing populations of specific plant species; slowing the reestablishment of shrubs on ungrazed, burned, or mechanically thinned sites; and improving plant community structure for wildlife habitat values. Sheep or goats would be used for prescribed herbivory, depending on the target treatment area and goals. Animal type used would be dependent on the site conditions, vegetation community being targeted, and dietary preferences of the grazing animal. All prescribed herbivory conducted under the proposed project would be within seasonally appropriate periods based on vegetation type and excluded from certain areas, to protect sensitive species.

Cattle grazing is a historical and existing activity with the purpose of maintaining grasslands, enhancing wildlife habitat, and reducing fine fuel loads. Cattle grazing is not included in the proposed project or analysis because cattle grazing currently occurs and historically occurred on many of the properties in this project to maintain grasslands for decades while fire was predominantly excluded. The practice would not be expanded or changed from its current or historical range under this PSA/Addendum.

A herder, fencing, mineral block, or a watering site or some combination would be required to keep the grazing animals within the desired area; typically, professional herders or portable electric fencing would be used during prescribed herbivory treatments. Herds would be moved as often as every 1 to 7 days, and one to two workers would be required on average to implement this treatment activity. Control of livestock movement and prevention of the impacts of overgrazing is critical for the successful use of this treatment method.

Prescribed herbivory results in nonselective removal of vegetation and, therefore, is not recommended for sensitive habitat areas or areas potentially containing special-status plant species or cultural resources areas. Prescribed herbivory is effective at reducing flashy fuels and brush intrusion. Any prescribed herbivory in forested habitat that targets understory materials would include protection measures for selected native understory vegetation to prevent girdling, trampling, and browsing on special-status species. Forest understory vegetation would be maintained in ecological restoration areas consistent with the understory descriptions in *A Manual of California Vegetation* (Sawyer et al. 2009). Prescribed herbivory would generally not be implemented in riparian woodlands and would only be used along the margins of these areas. Prescribed herbivory would be confined to the dry season, and exclusion zones consistent with CalVTP Program EIR specifications (e.g., SPR HYD-3 and MM BIO-4) around aquatic habitats would be created to minimize potential impacts on these areas from prescribed herbivory activities.

SHEEP

Sheep eat forbs, grasses, and shrubs and graze on steep slopes. Their herding instinct allows prescribed herbivory without the installation and maintenance of fences but requires that a shepherd and trained, professional dogs are present. Sheep grazing requires that drinking water sources be present, which would be provided through hauled water tanks or on-site developed livestock water sources (troughs). A combination of sheep and goats can be a viable option when a mixture of grass, noxious weeds, and shrubs are present in the area to be treated.

GOATS

Goats prefer to browse on woody vegetation (e.g., tree leaves, twigs, vines, shrubs) and eat materials up to 6 feet above the ground. This grazing pattern creates a desirable vertical separation between the canopy and ground cover that is best used in areas with low numbers of plants intended for retention because goats indiscriminately damage most plants. Goat grazing is also preferable in areas of steeper terrain, where other grazing animals are less suited for the topographic conditions and are therefore less effective in grazing to achieve the desired vegetation management results.

Portable electric fences would be used to help control the herd and the outcome of their grazing. Measures would also be taken to prevent girdling of small trees that can result from the goats browsing on tree bark. Herd movement has the advantage of breaking off dead material in a stand, as well as punching a humus layer into the soil (if the ground is somewhat moist), and thereby removing available fuel.

2.4 BIOMASS PROCESSING

Biomass created during the proposed vegetation treatments described above would be disposed of primarily by mastication, chipping and broadcasting throughout the treatment area, lop and scattering, prescribed burning, and incineration with a curtain burner or carbonator. In order to conduct these disposal methods, woody material would be hauled, skidded, and decked to be processed. Whole logs would be stored on-site for later disposal, and where current biomass disposal methods exceed immediate capacity, off-hauling excess chipped material would be

delivered to off-site properties. Should chips from throughout the project area be off-hauled, the project proponent would acquire written acceptance of the volume of chips. The biomass disposal methods are further described as follows (a percent of biomass to be treated through each processing method is estimated for initial treatments and analysis purposes).

2.4.1 Chipping

Chipped material is estimated to account for approximately 12.5 percent of biomass. Materials would be chipped, broadcast, and spread throughout treatment areas in a manner that does not exceed an average depth of approximately 3 inches and does not exceed 6 inches. Material would be chipped in place or into a van to be taken to a different location in the PSA/Addendum area or to be hauled off-site for donation to willing recipients, as outlined in the accompanying wasted discharge plan. Chipping involves the use of a mechanized chipper to chip woody debris and pile or spread the processed material in a given location and would be applied to mechanical and manual treatments.

2.4.2 Mastication

Masticated material is estimated to account for approximately 30 percent of biomass. Mastication, or the mulching of vegetation and woody debris, occurs concurrently with mechanical vegetation removal where all masticated material is left on the ground.

2.4.3 Lop and Scatter

Lop and scattered material is estimated to account for approximately 17.5 percent of biomass. Lop and scatter methods would be used on steeper slopes, in areas where equipment access is not feasible, and as part of any manual treatments. Areas where lopping and scattering would occur would also be subject to broadcast burning.

2.4.4 Pile Burning

Pile burned material is estimated to account for approximately 12.5 percent of biomass.

Cut vegetation during manual or mechanical treatments would be piled in scattered located throughout the treatment area to be ignited under a specified conditions to dispose of cut, chipped, or masticated woody debris and vegetation. Burn piles would be covered with plastic, or other appropriate means, to maintain low fuel moisture in the area designated for ignition.

2.4.5 Broadcast Burning

Broadcast burned material is estimated to account for approximately 20 percent of biomass.

Broadcast burning would occur in designated burn units under predetermined site-specific conditions. Burn units overlap with other treatment activities, where fire would be used as a vegetation maintenance tool to consume understory vegetation and woody debris. Site preparation for burn units would primarily include mastication, chipping, crushing, cutting, lopping and scattering, or other vegetation pretreatments along designated control lines and intermediate controls as appropriate.

2.4.6 Air Curtain Burning and Carbonization

Material that is processed through air curtain burning and carbonization is estimated to account for approximately 5 percent of biomass.

Air curtain burning and carbonization are new technologies designed to consume biomass inside fireboxes. These technologies use heavy equipment for loading biomass into the fireboxes and are generally set up in large, open areas that are clear of vegetation.

When feasible, biomass resulting from mechanical or manual treatments, such as large material considered inefficient for chipping or other processing methods, would be disposed of using air curtain burning or carbonization. Air curtain burners would be set up on existing roadways or landings that meet the qualifications for their use, which comprise level, previously disturbed areas that are devoid of vegetation. Biomass would be carried from the work sites to the burner and fed into the air curtain burner through the use of heavy machinery. The location of the air curtain burner or carbonizer requires consideration of its proximity to landings and roads that would be used to transport material to the firebox. Once the burning is complete and the produced wood ash has cooled, the ash and biochar may be distributed throughout the treatment area where the biomass originated or be hauled off-site for donation to willing recipients, as outlined in the accompanying waste discharge plan.

The depth of biochar and ash would not exceed 4 inches at any location in the project area. If it is not feasible to distribute biochar and ash in the treatment area in this way, biochar may also be hauled off-site for beneficial use at agricultural or other facilities in the area. Multiple air curtain burners could be operated simultaneously as part of the proposed project. A burner requires a crew of two to three people per burner, and operating multiple burners next to each other would not necessarily require additional people. Air curtain burners have been designed to consume biomass quickly and efficiently with a substantial reduction in smoke.

2.4.7 Biomass Hauling

Material that results from treatment activities, such as material processed through chipping or air curtain burning and carbonization or whole logs, may be hauled off-site and donated to nearby willing recipients, such as privately owned farms or creek restoration projects, for example, due to the lack of nearby biomass processing facilities. Biomass hauling is estimated to account for approximately 2.5 percent of biomass. A waste disposition plan would outline the hauling locations prior to biomass being hauled off-site.

For the purposes of this PSA/Addendum, biomass hauling is not expected to exceed a hauling distance of approximately 155 miles from the project area because the two closest large-scale biomass processing facilities are within this approximate distance of the project area. DTE Stockton LLC in Stockton, San Joaquin County, California, is approximately 120 miles from the farthest southern section of the project area, and Woodland Biomass Power LLC in Woodland, Yolo County, California, is approximately 152 miles from the farthest southern section of the project area. Biomass may be hauled to willing local recipients in the vicinity of operations where feasible.

2.5 TREATMENT MAINTENANCE

Maintenance treatments, or retreatments, would occur based on annual monitoring of the site conditions. Maintenance treatment is estimated to occur immediately following initial treatments (e.g., manual, mechanical, prescribed fire, targeted herbicide, or prescribed herbivory) or approximately every 2 to 10 years, or more frequently if the qualified professional/lead agency determines that the initial treatment did not obtain the appropriate results (e.g., the prescribed fire treatment did not result in the appropriate treatment outcome representative of the results expected from the average fire return interval). Maintenance treatment methods employ the same vegetation treatment activities used in the initial treatment or introduce a new treatment activity presented in this PSA/Addendum; for example, mechanical initial treatments may be maintained with prescribed fire treatments.

Retreatment in ecological restoration areas would consider the natural fire return interval (i.e., time since last burn is greater than or equal to the average fire return interval for the habitat type) of a given vegetation type and existing conditions, prior to implementing a maintenance treatment. Treatment activities that do not use fire (e.g., manual treatments, mechanical treatments) are considered "fire surrogates." In the absence of additional data regarding mechanical and manual treatment activities, fire return interval is used as a proxy to guide the frequency and intensity of these non-fire treatments. This approach assumes that, in some vegetation types, manual treatment functions

similarly to low-severity fire, whereas mechanical treatment more closely resembles the effects of mixed severity fire. Follow-up maintenance treatment to target invasive species would occur at any time.

Maintenance treatments would generally be lower in intensity and scale than initial treatments. Prior to implementing maintenance treatments, the project proponent would determine the natural fire return interval of the habitat(s) to be retreated, and the project proponent would verify that the expected site conditions as described in the PSA/Addendum are present in the treatment area(s). Additionally, pursuant to SPR BIO-5, all treatments and the maintenance treatment interval would be designed to maintain habitat function of the specific chaparral vegetation alliance being treated and to avoid type conversion of chaparral. As a result, retreatment is generally anticipated to occur between 2 and 10 years following initial treatments in common vegetation types (e.g., annual grassland, Douglas-fir forest); maintenance treatment would be timed to retain habitat function and ensure the habitat is within the natural fire return interval in sensitive natural communities or sensitive habitats (e.g., wetland, riparian, oak woodland, chaparral). Prior to implementing maintenance treatments, the project proponent would determine the natural fire return interval of the habitat(s) to be retreated and would verify that the expected site conditions as described in the PSA/Addendum are present in the treatment area.

As time passes, the continued relevance of the PSA/Addendum would be considered by the project proponent considering potentially changed conditions or circumstances. If environmental conditions evolve or project approaches change to the degree that the project proponent finds new or substantially more severe impacts may occur, the proponent would determine whether a new PSA/Addendum or other environmental analysis is warranted.

2.6 GUIDANCE FOLLOWING PSA APPROVAL

2.6.1 General Actions to Implement Treatment Activities

The purpose of the following list is to provide guidance to the implementing entity to ensure that all steps necessary to commence treatments described in the PSA/Addendum are complete prior to operations; this list serves as a timeline and checklist that would be applied to each phase of treatment implementation. Some actions listed below would be completed during the development of the PSA/Addendum, while others must be completed for individual implementation periods (e.g., phases of treatments, initial treatments, maintenance treatments). This checklist is intended to be used in conjunction with the MMRP located in Attachment A.

1. Protocol-level botanical surveys are complete, and sensitive resources are marked (SPR BIO-1, SPR BIO-3, and SPR BIO-7).
2. Protocol-level wildlife and nursery site surveys are complete, and special-status species are marked (SPR BIO-1, SPR BIO-10, MM BIO-2a, and MM BIO-2b).
3. The archaeological survey report process is complete, and archaeological sites are flagged for avoidance and protection (SPR CUL-4, SPR CUL-5, and SPR CUL-7).
4. Burn plan, if necessary, is complete (SPR AQ-3).
5. Smoke management plan, if necessary, has been obtained (SPR AQ-2).
6. Treatment operations maps that consist of, but are not limited to, existing roads, existing stream crossings, staging areas, access points, watercourses, and other sensitive resources, specify treatment activity areas, and potential unstable areas have been prepared (SPR AD-2).
7. CalVTP PSA noticing requirements to neighbors and other appropriate entities are complete (SPR AD-4, SPR AD-6, SPR CUL-2, SPR HAZ-9, SPR NOI-6, and SPR REC-1).
8. Final field verification of treatment units that include flagging all sensitive resources consisting of, but not limited to, sample treatment areas flagged for retention, access points, staging areas, property lines where necessary, WLPZs, unstable areas, and existing stream crossings is complete.

9. Contract bid process has begun, and bid walk has been conducted with contractors to explain the treatment prescription and associated activities and to show them the sample treatment areas.
10. Pretreatment activity surveys are complete, and sensitive resources have been flagged (SPR BIO-7 and SPR BIO-10).
11. Nesting bird surveyors are under contract and ready to conduct surveys (SPR BIO-12).
12. Environmental awareness training and cultural resource training are complete with contractors, and treatment operations have begun (SPR BIO-2 and SPR CUL-8).
13. Supervision of contractors occurs consistently throughout project implementation.
14. Implementation meetings occur two to four times a month to keep track of operations and ensure appropriate sensitive resource protection.
15. Roads and other appropriate infrastructure are closed with necessary erosion control measures as winter approaches (SPR GEO-5).
16. Roads and other appropriate infrastructure are checked during the winter to ensure that no erosion issues are occurring as a result of treatment operations (SPR GEO-4).
17. During prescribed herbivory treatments, wildlife-friendly fencing is used to manage livestock (SPR BIO-11), prescribed herbivory treatments are being used in areas with more than a 50 percent slope (SPR GEO-7), and herbivore-specific water quality protections are implemented (SPR HYD-3). MM BIO-2e prohibits use of prescribed herbivory in the occupied habitat of federally listed protected butterflies, such as bay checkerspot butterfly. Other seasonal restrictions may also apply to prescribed herbivory treatments in sensitive natural communities and oak woodlands (see Impact BIO-2 in Section 4.5, "Biological Resources," Attachment A, MM BIO-3a).
18. Implementation of treatments in chaparral and coastal sage scrub vegetation (as defined in SPR CHAP/CSS-1) will comply with the requirements of SPR CHAP/CSS-1.

Entities enrolled in the Santa Clara Valley Habitat Plan (SCVHP) who are implementing treatments covered by the SCVHP must implement applicable requirements of the SCVHP. See Impact BIO-8 in Section 4.5, "Biological Resources," for additional details.

3 ENVIRONMENTAL CHECKLIST

VEGETATION TREATMENT PROJECT INFORMATION

1. **Project Title:** West Santa Clara Landscape Resiliency Project
2. **CalVTP I.D. Number:** 2025-27
3. **Implementing Entity's Name and Address:** Santa Clara FireSafe Council
   14380 Saratoga Ave
   Saratoga, CA 95070-5953
4. **Contact Person Information and Phone Number:** Stephen Harrington
   831.419.2434
   sharrington@sccfiresafe.org
5. **Project Proponent Name and Address:** Saratoga Fire Protection District
   14380 Saratoga Ave, Saratoga, CA 95070
6. **Contact Person Information and Phone Number:** Trina Whitley
   twhitley@saratogafire.org
   408.867.9001
7. **Project Location:** Western Santa Clara County
   PSA/Addendum Area Centroid Coordinates:
   Longitude (X): -121.834647
   Latitude (Y): 37.149751
   See Map 1-1
8. **Total Area to Be Treated (acres)** Up to 143,375 acres
9. **Description of Project**:
   See Section 2, "Project Description," above for a detailed description of the proposed project, including initial treatment prescriptions, planned treatment maintenance, equipment used for treatment activities, and planned duration of treatments with cross-references to specific subsections of the Program EIR. In addition, Section 2, "Project Description," provides a detailed description of the proposed treatment types, treatment activities, and fuel types for initial and maintenance treatments.

   a. Initial Treatment
      Initial treatments are described in Section 2, "Project Description," and generally include manual, mechanical, prescribed fire (pile burn and broadcast burn), and herbicide treatments within the ecological restoration treatment type.

   Treatment Types

   ☒ Wildland-Urban Interface Fuel Reduction

   ☒ Fuel Break

   ☒ Ecological Restoration

   Treatment Activities

   ☒ Prescribed Burning (Broadcast), 143,375 acres

   ☒ Prescribed Burning (Pile Burning), 143,375 acres

   ☒ Mechanical Treatment, 93,158 acres

   ☒ Manual Treatment, 143,375 acres

   ☒ Prescribed Herbivory, 143,375 acres

   ☒ Herbicide Application, 143,375 acres

Fuel Type

☒ Grass Fuel Type

☒ Shrub Fuel Type

☒ Tree Fuel Type

b. Treatment Maintenance

See Section 2.5, "Treatment Maintenance," above for a detailed description of maintenance activities.

Treatment Types

☒ Wildland-Urban Interface Fuel Reduction

☒ Fuel Break

☒ Ecological Restoration

Treatment Activities *[See description in CalVTP Program EIR Section 2.5.2, check every applicable category, include number of acres subject to each treatment activity, and provide detail in description of initial treatment.]*

☒ Prescribed Burning (Broadcast), 143,375 acres

☒ Prescribed Burning (Pile Burning), 143,375 acres

☒ Mechanical Treatment, 143,375 acres

☒ Manual Treatment, 143,375 acres

☒ Prescribed Herbivory, 143,375 acres

☒ Herbicide Application, 143,375 acres

Fuel Type

☒ Grass Fuel Type

☒ Shrub Fuel Type

☒ Tree Fuel Type

Use of the PSA for Treatment Maintenance

Prior to implementing a maintenance treatment, the project proponent would verify that the expected site conditions as described in the PSA are present in the treatment area. As time passes, the continued relevance of the PSA would be considered by the project proponent in light of potentially changed conditions or circumstances. Where the project proponent determines the PSA is no longer sufficiently relevant, the project proponent would determine whether a new PSA or other environmental analysis is warranted.

In addition to verifying that the PSA continues to provide relevant CEQA coverage for treatment maintenance, the project proponent would update the PSA at the time a maintenance treatment is needed when more than 10 years have passed since the approval of the PSA or the latest PSA update. For example, the project proponent may conduct a reconnaissance survey to verify conditions are substantially similar to those anticipated in the PSA. Updated information should be documented.

10. Regional Setting and Surrounding Land Uses:

The WSCLRP encompasses roughly 143,375 acres from the WUI and residential margin of the Santa Clara Valley to the crest of the Santa Cruz Mountains. This PSA/Addendum area is located entirely within Santa Clara County, primarily in the rural, residential, and open space areas of the Santa Cruz Mountains and foothills. Generally, the project area spans a discontinuous collection of parcels west of Palo Alto to Gilroy, California.

Additional information regarding regional setting and surrounding land uses is provided in Section 1.4, "Existing Conditions," of this PSA/Addendum.

11. Other Public Agencies Whose Approval Is Required: (e.g., permits)

- Consultation required by the CalVTP was met by submitting a project description, species status list, and pertinent maps to the California Department of Fish and Wildlife (CDFW) during the planning phase of this project on December 17, 2025. Comments from CDFW were received on December 24, 2025. CDFW indicated that they were unable to review the project due to staff shortages, and provided additional general guidance.
- Consultation required by the CalVTP was met by submitting a project description, species status list, and pertinent maps to the United States Fish and Wildlife Service (USFWS) during the planning phase of this project on December 17, 2025. Comments from USFWS were received on December 18, 2025, and were incorporated into the PSA project design.
- Smoke management plans will be prepared for the Monterey Bay Air Quality Management District and/or Bay Area Air District, as required.
- Burn permits will be obtained from CAL FIRE and the Monterey Bay Air Quality Management District and/or Bay Area Air District, as required.

Coastal Act Compliance

☒ The proposed project is NOT within the Coastal Zone.

☐ The proposed project is within the Coastal Zone. (*Check one of the following boxes.*)

- ☐ A coastal development permit has been applied for or obtained from the local Coastal Commission district office or local government with a certified Local Coastal Plan, as applicable.
- ☐ The local Coastal Commission district office or local government with a certified Local Coastal Plan (in consultation with the local Coastal Commission district office) has determined that a coastal development permit is not required.

12. Native American Consultation. *For treatment projects that are within the scope of the CalVTP Program EIR, AB 52 consultation for Assembly Bill (AB) 52 compliance has been completed. The Board conducted consultation pursuant to PRC Section 21080.3.1 during preparation of the Program EIR. For treatment projects with impacts not within the scope of the Program EIR, pursuant to PRC Sections 21080.3.1, 21080.3.2, and 21082.3, project proponents preparing a new negative declaration, mitigated negative declaration, or EIR must notify any California Native American tribe that has submitted written request for notification of a project in the area of the treatment site. Upon written request for consultation by a tribe, the project proponent must begin consultation before the release of the environmental document and must follow the requirements of the cited PRC sections.*

The following Native American contacts in Santa Clara County were contacted on November 26, 2025: Vice Chairperson Ed Ketchum and Chairperson Valentin Lopez of Amah Mutsun Tribal Band; Senior Cultural Monitor and Consultant Michelle Zimmer, Chairperson Irenne Zwierlein, Senior Cultural Monitor and Consultant and Councilman Chritopher Zimmer, and Senior Cultural Monitor and Consultant and Councilwomen Shelby Brown of Amah Mutsun Tribal Band of Mission San Juan Bautista; Language Program Manager Deja Gould, Chairperson Corrina Gould, and Tribal Cultural Resource Manager Cheyenne Gould of Confederated Villages of Lisjan Nation; Tribal Councilmember Carla Munoz, Cultural Resource Officer Samuel Rodriguez, and Cultural Resource Officer Henry Muñoz of Costanoan Rumsen Carmel Tribe; Tribal Chairwoman Kanyon Sayer-Roods and Retired Honorable Elder Ann Marie Sayers of Indian Canyon Mutsun Band of Costanoan; Councilmember/MLC Tribal Representative Richard Massiatt and Chairperson Charlene Nijmeh of Muwekma Ohlone Tribe of the San Francisco Bay Area; Chairperson Katherine Perez and Tribal Compliance Officer Timothy Perez of Northern Valley Yokut/Ohlone Tribe; THPO Johnathan Wasaka Costillas, Secretary Lilian Camarena, and Chairperson Quirina Geary of Tamien Nation; THPO Desiree Vigil, President Emeritus Andrew Galvan, and President Vincent Medina of the Ohlone Indian Tribe; and Chairperson Kenneth Woodrow of Wuksachi Indian Tribe/Eshom Valley Band. Responses were received from the Muwekma Ohlone Tribe of the San Francisco Bay Area and the Tamien Nation, and coordination pursuant to SPR CUL-2 is complete. Engagement with tribes related to cultural resources protection or cultural burning will continue during implementation of treatments as requested by tribes.

DETERMINATION

On the basis of this PSA and the substantial evidence supporting it:

☒ I find that the effects of the proposed project (a) have been covered in the CalVTP Program EIR, and (b) all applicable Standard Project Requirements and mitigation measures identified in the CalVTP Program EIR will be implemented. The proposed project is, therefore, **WITHIN THE SCOPE** of the CalVTP Program EIR. **NO ADDITIONAL CEQA DOCUMENTATION** is required.

☒ I find that the presence of proposed project areas outside the CalVTP treatable landscape will not result in substantial changes in the project, no substantial changes in circumstances have occurred, and no new information of substantial importance has been identified. The inclusion of project areas outside the CalVTP treatable landscape will not result in any new or substantially more severe significant impacts. None of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred; therefore, an **ADDENDUM** is adopted to address the project areas outside the geographic extent presented in the Program EIR.

☐ I find that the proposed project will have effects that were not covered in the CalVTP Program EIR. These effects are less than significant without any mitigation beyond what is already required pursuant to the CalVTP Program EIR. A **NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project will have effects that were not covered in the CalVTP Program EIR or will have effects that are substantially more severe than those covered in the CalVTP Program EIR. Although these effects may be significant in the absence of additional mitigation beyond the CalVTP Program EIR's measures, revisions to the proposed project or additional mitigation measures have been agreed to by the project partners that would avoid or reduce the effects so that clearly no significant effects would occur. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project will have significant environmental effects that are (a) new and were not covered in the CalVTP Program EIR and/or (b) substantially more severe than those covered in the CalVTP Program EIR. Because one or more effects may be significant and cannot be clearly mitigated to less than significant, an **ENVIRONMENTAL IMPACT REPORT** will be prepared.

Signature

4/21/2026

Date

STEPHEN HANNINGTON

Printed Name

SR. PROJECT MANAGER

Title

SANTA CLARA CO. FIRESAFE COUNCIL

Agency

4 PROJECT-SPECIFIC ANALYSIS/ADDENDUM

4.1 AESTHETICS AND VISUAL RESOURCES

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact AES-1: Result in Short-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from Treatment Activities	LTS	Impact AES-1, pp. 3.2-16 – 3.2-19	Yes	AD-3 AD-4 AES-2 AQ-2 AQ-3 REC-1	NA	LTS	No	Yes
Impact AES-2: Result in Long-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from Wildland-Urban Interface Fuel Reduction, Ecological Restoration, or Shaded Fuel Break Treatment Types	LTS	Impact AES-2, pp. 3.2-20 – 3.2-25	Yes	AD-3 AES-1 AES-3	NA	LTS	No	Yes
Impact AES-3: Result in Long-Term Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from the Nonshaded Fuel Break Treatment Type	SU	Impact AES-3, pp. 3.2-25 – 3.2-27	Yes	AD-3	AES-3	SU	No	Yes

Notes: MM = mitigation measure; LTS = less than significant; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Aesthetic and Visual Resource Impacts: Would the treatment result in other impacts to aesthetics and visual resources that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT AES-1

Initial and maintenance treatments would be implemented using manual treatment, mechanical treatment, prescribed burning, herbicide application, and prescribed herbivory. The potential for these treatment activities to result in short-term degradation of the visual character of a project area was examined in the Program EIR. The nearest officially designated state scenic highway is SR 9 (Big Basin Way), which traverses the Santa Cruz Mountains and passes directly through the project area as part of the Saratoga–Los Gatos Road Scenic Corridor (Caltrans 2025). In addition, an officially designated portion of SR 35 (Skyline Boulevard) runs along the ridgeline of the Santa Cruz Mountains, adjacent to the western edge of the project area. Portions of SR 280 located along the northern boundary of the project area are also either officially designated or eligible for state scenic highway designation. SR 17 and a portion of SR 152 are also eligible state scenic highways that pass directly through the project area (Caltrans 2025). Publicly accessible viewpoints within and near the project area from which treatments may be visible are located along public roadways, trails, and recreation areas, including Mount Madonna County Park, Uvas Reservoir County Park, Chesbro Reservoir County Park, Calero County Park, Sierra Azul Open Space Preserve, Almaden Quicksilver County Park, Santa Teresa County Park, Bear Creek Redwoods Open Space Preserve, Lexington Reservoir County Park, El Sereno Open Space Preserve, Sanborn County Park, Saratoga Gap Open Space Preserve, Picchetti Ranch Open Space Preserve, Fremont Older Open Space Preserve, Stevens Creek County Park, Rancho San Antonio County Park, Foothills Nature Preserve, Mont Bello Open Space Preserve, SR 9, SR 17, SR 35, SR 152, and SR 280.

Although portions of the project area are visible from public viewpoints and officially designated state scenic highways (SR 9 and portions of SR 35 and SR 280), the project area has varied topography and is typically densely vegetated with some areas of mature trees, which would substantially reduce the visibility of treatments from public viewpoints and officially designated state scenic highways. In addition, treatments would primarily remove trees smaller than 16 inches dbh, retaining healthy overstory vegetation, and removing select shrubs to create a mosaic structure with retained vegetation. Although the removal of vegetation could be noticeable in the short term after treatment, mature vegetation would remain to provide partial screening of treatment areas. Equipment, crews, and smoke from prescribed burning could also be visible from public viewpoints and officially designated state scenic highways (SR 9 and portions of SR 35 and SR 280) in the short term.

The potential for the project to result in short-term substantial degradation of the visual character of the project area is within the scope of the Program EIR because the proposed treatment activities are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing scenic resources are essentially the same within and outside the treatable landscape; therefore, the short-term aesthetic impact is also the same, as described above. SPRs applicable to the proposed treatments are AD-3, AD-4, AES-2, AQ-2, AQ-3, and REC-1. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AES-2

Proposed initial and maintenance treatments are ecological restoration, WUI fuel reduction, and fuel break (shaded and non-shaded) treatment types. Non-shaded fuel breaks are addressed in Impact AES-3, below. The potential for these treatment types to result in long-term degradation of the visual character of an area was examined in the Program EIR.

Public viewpoints primarily include the publicly accessible recreation areas within the project area described above under Impact AES-1 and public roadways adjacent to the proposed treatments, several of which are eligible or officially designated as state scenic highways (SR 9, SR 17, SR 35, SR 152, SR 280). The long-term visual character and quality of public views after implementation of the proposed ecological restoration, WUI fuel reduction, and fuel break treatments would remain consistent with the current natural, vegetated landscape and, therefore, would not constitute a substantial

adverse change or degrade the current visual character of the landscape. The potential for the project to result in long-term substantial degradation of the visual character of the project area is within the scope of the Program EIR because the proposed treatment activities are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the long-term aesthetic impact is also the same, as described above. SPRs applicable to the proposed treatments are AD-3, AES-1, and AES-3. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AES-3

Initial and maintenance treatments would include non-shaded fuel break treatments in non-forested areas. The potential for this treatment type to result in long-term degradation of the visual character of an area was examined in the Program EIR and found to be significant and unavoidable after the application of all feasible MMs because it may be infeasible to relocate a non-shaded fuel break to avoid public visibility. Public viewpoints of the non-shaded fuel breaks include the public recreation areas described above under Impact AES-1 and public roadways (main highways and primary access routes) adjacent to the proposed treatments. Some non-shaded fuel breaks would also be visible from SR 9 and portions of SR 35 and SR 280, which are officially designated state scenic highways. The potential for the project to result in long-term substantial degradation of the visual character of the project area is within the scope of the Program EIR because the proposed treatment activities are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing visual character is essentially the same within and outside of the treatable landscape; therefore, the long-term aesthetic impact is also the same, as described above. SPR AD-3 is applicable to this impact. In addition, MM AES-3 would apply to this treatment to minimize visual impacts, if feasible, from any recreation areas, public roads, and state scenic highways with lengthy views (i.e., longer than a few seconds) of non-shaded fuel breaks. While implementation of MM AES-3 would substantially reduce the potential for substantial long-term degradation of visual character, as noted in the Program EIR, non-shaded fuel breaks may be visible from public viewpoints, and it is not feasible to relocate them because they have been proposed in strategic locations to reduce wildfire risk and support fire suppression by providing responders with a staging area. Therefore, the potential remains for substantial long-term degradation of visual character, and this impact is considered significant and unavoidable. This determination is consistent with the Program EIR and would not constitute a new or substantially more severe significant impact than what was covered in the Program EIR.

NEW AESTHETIC AND VISUAL RESOURCE IMPACTS

The proposed treatments are consistent with the treatment types and activities covered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.2.1, "Environmental Setting," and Section 3.2.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions pertinent to aesthetics and visual resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to any new significant impact. Therefore, no new impact related to aesthetics and visual resources would occur.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact AG-1: Directly Result in the Loss of Forest Land or Conversion of Forest Land to a Non-Forest Use or Involve Other Changes in the Existing Environment Which, Due to Their Location or Nature, Could Result in Conversion of Forest Land to Non-Forest Use	LTS	Impact AG-1, pp. 3.3-7 – 3.3-8	Yes	AD-3	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Agriculture and Forestry Resource Impacts: Would the treatment result in other impacts to agriculture and forestry resources that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT AG-1

Initial and maintenance treatments would include ecological restoration, WUI fuel reduction, and fuel break treatment types. Treatment activities would include manual treatment, mechanical treatment, prescribed burning, prescribed herbivory, and targeted application of herbicides. The potential for these treatment types and treatment activities to result in the loss of forestland or conversion of forestland to non-forest use was examined in the Program EIR.

The project area includes forest land as defined by PRC Section 12220(g) (i.e., land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits). Treatments proposed under the project may include the removal of healthy trees that are up to 16 inches dbh. Select larger trees may be removed if they are dead, dying, diseased, or a safety hazard, and larger Douglas-fir trees up to 36 inches in diameter if they are outcompeting or otherwise encroaching upon the existing native hardwood forest vegetation type. Treatments would include removal of trees in the overstory and midlevel canopy to improve forest health and reduce wildfire risk. Treatments would not affect the forest stand conditions directly or indirectly in a way that could result in conversion to a non-forest use. Vegetation management has the potential to improve forest stand conditions by reducing competition and improving the forest floor conditions to promote natural seeding of tree species. Vegetation remaining within forest land after treatment would continue to be consistent with the definition of forest land pursuant to PRC Section 12220(g).

The potential for proposed treatment activities to result in loss or conversion of forest land was examined in the Program EIR. This impact is within the scope of the Program EIR because the treatment activities and intensity are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the composition of forest land and agricultural land present in the areas outside the treatable landscape is essentially the same as that within the treatable landscape; therefore, the impact on forest land is also the same, as described above. SPR AD-3, which requires the project to comply with local plans, policies, and ordinances regarding the conversion of forest land, is applicable to the proposed treatments. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW AGRICULTURE AND FORESTRY RESOURCE IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed project were considered during development of this PSA/Addendum, and it was determined that they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.3.1, "Environmental Setting," and Section 3.3.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, the impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to new significant impacts not addressed in the Program EIR. Therefore, no new impact related to agriculture and forestry resources would occur that is not covered in the Program EIR.

4.3 AIR QUALITY

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact AQ-1: Generate Emissions of Criteria Air Pollutants and Precursors During Treatment Activities That Would Exceed CAAQS or NAAQS	PSU	Impact AQ-1, pp. 3.4-26 – 3.4-32; Appendix AQ-1	Yes	AD-4 AQ-1, AQ-2 AQ-3, AQ-4 AQ-5, AQ-6	AQ-1	SU	No	Yes
Impact AQ-2: Expose People to Diesel Particulate Matter Emissions and Related Health Risk	LTS	Impact AQ-2, pp. 3.4-33 – 3.4-34; Appendix AQ-1	Yes	AQ-1 HAZ-1 NOI-4 NOI-5	NA	LTS	No	Yes
Impact AQ-3: Expose People to Fugitive Dust Emissions Containing Naturally Occurring Asbestos and Related Health Risk	LTS	Impact AQ-3, pp. 3.4-34 – 3.4-35	Yes	AQ-1 AQ-4 AQ-5	NA	LTS	No	Yes
Impact AQ-4: Expose People to Toxic Air Contaminants Emitted by Prescribed Burns and Related Health Risk	PSU	Impact AQ-4, pp. 3.4-35 – 3.4-37	Yes	AD-4 AQ-1 AQ-2 AQ-6	NA	SU	No	Yes
Impact AQ-5: Expose People to Objectionable Odors from Diesel Exhaust	LTS	Impact AQ-5, pp. 3.4-37 – 3.4-38	Yes	AQ-1 HAZ-1 NOI-4 NOI-5	NA	LTS	No	Yes
Impact AQ-6: Expose People to Objectionable Odors from Smoke During Prescribed Burning	PSU	Impact AQ-6; p. 3.4-38	Yes	AD-4 AQ-1 AQ-2 AQ-6	NA	SU	No	Yes

Notes: LTS = less than significant; PSU = potentially significant and unavoidable; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Air Quality Impacts: Would the treatment result in other impacts to air quality that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
	☐	☐	☐

Discussion

The project area is in the jurisdiction of the Bay Area Air District and the Monterey Bay Air Resources District (MBARD). Pursuant to SPR AQ-1, the project would comply with the applicable air quality requirements of the Bay Area Air District or MBARD or both. Pursuant to SPR AQ-2, the project proponent would prepare a smoke management plan and submit it to the Bay Area Air District and/or MBARD prior to implementing any prescribed burning treatment. In addition, a burn plan would be prepared as required by SPR AQ-3, which would include fire behavior modeling. In addition, SPR AQ-6 requires the implementation of an incident action plan, which identifies burn dates, burn hours, weather limitations, specific burn prescription, communication plan, medical plan, traffic plan, and other special instructions required by the Bay Area Air District or MBARD or both. The Incident Action Plan would also identify the contact personnel for the Bay Area Air District and MBARD to use in coordinating on-site briefings, posting notifications, and weather monitoring during burning.

IMPACT AQ-1

Use of vehicles, mechanical equipment, and prescribed (broadcast and pile) burning during initial and maintenance treatments would result in emissions of criteria pollutants that could exceed California Ambient Air Quality Standard (CAAQS) or National Ambient Air Quality Standard (NAAQS) thresholds. The potential for emissions of criteria pollutants to exceed CAAQS or NAAQS thresholds was examined in the Program EIR and found to be potentially significant and unavoidable after the application of all feasible MMs because of uncertainties in the degree of emissions reduction that would occur during implementation of later treatments.

Emissions of criteria air pollutants related to the proposed treatments are within the scope of the Program EIR because the associated equipment and duration of use are consistent with those analyzed in the Program EIR. MM AQ-1 is also applicable to this impact. The emission reduction techniques proposed in MM AQ-1 would be implemented to the extent feasible. However, it may be cost prohibitive to use equipment that meets the latest efficiency standards, including meeting the EPA's Tier 4 emission standards, using renewable diesel fuel, electric- and gasoline-powered equipment, and equipment with best available control technology. Carpooling would be encouraged by the implementing entity, but because crews may not all be employed with the same company, it may not be feasible for most workers. For these reasons, this impact would remain significant and unavoidable.

When feasible, specialized biomass processing technologies would be used for biomass disposal in place of pile burning, pursuant to MM GHG-2. Evaluation of criteria air pollutant emissions from these biomass processing technologies conducted by Ascent (2022) indicates that smoke and criteria air pollutant emissions can be substantially reduced, compared to open pile burning. Use of an air curtain burner would substantially reduce reactive organic gas (ROG) and particulate matter (PM) emissions by approximately 96 percent when compared to pile burning. Carbonization would substantially reduce ROG emissions by approximately 98 percent and PM emissions by 71–100 percent compared to pile burning. For nitrous oxide (NO_X), air curtains are estimated to reduce NO_X emissions by at least 73 percent, and carbonization is estimated to reduce NO_X emissions by approximately 39–94 percent (Ascent 2022). According to available information about emissions from specialized biomass processing technologies, these technologies offer the opportunity to substantially reduce local exposure to PM from smoke, a potentially beneficial difference compared to pile burning.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the air quality conditions present and air basin in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the air quality impact is also the same, as described above. The SPRs applicable to this impact are AD-4 and SPR AQ-1 through SPR AQ-6. Despite the substantial reduction in criteria air pollutant emissions afforded by use of these biomass processing technologies, Impact AQ-1 must still be recognized as significant and unavoidable because specialized biomass processing technologies may not be used for every treatment and treatments that do not use an air curtain burner could still result in exceedance of CAAQS or NAAQS thresholds. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AQ-2

Use of vehicles and mechanical equipment during initial and maintenance treatments could expose people, such as hikers and recreationists, to diesel PM emissions. However, treatment activities would not take place near the same people for an extended period such that prolonged exposure would occur. The potential to expose people to diesel PM emissions was examined in the Program EIR. Diesel PM emissions from the proposed treatments are within the scope of the Program EIR because the exposure potential is the same as analyzed in the Program EIR and the types and amount of equipment that would be used, as well as the duration of use during proposed treatments, are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the air quality conditions and sensitive receptors (i.e., exposure potential) present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the air quality impact is also the same, as described above. SPRs applicable to this treatment are AQ-1, HAZ-1, NOI-4, and NOI-5.

A revision to SPR HAZ-1 is proposed such that any leaking equipment may be stabilized and fixed on-site. All other elements of SPR HAZ-1 would remain the same as presented in the Program EIR. This revision is consistent with the purpose of SPR HAZ-1 and does not involve any changes to requirements regarding equipment maintenance that could affect diesel particulate emissions. For the reasons described, proposed revisions to SPR HAZ-1 would not result in a substantially more severe significant effect related to emissions of diesel PM than what was covered in the Program EIR.

This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AQ-3

Use of vehicles, mechanical equipment, and prescribed burning during treatments would involve ground-disturbing activities. The potential to expose people to naturally occurring asbestos (NOA)–containing fugitive dust emissions was examined in the Program EIR. Portions of the project area are underlain by serpentine soils (DOC 2000; USGS 2011). These soil types potentially contain thin veins of asbestos fibers that can become airborne when disturbed. In accordance with SPR AQ-5, no ground-disturbing activities would occur in these areas without an asbestos dust control plan if required by 17 CCR Section 93105. Potential NOA exposure from the proposed treatments is within the scope of the activities and impacts addressed in the Program EIR because the types of ground-disturbing activities and the exposure potential are consistent with the impacts analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the air quality impact is also the same, as described above. SPRs applicable to this treatment are AQ-1, AQ-4, and AQ-5. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AQ-4

Prescribed burning during initial and ongoing maintenance treatments could expose people to toxic air contaminants (TACs), which was examined in the Program EIR. SPRs applicable to prescribed burning and ongoing maintenance treatments are designed to minimize the risk of exposing people to smoke, which includes TACs; however, prescribed burning during initial and maintenance treatments could still expose people to TACs. This potential exposure risk was examined as an impact in the Program EIR and found to be potentially significant and unavoidable after the application of the SPRs and all feasible MMs because unpredictable changes in weather can occur during prescribed burns resulting in short-term exposure of people to concentrations of TACs and associated levels of acute health risk

with a Hazard Index greater than 1.0. When feasible, the use of specialized biomass processing technologies is proposed to reduce smoke emissions and associated TACs compared to pile burning. TACs resulting from the combustion of biomass are generally organic in nature and are, therefore, a subset of ROG emissions. According to an evaluation conducted by Ascent (2022), the proposed use of air curtain burners would reduce ROG emissions by at least 96 percent, and the use of air curtain burners and carbonizers would reduce ROG emissions by approximately 98 percent compared to pile burning of equivalent areas. Therefore, the exposure of people to TACs and related health risks would likely be substantially lower with the use of air curtain burners as compared with pile burning. The duration and parameters of the prescribed burns are within the scope of the activities addressed in the Program EIR. Therefore, the potential for exposure to TACs is also within the scope the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the air quality impact is also the same, as described above. SPRs applicable to these treatment activities are AD-4, AQ-1, AQ-2, and AQ-6. All feasible measures to prevent and minimize smoke emissions, as well as exposure to smoke, are included in the SPRs. No additional MMs are feasible, and this impact would remain significant and unavoidable, as explained in the Program EIR. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AQ-5

Use of diesel-powered equipment during vegetation treatments could expose people to objectionable odors from diesel exhaust. The potential to expose people to objectionable odors from diesel exhaust was examined in the Program EIR. Consistent with the Program EIR, diesel exhaust emissions would be temporary, would not be generated at any one location for an extended period of time, and would dissipate rapidly from the source with an increase in distance. This impact is within the scope of the Program EIR because the equipment that would be used and the duration of use under the proposed project are consistent with what was analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the air quality conditions and sensitive receptors present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the air quality impact is also the same, as described above. SPRs applicable to this impact are AQ-1, HAZ-1, NOI-4, and NOI-5.

A revision to SPR HAZ-1 is proposed such that any leaking equipment may be stabilized and fixed on-site. All other elements of SPR HAZ-1 would remain the same as presented in the Program EIR. This revision is consistent with the purpose of SPR HAZ-1 and does not involve any changes to requirements regarding equipment maintenance that affect diesel exhaust emissions and related odors. For the reasons described, proposed revisions to SPR HAZ-1 would not result in a substantially more severe significant effect related to odors from diesel exhaust than what was covered in the Program EIR.

This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT AQ-6

Prescribed burning during initial and maintenance treatments could expose people to objectionable odors. SPRs applicable to prescribed burning are designed to minimize the risk of exposing people to smoke, which includes objectionable odors. The potential to expose people to objectionable odors was examined in the Program EIR and was found to be potentially significant and unavoidable after the application of all feasible MMs because, despite precautions taken, unpredictable weather changes could still result in short-term exposure to odorous smoke emissions. Pursuant to MM GHG-2, the use of air curtain burning and carbonization are proposed to reduce smoke

emissions and associated odors in comparison to pile burning. When compared to pile burning, the proposed biomass processing technologies would substantially reduce smoke through filtering (i.e., air curtains) or eliminate smoke and associated odors altogether (i.e., carbonizers).

The duration and parameters of prescribed burning and the exposure potential are consistent with the activities addressed in the Program EIR, and impacts would be reduced with the use of proposed biomass processing technologies. Therefore, the resultant potential for exposure to objectionable odors from smoke is within the scope of impacts covered in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the air quality conditions present and sensitive receptors in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the air quality impact is also the same, as described above. SPRs that are applicable to the proposed treatments are AD-4, AQ-1, AQ-2, and AQ-6. All feasible measures to prevent and minimize smoke odors, as well as exposure to smoke odors, are included in SPRs; additionally, biomass processing technologies to reduce smoke would be used pursuant to MM GHG-2. No additional MMs are feasible, and this impact would remain significant and unavoidable, as explained in the Program EIR. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW AIR QUALITY IMPACTS

The proposed treatments are consistent with the treatment types and activities covered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during preparation of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.4.1, "Regulatory Setting," and Section 3.4.2, "Environmental Setting," in Volume II of the Final Program EIR). Including land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to air quality that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are consistent with those covered in the Program EIR.

Revisions to SPR HAZ-1 would constitute a change to the project analyzed in the Program EIR. However, as described under Impacts AQ-2 and AQ-5 above, the revisions do not involve any changes to requirements regarding equipment maintenance that would affect diesel particulate emissions or diesel exhaust emissions and related odors and would continue to reduce the potential for air quality impacts consistent with the overall intent of SPR HAZ-1. Therefore, revisions to SPR HAZ-1 would not result in a new impact that was not covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape and revisions to SPR HAZ-1 would not give rise to any new significant impact. Therefore, no new impact related to air quality would occur.

4.4 ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact CUL-1: Cause a Substantial Adverse Change in the Significance of Built Historical Resources	LTS	Impact CUL-1, pp. 3.5-14 – 3.5-15	Yes	AD-3 CUL-1, CUL-7 CUL-8	NA	LTS	No	Yes
Impact CUL-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Subsurface Historical Resources	SU	Impact CUL-2, pp. 3.5-15 – 3.5-16	Yes	AD-3 CUL-1, CUL-2 CUL-3, CUL-4 CUL-5, CUL-8	CUL-2	SU	No	Yes
Impact CUL-3: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource	LTS	Impact CUL-3, p. 3.5-17	Yes	AD-3 CUL-1, CUL-2 CUL-3, CUL-4 CUL-5, CUL-6 CUL-8	NA	LTS	No	Yes
Impact CUL-4: Disturb Human Remains	LTS	Impact CUL-4, p. 3.5-18	Yes	AD-3	NA	LTS	No	Yes

Notes: LTS = less than significant; LTSM = less than significant with mitigation; NI = no impact; PSU = potentially significant and unavoidable; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact; None = there are SPRs and/or MMs identified in the Program EIR for this impact, but none are applicable to the treatment project.

New Archaeological, Historical, and Tribal Cultural Resource Impacts: Would the treatment result in other impacts to archaeological, historical, and tribal cultural resources that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
[Identify new impact here, if applicable; add rows as needed.]	☐	☐	☐

Discussion

Consistent with SPR CUL-1, a records search of the 143,375-acre project area, including areas within and outside of the CalVTP treatable landscape, was performed by the Northwest Information Center (NWIC) on October 8, 2025 (NWIC File 25-0330). The search revealed 460 previously recorded archaeological sites and historical features within the project area.

Consistent with SPR CUL-2, an updated Native American contact list was obtained from the Native American Heritage Commission (NAHC). On November 26, 2025, letters inviting the tribes to consult were emailed to the 10 tribal representatives indicated by NAHC. Responses were received from the Muwekma Ohlone Tribe of the San Francisco Bay Area and the Tamien Nation, and coordination pursuant to SPR CUL-2 is complete. Engagement with tribes related to cultural resources protection or cultural burning will continue during implementation of treatments, as requested by tribes. An October 17, 2025, search of NAHC's sacred lands database returned positive results.

IMPACT CUL-1

Proposed treatment activities include mechanical treatments and prescribed burning, which could damage historical resources. The NWIC records search revealed previously recorded historical features, including single-family residences, school buildings, industrial buildings, bridges, railroads, and farms. However, it is not known if they have been evaluated for eligibility for listing in the CRHR; therefore, it is not known whether they are considered resource under CEQA. Additional structures (i.e., buildings, bridges, roadways) over 50 years old that have not been recorded or evaluated for historical significance may be present in the project area; these structures will be identified and avoided pursuant to SPR CUL-7. The potential for proposed treatment activities to result in disturbance, damage, or destruction of built-environment structures that have not yet been evaluated for historical significance was examined in the Program EIR. This impact is within the scope of the Program EIR because treatment activities and the intensity of ground disturbance of the treatments are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the potential to encounter built-environment structures that have not yet been evaluated for historical significance in areas outside the treatable landscape is essentially the same as within the treatable landscape; therefore, the potential impact on historical resources is also the same, as described above. SPRs applicable to this impact are AD-3, CUL-1, CUL-7, and CUL-8. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT CUL-2

Vegetation treatment would include mechanical treatments using heavy equipment that could churn up the surface of the ground during treatment as vegetation is removed; this may result in damage to known or previously unknown archaeological resources. The NWIC records search revealed previously recorded archaeological sites, including indigenous materials (bedrock milling features, hearths, habitation debris, and lithic scatters), and historic-era sites (abandoned water conveyance systems, dams, mines and quarries, trash scatters, major ditches, roadbeds, structure pads, and fences). However, it is not known whether they have been evaluated for eligibility for listing in the CRHR. Therefore, it is not known whether these sites are considered resources under CEQA. A survey will be conducted before treatment pursuant to SPR CUL-4 to identify any previously unrecorded archaeological resources, and identified resources will be avoided according to the provisions of SPR CUL-5.

As described under Section 1.3.2, "Proposed Project Revisions," revisions to SPR CUL-4 are proposed to clarify that this SPR applies to all mechanical and prescribed burning treatment activities and manual treatment activities that use tracked chippers beyond established road surfaces. This would exempt manual treatments when woody material is chipped and scattered, chipped and removed, or lopped and scattered from needing an archaeological and historical resource survey. This constitutes a revision to the program description analyzed in the Program EIR. Requirements under SPR CUL-4 are intended to prevent damage to archaeological and historical resources while avoiding unnecessary loss of work time. The proposed revisions to SPR CUL-4 would not result in any adverse effects to cultural resources because the revision would allow treatment activities to occur without a survey only when there is no potential for the treatment activity to result in damage to cultural resources. Activities that may result in damage to cultural resources (e.g., mechanical treatments and prescribed burning) would require pretreatment surveys. Therefore, proposed revisions to SPR CUL-4 would not result in a substantially more severe significant effect related to disturbance of cultural resources than what was covered in the Program EIR. The proposed revisions to SPR CUL-4 are shown in the MMRP (Attachment A).

The potential for these treatment activities to result in inadvertent discovery and subsequent damage of unique archaeological resources or subsurface historical resources during vegetation treatment was examined in the Program EIR. This impact was identified as significant and unavoidable in the Program EIR because of the large geographic extent of the treatable landscape and the possibility that there could be some rare instances where inadvertent damage of unknown resources may be extensive. For the proposed project, SPRs and MM CUL-2 would require identification and protection of resources, and it is reasonably expected that implementation of these

measures would avoid a substantial adverse change in the significance of any unique archaeological resources or subsurface historical resources. However, because the project could result in inadvertent discovery and subsequent damage of unique archaeological resources or subsurface historical resources, it would contribute to the environmental significance conclusion in the Program EIR; therefore, for purposes of CEQA compliance, this PSA/Addendum identifies the impact as significant and unavoidable.

This impact is within the scope of the Program EIR because treatment activities and intensity of ground disturbance of the proposed treatments are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the potential for discovery of archaeological resources is essentially the same within and outside the treatable landscape; therefore, the potential impact on unique archaeological resources or subsurface historical resources is also the same, as described above. SPRs applicable to this impact are AD-3, CUL-1 through CUL-5, and CUL-8. MM CUL-2 would also apply to treatment activities to protect any inadvertent discovery. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT CUL-3

Native American contacts in Santa Clara County were contacted on November 26, 2025, and include Vice Chairperson Ed Ketchum and Chairperson Valentin Lopez of Amah Mutsun Tribal Band; Senior Cultural Monitor and Consultant Michelle Zimmer, Chairperson Irenne Zwierlein, Senior Cultural Monitor and Consultant and Councilman Chritopher Zimmer, and Senior Cultural Monitor and Consultant and Councilwomen Shelby Brown of Amah Mutsun Tribal Band of Mission San Juan Bautista; Language Program Manager Deja Gould, Chairperson Corrina Gould, and Tribal Cultural Resource Manager Cheyenne Gould of Confederated Villages of Lisjan Nation; Tribal Councilmember Carla Munoz, Cultural Resource Officer Samuel Rodriguez, and Cultural Resource Officer Henry Muñoz of Costanoan Rumsen Carmel Tribe; Tribal Chairwoman Kanyon Sayer-Roods and Retired Honorable Elder Ann Marie Sayers of Indian Canyon Mutsun Band of Costanoan; Councilmember/MLC Tribal Representative Richard Massiatt and Chairperson Charlene Nijmeh of Muwekma Ohlone Tribe of the San Francisco Bay Area; Chairperson Katherine Perez and Tribal Compliance Officer Timothy Perez of Northern Valley Yokut/Ohlone Tribe; THPO Johnathan Wasaka Costillas, Secretary Lilian Camarena, and Chairperson Quirina Geary of Tamien Nation; THPO Desiree Vigil, President Emeritus Andrew Galvan, and President Vincent Medina of the Ohlone Indian Tribe; and Chairperson Kenneth Woodrow of Wuksachi Indian Tribe/Eshom Valley Band**.** Responses were received from the Muwekma Ohlone Tribe of the San Francisco Bay Area and the Tamien Nation, and coordination pursuant to SPR CUL-2 is complete. Engagement with tribes related to cultural resources protection or cultural burning will continue during implementation of treatments, as requested by tribes.

As described above under Section 1.3.2, "Proposed Project Revisions," revisions to SPR CUL-4 are proposed to clarify that this SPR applies to all mechanical and prescribed burning treatment activities and manual treatment activities that use tracked chippers beyond established road surfaces. This would exempt manual treatments when woody material is chipped and scattered, chipped and removed, or lopped and scattered, from needing an archaeological and historical resource survey. This constitutes a revision to the program description analyzed in the Program EIR. Requirements under SPR CUL-4 are intended to prevent damage to archaeological and historical resources. The proposed revisions to SPR CUL-4 would not result in any adverse effects to cultural resources because the revision would allow treatment activities to occur without a survey only when there is no potential for the treatment activity to result in damage to cultural resources. Those activities that may result in damage to cultural resources (e.g., mechanical treatments, prescribed burning) would require pretreatment surveys. Therefore, proposed revisions to SPR CUL-4 would not result in a substantially more severe significant effect related to disturbance of cultural resources than what was covered in the Program EIR. The proposed revisions to SPR CUL-4 are shown in the MMRP (Attachment A).

The potential for the proposed treatment activities to cause a substantial adverse change in the significance of a tribal cultural resource during implementation of vegetation treatment was examined in the Program EIR. This impact is within the scope of the Program EIR because the intensity of ground disturbance of treatments is consistent with that

analyzed in the Program EIR. As explained in the Program EIR, while tribal cultural resources may be identified in the treatable landscape during development of later treatments, implementation of SPRs would avoid any substantial adverse change to any tribal cultural resource. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the tribal cultural affiliations present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential impact on tribal cultural resources is also the same, as described above. SPRs applicable to this impact are AD-3, CUL-1 through CUL-6, and CUL-8. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT CUL-4

Vegetation treatment activities would include mechanical treatments using heavy equipment, including skid steers, excavators, dozers, and masticators, which could uncover human remains. The NWIC records search revealed burials and sites containing human remains within the project area; however these sites are considered archaeological resources and will therefore be avoided according to the provisions of SPR CUL-5. The potential for treatment activities to uncover human remains was examined in the Program EIR. This impact is within the scope of the Program EIR because the treatment activities and intensity of ground disturbance are consistent with those analyzed in the Program EIR. Additionally, consistent with the Program EIR, the project would comply with California Health and Safety Code Section 7050.5 and PRC Section 5097 in the event of a discovery. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the potential for uncovering human remains during implementation is essentially the same within and outside the treatable landscape and treatment activities; therefore, the impact related to disturbance of human remains is also the same, as described above. The SPR applicable to this impact is AD-3. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCE IMPACTS

The proposed treatment is consistent with the treatment types and activities considered in the CalVTP Program EIR. The project proponent has considered the site-specific characteristics of the proposed project and determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.5.1, "Environmental Setting," and Section 3.5.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to archaeological, historical, or tribal cultural resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape.

Revisions to SPR CUL-4, as described in Section 1.3.2, "Proposed Project Revisions," and shown in the MMRP (Attachment A), would constitute a change to the project analyzed in the Program EIR. Revisions to SPR CUL-4 exempt certain treatment activities (e.g., manual treatments, when woody material is chipped and scattered, chipped and removed, or lopped and scattered) from needing an archaeological and historical resource survey. Requirements under SPR CUL-4 are intended to prevent damage to archaeological and historical resources. Activities that may result in damage to cultural resources (e.g., mechanical treatments and prescribed burning) would still require pretreatment surveys; therefore, revisions to SPR CUL-4 would not result in a new impact that was not analyzed in the Program EIR. Therefore, the impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape, and revisions to SPR CUL-4, would not give rise to any new significant impacts. Therefore, no new impact related to archaeological, historical, or tribal cultural resources would occur.

4.5 BIOLOGICAL RESOURCES

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact BIO-1: Substantially Affect Special-Status Plant Species Either Directly or Through Habitat Modifications	LTSM	Impact BIO-1, pp 3.6-131 – 3.6-138	Yes	AD-1 AQ-3, AQ-4 BIO-1, BIO-2 BIO-7, BIO-9 GEO-1, GEO-3 GEO-4, GEO-5 GEO-7 HYD-5	BIO-1a, BIO-1b BIO-1c	LTSM	No	Yes
Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications	LTSM (all wildlife species except bumble bees) PSU (bumble bees)	Impact BIO-2, pp 3.6-138 – 3.6-184	Yes	AD-1 BIO-1, BIO-2 BIO-3, BIO-4 BIO-5, BIO-6 BIO-9, BIO-10 BIO-11, BIO-12 HAZ-5, HAZ-6 HYD-1, HYD-3 HYD-4, HYD-5	BIO-2a, BIO-2b BIO-2c, BIO-2e BIO-2g, BIO-3a BIO-3b, BIO-3c BIO-4, BIO-5	LTSM	No	Yes
Impact BIO-3: Substantially Affect Riparian Habitat or Other Sensitive Natural Community Through Direct Loss or Degradation That Leads to Loss of Habitat Function	LTSM	Impact BIO-3, pp 3.6-186 – 3.6-191	Yes	AD-1 BIO-1, BIO-2 BIO-3, BIO-4 BIO-5, BIO-6 BIO-9 HYD-4, HYD-5 CHAP/CSS-1	BIO-3a BIO-3b BIO-3c	LTSM	No	Yes
Impact BIO-4: Substantially Affect State or Federally Protected Wetlands	LTSM	Impact BIO-4, pp 3.6-191 – 3.6-192	Yes	AD-1 BIO-1 HYD-1, HYD-3 HYD-4	BIO-4	LTSM	No	Yes
Impact BIO-5: Interfere Substantially with Wildlife Movement Corridors or Impede Use of Nurseries	LTSM	Impact BIO-5, pp 3.6-192 – 3.6-196	Yes	AD-1 BIO-1, BIO-4 BIO-5, BIO-10 BIO-11 HYD-1, HYD-4	BIO-5	LTSM	No	Yes
Impact BIO-6: Substantially Reduce Habitat or Abundance of Common Wildlife, Including Nesting Birds	LTS	Impact BIO-6, pp 3.6-197 – 3.6-198	Yes	AD-1 BIO-1, BIO-2 BIO-3, BIO-4 BIO-5, BIO-12	NA	LTS	No	Yes
Impact BIO-7: Conflict with Local Policies or Ordinances Protecting Biological Resources	NI	Impact BIO-7, pp 3.6-198 – 3.6-199	Yes	AD-1 AD-3	NA	NI	No	Yes

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Impact BIO-8: Conflict with the Provisions of an Adopted Natural Community Conservation Plan, Habitat Conservation Plan, or Other Approved Habitat Plan	NI	Impact BIO-8, pp 3.6-199 – 3.6-200	Yes	AD-1	NA	NI	No	Yes

Notes: LTS = less than significant; LTSM = less than significant with mitigation; NI = no impact; PSU = potentially significant and unavoidable; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact; None = there are SPRs and/or MMs identified in the Program EIR for this impact, but none are applicable to the treatment project.

New Biological Resources Impacts: Would the treatment result in other impacts to biological resources that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

Pursuant to SPR BIO-1, Ascent biologists conducted a data review of project-specific biological resources, including habitat and vegetation types, special-status plants, special-status wildlife, and sensitive habitats (i.e., sensitive natural communities, oak woodlands, riparian habitat, chaparral, coastal sage scrub, and wetlands) with potential to occur in the project area. The 2020 Santa Cruz and Santa Clara Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2023) and the 2018 San Mateo County Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2022) were used to identify the habitat/vegetation types within the project area. These fine-scale vegetation data follow the same standards, framework, and hierarchy used by both *A Manual of California Vegetation* (Sawyer et al. 2009) and the National Vegetation Classification System.

The project area lies within the Central California Coast ecoregion and spans a broad elevational range, from approximately 98 feet near the Santa Clara Valley floor in the north to about 3,790 feet in the Santa Cruz Mountains in the south, resulting in a wide diversity of vegetation types. Vegetation types within the project area and total acreage of each type are presented in Table 4.5-1.

A list of special-status plant and wildlife species with potential to occur in the project area was compiled by completing a review of the California Natural Diversity Database (CNDDB) and California Native Plant Society Inventory of Rare and Endangered Plants of California records for the US Geological Survey (USGS) quadrangles containing and surrounding the project area (30 quadrangles total) (CNDDB 2025a; CNPS 2025a); the USFWS Information for Planning and Consultation (IPaC) tool (USFWS 2025a); Appendix BIO-3 (Table 4a, Table 4b, Table 13a, Table 13b, Table 14a, Table 14b, and Table 19) in the Program EIR (Volume II) for special-status plants and wildlife that could occur in the Central California Coast Range ecoregion; and the Santa Clara Valley Habitat Plan (SCVHP) covered species list for special-status plants and wildlife. A list of sensitive natural communities with potential to occur in the project area was compiled by completing a CNDDB search of the USGS quadrangles containing and surrounding the project area (CNDDB 2025a) and reviewing the 2020 Santa Cruz and Santa Clara Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2023) and the 2018 San Mateo County Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2022).

Table 4.5-1 Vegetation Types in the Project Area

Vegetation/Land Cover Type	Ecological Restoration (Acres)	WUI (Acres)[1]	Fuel Break (Acres)	Total (Acres)[2]
Forest/Woodland				
Acacia melanoxylon provisional semi-natural association	3.9	0.5	5.1	9.5
Acer macrophyllum mapping unit	96.4	15.9	26.6	138.9
Acer macrophyllum – Pseudotsuga menziesii / Polystichum munitum association	4.4	0.7	2.2	7.3
Aesculus californica alliance	225.2	15.2	131.1	371.5
Arbutus menziesii alliance	180.1	13.8	61.4	255.3
Eucalyptus (globulus, camaldulensis) provisional semi-natural association	49.7	58.1	234.2	342
Forest fragment	198.1	48.2	243.9	490.2
Notholithocarpus densiflorus alliance	821.5	36.2	276.4	1134.1
Pinus attenuata alliance	407.1	196.5	584.1	1187.7
Pinus coulteri alliance	2.0	—	—	2
Pinus radiata plantation provisional semi-natural association	—	0.0*	—	0
Pinus sabiniana woodland alliance	52.1	7.2	63.3	122.6
Pseudotsuga menziesii–Notholithocarpus densiflorus / Vaccinium ovatum association	3,639.3	335.8	1,764.7	5739.8
Quercus (*agrifolia, douglasii, garryana, kelloggii, lobata, wislizeni*) alliance	536.3	63.3	235.6	835.2
Quercus agrifolia alliance	13,243.8	2,407.7	10,050.7	25702.2
Quercus douglasii alliance	5,296.1	436.6	2,283.0	8015.7
Quercus chrysolepis (tree) alliance	2,414.8	211.2	893.5	3519.5
Quercus kelloggii alliance	1,265.0	144.5	554.8	1964.3
Quercus lobata mapping unit	694.6	297.5	1,115.3	2107.4
Quercus wislizeni–Quercus parvula (tree) alliance	1,493.7	147.5	344.0	1985.2
Sequoia sempervirens alliance	6,471.6	628.1	2,017.9	9,117.6
Umbellularia californica mapping unit	9,360.0	681.1	3,812.0	13,853.1
Forest/woodland total	46,455.7	5,745.6	24,699.8	76,901.1
Shrub/Scrub				
Adenostoma fasciculatum alliance[3]	2,860.3	267.8	894.5	4,022.6
Adenostoma fasciculatum – Salvia spp. alliance[3*]	258.9	35.7	190.2	484.8
Arctostaphylos (*canescens*, *manzanita*, *stanfordiana*) provisional alliance[3]	153.1	46.3	82.0	281.4
Arctostaphylos (*crustacea, tomentosa*) alliance[3]	375.1	113.0	176.8	664.9
Arctostaphylos (*nummularia*, *sensitiva*)–*Chrysolepis chrysophylla* alliance[3]	1.4	—	—	1.4
Arctostaphylos glauca alliance[3]	792.6	70.6	358.0	1,221.2
Artemisia californica–(*Salvia leucophiylla*) alliance[3]	647.8	79.6	281.8	1,009.2
Baccharis pilularis alliance	1,385.4	195.0	389.7	1,970.1

Vegetation/Land Cover Type	Ecological Restoration (Acres)	WUI (Acres)[1]	Fuel Break (Acres)	Total (Acres)[2]
Ceanothus cuneatus alliance[3]	379.4	86.9	279.4	745.7
Ceanothus ferrisiae – Heteromeles arbutifiolia Association	11.9	0.7	13.9	26.5
Ceanothus papillosus Alliance[3]	2.2	1.1	6.2	9.5
Ceanothus thrysiflorus Alliance	14.4	—	—	14.4
Cercocarpus montanus alliance[3*]	392.9	37.5	132.1	562.5
Cytisus scoparius–Genista monspessulana–Cotoneaster spp. semi-natural alliance	20.8	5.1	11.4	37.3
Eriogonum fasciculatum shrubland alliance[3]	10.2	—	—	10.2
Frangula californica ssp. *californica–Baccharis pilularis / Scrophularia californica* association	1.5	1.9	1.0	4.4
Gaultheria shallon–Rubus (*ursinus*) alliance	2.2	—	—	2.2
Lotus scoparius–Lupinus albifrons–Eriodictyon spp. alliance[3*]	603.4	29.0	169.6	802.0
Prunus ilicifolia–Heteromeles arbutifolia–Ceanothus spinosus alliance[3]	847.4	68.6	258.6	1,174.6
Quercus berberidifolia alliance[3]	1,350.3	155.7	201.4	1,707.4
Quercus durata alliance[3]	41.2	15.5	52.3	109.0
Quercus wislizeni–Quercus chrysolepis (shrub) alliance[3]	2.7	—	—	2.7
Ribes quercetorum–Rhus trilobata–Frangula californica alliance	1.4	—	—	1.4
Salvia mellifera–Artemisia californica alliance[3]	1,356.8	153.0	631.4	2,141.2
Shrub fragment	310.5	46.6	220.9	578.0
Toxicodendron diversilobum–(*Baccharis pilularis*) association	538.8	67.6	232.4	838.8
Shrub/scrub total	12,362.6	1,477.2	4,586.8	18,423.4
Herbaceous				
Californian annual and perennial grassland macrogroup	13,326.8	2,169.2	10,400.9	25,896.9
Californian annual and perennial grassland mapping unit	0.6	0.5	0.4	1.5
Californian vernal pool / swale bottomland group	—	0.3	—	0.3
Conium maculatum–Foeniculum vulgare semi-natural alliance	3.6	8.1	6.1	17.8
Cortaderia (jubata, selloana) semi-natural alliance	0.2	—	—	0.2
Heterotheca (oregana, sessiliflora) herbaceous alliance	—	—	3.2	3.2
Nonnative herbaceous	94.1	13.8	140.9	248.8
Herbaceous total	13,425.3	2,191.9	10,548.3	26,168.7
Wetland/Riparian[1]				
Acer negundo / (*Rubus ursinus*) association	11.7	—	0.1	11.8
Alnus rhombifolia alliance	63.0	38.1	54.8	155.9
Arid west interior freshwater marsh group	23.2	1.6	46.4	71.2
Baccharis salicifolia alliance	0.9	1.1	27.8	29.8
Juglans hindsii and hybrids special stands and semi-natural alliance	2.7	2.8	20.3	25.8
Platanus racemosa–Quercus agrifolia alliance	206.6	154.5	678.6	1,039.7
Populus fremontii–Fraxinus velutina – Salix gooddingii alliance	12.5	10.3	220.4	243.2

Vegetation/Land Cover Type	Ecological Restoration (Acres)	WUI (Acres)[1]	Fuel Break (Acres)	Total (Acres)[2]
Populus trichocarpa alliance	93.8	0.8	99.0	193.6
Rhus trilobata–Crataegus rivularis–Forestiera pubescens alliance	6.0	—	—	6
Rubus armeniacus semi-natural association	—	0.3	0.0*	0.3
Salix exigua alliance	4.6	1.3	33.6	39.5
Salix gooddingii–Salix laevigata alliance	124.8	11.9	157.7	294.4
Salix lasiolepis alliance	24.9	5.3	21.4	51.6
Salix lucida ssp. *lasiandra* association	3.3	1.4	4.2	8.9
Vancouverian lowland marsh, wet meadow and shrubland group	24.1	0.9	14.5	39.5
Vancouverian lowland marsh, wet meadow and shrubland macrogroup	18.4	0.4	0.2	19
Wetland/riparian[1] total	620.5	230.7	1,379.0	2,230.2
Riverine/Lacustrine				
Water	666.5	17.7	415.3	1,099.4
Water total	666.5	17.7	415.3	1,099.4
Agricultural				
Orchard or grove	8.3	25.0	275.9	309.3
Intensively managed hayfield	350.2	12.5	223.6	586.2
Irrigated pasture	1.7	—	—	1.7
Perennial agriculture	—	0.0*	—	0.0*
Row crop	120.0	17.4	186.9	324.2
Vineyard	194.4	90.2	787.9	1,072.4
Agricultural total	674.6	145.1	1,474.3	2,293.8
Developed/Disturbed/Barren				
Barren and sparsely vegetated	349.4	14.5	120.0	483.8
Developed	137.1	1,263.0	9,506.4	10,906.5
Major road	0.1	58.2	3.0	61.3
Mudflat/dry pond bottom mapping unit	0.6	—	—	0.6
Nonnative forest	37.5	668.9	3,919.5	4,625.9
Nonnative shrub	5.5	4.4	37.6	47.5
Nursery or ornamental horticulture area	0.5	2.9	130.9	134.4
Developed/disturbed/barren total	530.7	2,011.9	13,717.4	16,260.0
All Vegetation Types Total	74,735.90	11,820.10	56,820.90	143,376.60[2]

1 A minor discrepancy of approximately 2–3 acres occurs due to projection errors. These overlap acres are included in the WUI acreage totals.

2 Acreages have been rounded to the nearest tenth place from their original values. This has caused minor discrepancies in the total acreage calculation. Values shown as 0.0 acres are not truly zero; they represent hundredths place values that are rounded down when displayed to the nearest tenth.

3 These are chaparral and coastal sage scrub alliances that meet the definitions of the vegetation types subject to the restrictions of the Peremptory Writ of Mandate (writ). Within these chaparral and coastal sage scrub alliances, and pursuant to SPR CHAP/CSS-1, which was developed to be consistent with the writ, only certain ecological restoration treatments, wildland urban interface (WUI) fuel reduction treatments, and fuel break maintenance treatments will be conducted. Implementation of treatments in applicable vegetation types will

conform to the requirements of the Judgment After Appeal (judgment) and writ issued by the San Diego Superior Court in *California Chaparral Institute et. al v. Board of Forestry and Fire Protection.*

*These alliances can be classified as either chaparral or coastal sage scrub habitats in the Key to Shrublands in the CNPS *A Manual of California Vegetation*, depending on their geographic location and specific species composition. For the purposes of this report and the type conversion analysis in Impact BIO-3, the *Adenostoma fasciculatum–Salvia* spp. alliance and the *Cercocarpus montanus* alliance are considered chaparral habitat, and the *Lotus scoparius–Lupinus albifrons–Eriodictyon* spp. alliance is considered coastal sage scrub habitat.

Sources: Tukman Geospatial and Aerial Information Systems 2022, 2023; compiled by Ascent in 2025.

Ascent conducted reconnaissance surveys on August 5 through 7, 2025, to identify and document sensitive resources (i.e., sensitive natural communities, oak woodlands, riparian habitat, chaparral, coastal sage scrub, and wetlands) and to assess the suitability of habitat in the project area for special-status plant and wildlife species. Mapped vegetation types were verified where possible. Reconnaissance surveys were conducted by walking and driving on public land (i.e., city parks, Santa Clara County Parks and Recreation Department, Santa Clara Valley Open Space Authority, Santa Clara Valley Water District, Santa Clara Valley Habitat Agency, and Midpeninsula Regional Open Space District) and "windshield" surveys from public roads in areas where permission to enter was not granted. The reconnaissance surveys did not cover every acre of the project area; reflecting the intent and requirements of SPR BIO-1 and leveraging the existing high-quality fine-scale vegetation map data, these surveys focused on representative sections that reflect the broader project area. Evidence of past vegetation treatment projects that have been implemented within and adjacent to the project area were observed during reconnaissance surveys (see Section 1.4.2, "Project Area Conditions," for additional details).

In accordance with implementation of SPR BIO-1, including review of occurrence data, species ranges, habitat requirements for each species, results of reconnaissance-level surveys, and habitat and vegetation present within the project area as assessed during reconnaissance surveys, a complete list of all species with potential to occur in the vicinity of the proposed project along with genus and species names, and federal and state listing status was assembled (Attachment B). These species are discussed in detail under Impact BIO-1 (special-status plants) and Impact BIO-2 (special-status wildlife).

IMPACT BIO-1

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on special-status plant species that are present in the project area. Potential impacts resulting from maintenance activities would generally be the same as those resulting from initial vegetation treatments because the same treatment activities would occur. However, treatment frequency and intensity can determine whether effects on certain plant species are beneficial or adverse. Initial treatment that reduces overgrowth, opens the tree canopy to allow more light penetration, or removes invasive competitors can be beneficial for special-status plant populations; however, repeated treatments at too frequent intervals can have adverse effects on those same special-status plants.

SPR BIO-7 would apply to all treatment activities, including maintenance treatments, and protocol-level surveys for special-status plants would be conducted pursuant to *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018a) prior to implementing manual treatment, mechanical treatment, prescribed burning, herbicide application, or prescribed herbivory in any habitat potentially suitable for special-status plants. Pursuant to SPR BIO-7, surveys would not be required for special-status plants not listed under the California Endangered Species Act (CESA) or the federal Endangered Species Act (ESA) if all the following conditions apply:

- the target special-status plant species is an herbaceous annual species, stump-sprouting species, or geophyte species (e.g., perennial rhizomatous herbs);
- the treatment is carried out during the dormant season for that species or when the species has completed its annual life cycle;
- the treatment would not alter habitat in a way that would make it unsuitable for the special-status plants to reestablish following treatment; and

- treatments are limited to those that do not disturb below the soil surface (i.e., manual treatments, herbicide application, prescribed herbivory, and broadcast burning) as not to destroy seeds, stumps, or roots, rhizomes, bulbs, or other underground parts of special-status plants.

However, this would require that treatments in habitat potentially suitable for these special-status plants be restricted to the dormant season for these species and to treatments that do not disturb below the soil surface (i.e., manual treatments, broadcast burning, prescribed herbivory, herbicide application) without prior knowledge of their presence, which may unnecessarily or infeasibly constrain treatment implementation. In this case, surveys would be conducted to determine presence or absence and, depending on the results, may provide greater flexibility in terms of the timing and types of treatments that may be implemented.

Multiple special-status plant species that may occur within the project area are herbaceous annual species or geophytes, and are not listed under ESA or CESA, as indicated in Attachment B. Impacts on these species would be avoided by implementing non-ground-disturbing treatment activities (i.e., manual treatments, prescribed burning, prescribed herbivory, herbicide application) during the dormant season (i.e., when the plant has no live aboveground parts), which would typically occur after seed set and before germination. Typically, germination will occur after the first significant rainfall (approximately 0.5 inches), and cold snap, which generally occurs between October and December (Levine et al. 2008). Control lines for prescribed burning would have to be created outside of potential habitat for special-status plants, or the proposed control line areas would need to be surveyed for special-status plants, including annual species, stump-sprouting species, and geophyte species, prior to installing any control lines. Ground-disturbing treatment activities (i.e., mechanical treatments) and pile burning may result in adverse effects on these plant species even when dormant and would not be conducted without prior implementation of SPR BIO-7. If non-ground-disturbing treatments cannot be completed in the dormant season and would be implemented during the growing period of these annual and geophyte species, protocol surveys (per SPR BIO-7) and avoidance of any identified special-status plants (per MM BIO-1b) must be implemented, as described below.

The remaining special-status plant species that have potential to occur in the project area are perennial or moss species, or annual species that are protected under ESA or CESA. Perennials and moss species cannot be avoided seasonally in the same manner as herbaceous annual species, stump sprouters, and geophytes. Pursuant to SPR BIO-7, seasonal avoidance does not apply to any species protected under ESA or CESA regardless of its life form. Therefore, protocol-level surveys under SPR BIO-7 would be necessary to identify these species prior to implementing treatment activities in habitat that may support these species, regardless of the timing of treatments.

Where protocol-level surveys are required (per SPR BIO-7) and special-status plants are identified during these surveys, MMs BIO-1a and BIO-1b, depending on species status, would be implemented to avoid loss of identified special-status plants. Pursuant to MMs BIO-1a and BIO-1b, if special-status plants are identified during protocol-level surveys, a no-disturbance buffer of at least 50 feet would be established around the area occupied by the species within which prescribed burning, mechanical treatment, manual treatment, targeted herbicide treatment, and prescribed herbivory would not occur unless a qualified RPF or botanist determines that a smaller buffer will be sufficient to avoid killing or damaging plants.

If a no-disturbance buffer is reduced less than 50 feet from an ESA- or CESA-listed plant, a qualified RPF or botanist shall provide the project proponent with a site- or treatment activity–specific explanation for the buffer reduction and a science-based justification for the deviation, which will be included in the completion report. The no-disturbance buffer for species not listed under ESA or CESA may be adjusted if a qualified RPF or botanist, at the time of treatment, determines that a smaller buffer will be sufficient to avoid loss of or damaging special-status plants, or that a larger buffer is necessary to sufficiently protect plants from the treatment activity. No fire ignition (and associated use of accelerants) will occur within 50 feet of ESA- or CESA-listed plants, or within the no-disturbance buffer for species not listed under ESA or CESA.

Treatments may not occur in areas occupied by special-status species unless a qualified RPF or botanist determines, based on substantial evidence, that the species would benefit from the proposed treatment in the occupied habitat area. In the case of plants listed pursuant to ESA or CESA, the determination of beneficial effects would need to be made in consultation with CDFW or USFWS or both, depending on species status. If treatments are determined to be

beneficial and would be implemented in areas occupied by special-status plants, under the specific conditions described in MMs BIO-1a and BIO-1b, additional impact minimization and avoidance measures or design alternatives to reduce impacts would be identified. A qualified RPF or botanist would evaluate the appropriate treatment design and frequency needed to maintain habitat function for special-status plants. Initial and follow-up treatments would be implemented in a manner that sustains habitat function for the special-status plant species present. If significant impacts on listed or non-listed special-status plants cannot feasibly be avoided, then MM BIO-1c will apply, and compensatory mitigation will be required.

In addition, pursuant to SPR HYD-5, nontarget vegetation and special-status plant species would be protected from herbicides. No herbicides will be applied within a 50-foot buffer of ESA- or CESA-listed plant species. For spray applications in and adjacent to habitats suitable for special-status species, herbicides containing dye will be used to prevent overspray. In riparian habitats, herbicides would be applied by hand and only during low-flow periods or when seasonal streams are dry. To avoid nontarget vegetation via run-off or aerial drift, herbicide application will not occur during precipitation events, sustained winds, or when weather parameters exceed label specifications.

As described under Section 2.1.1, "General Prescription," revegetation and replanting would be conducted post-fire where needed to restore desired vegetation composition and forest structure. Efforts will consider native forest conditions, burn severity, and site-specific vegetation types. Treatments may include planting and erosion control measures (e.g., mulching, straw application, seeding with soil-stabilizing species, and silt fences). Revegetation and replanting activities will comply with SPR BIO-9 to prevent the spread of invasive plants. All equipment, vehicles, footwear, and tools will be cleaned before entering and leaving treatment areas. Planting stock and materials used for erosion control or soil stabilization will be sourced from weed-free suppliers, following the Fire and Fuel Management Best Management Practices (BMPs) outlined in *Preventing the Spread of Invasive Plants: Best Management Practices for Land Mangers* (Cal-IPC 2012, or current version). This includes use of certified weed-free straw, mulch, gravel, and seed. All plant materials used for revegetation will exclude any species listed on the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory (Cal-IPC 2025, or current version) or designated as noxious weeds by the local agricultural commissioner's office. These measures reduce the risk of introducing or spreading invasive plants during restoration, while supporting successful establishment of desired native vegetation.

Revegetation efforts will consider existing conditions, including existing vegetation type and burn severity, and will be designed to maintain or restore appropriate vegetation composition. In areas documented as native vegetation types according to the 2020 Santa Cruz and Santa Clara Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2023) and the 2018 San Mateo County Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2022), only native plant species characteristic of that vegetation type, as described in the Manual of California Vegetation, online edition (CNPS 2025b), will be used. Exceptions may occur where a mapped native vegetation type reflects past lack of management (e.g., Douglas-fir encroachment) or artificial plantings (e.g., plantations), in which case alternative native vegetation aligned with desired conditions may be selected. For revegetation efforts within 100 feet of special-status plant occurrences, a qualified RPF or biologist will review and approve plant species or seed mixes to ensure they do not result in mortality or degradation of occupied habitat from competition, shading, or changes to soil moisture or chemistry.

Where erosional risks to roads or structures require rapid stabilization, fast-growing, nonnative but noninvasive species or seed mixes may be used. In areas mapped as developed, agriculture, or nonnative vegetation types (nonnative forest, herbaceous, or shrub; semi-natural alliances with an "SNA" state rarity rank), native species appropriate to the desired habitat type will be prioritized whenever feasible. However, when the use of local native species is not feasible, nonnative but noninvasive species may be used.

Conclusion

The potential for treatment activities to result in adverse effects on special-status plants was examined in the Program EIR. This impact on special-status plants is within the scope of the Program EIR because the treatment activities and intensity of disturbance as a result of implementing treatment activities are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the

project area, the existing habitat characteristics are essentially the same within and outside the treatable landscape (e.g., no resource is affected on land outside the treatable landscape that would not also be similarly affected within the treatable landscape); therefore, the potential impact on special-status plants is also the same, as described above.

As described under Section 1.3.2, "Proposed Project Revisions," revisions to SPR GEO-1 are proposed. Proposed revisions to SPR GEO-1 would allow for suspension of mechanical treatments, prescribed herbivory, and herbicide treatments if it is raining, soils are saturated, or soils are wet enough to be compacted by mechanical or prescribed herbivory activities, rather than when there is a minimum 30 percent chance of rain. This modification constitutes a revision to the program description analyzed in the Program EIR. Requirements under SPR GEO-1 are intended to prevent soil destabilization during precipitation events that result in soil compaction and disturbance that could have adverse effects on special-status plants if present. Suspension of mechanical, prescribed herbivory, and herbicide treatments in the above-mentioned conditions (e.g., rain, saturated soils, or soils wet enough for compaction to occur) would provide the same level of protection for indirect effects on special-status plants resulting from soil destabilization as the original SPR GEO-1 because these activities would not continue during conditions where soil destabilization could occur. Suspension of these activities would not be based on weather forecasts alone, but rather if weather predictions materialize and lead to precipitation events. Therefore, proposed revisions to SPR GEO-1 would not result in a substantially more severe significant effect on special-status plants than what was covered in the Program EIR.

Biological resource SPRs that apply to project impacts under Impact BIO-1 are SPRs AD-1, AQ-3, AQ-4, BIO-1, BIO-2, BIO-7, BIO-9, GEO-1, GEO-3, GEO-4, GEO-5, GEO-7, and HYD-5. Biological resource MMs that apply to project impacts under Impact BIO-1 are MMs BIO-1a, BIO-1b, and BIO-1c. As explained above, impacts on special-status plants resulting from the proposed project, including proposed revisions to SPR GEO-1, would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-2

Initial vegetation treatments and follow-up maintenance treatments could result in direct or indirect adverse effects on special-status wildlife species and habitat suitable for these species within the project area, as described in the following sections. Potential impacts resulting from maintenance activities would generally be the same as those resulting from initial vegetation treatments because the same treatment activities would occur.

Bay Checkerspot Butterfly

Bay checkerspot butterfly has been documented to occur in portions of the project area (e.g., Santa Teresa Hills, Coyote Valley, Hayes Valley), and although dispersal of the species is limited, it may also be found in other areas of serpentine grassland within the project area (see Attachment B).

Manual treatments, mechanical treatments, prescribed burning, prescribed herbivory and targeted herbicide application within grassland habitat could result in the crushing or burning of host plants and loss of eggs, larvae, and adult bay checkerspot butterflies. The potential for all treatment activities to result in adverse effects on special-status butterflies was examined in the Program EIR.

Bay checkerspot butterfly is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and conservation measures contained in the plan for bay checkerspot butterfly would be applied to that portion of the project. As discussed in Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to bay checkerspot butterfly (County Santa Clara et al. 2012a); accordingly, this determination for proposed treatments would be consistent with the less-than-significant determination in the Program EIR.

Therefore, impacts on bay checkerspot butterfly through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR.

If a treatment area or activity is not covered by the SCVHP, then the SPRs and MM discussed below would apply.

Per SPR BIO-1, if treatment activities occur outside of the serpentine grassland habitat suitable for bay checkerspot butterfly, the species would be physically avoided, and no further measures are needed. Bay checkerspot butterfly and host plants may be present within serpentine grassland habitat in the project area year-round, therefore, seasonal avoidance of bay checkerspot would not be effective to avoid adverse impacts on this species. Therefore, if treatments occur within habitat for the species, SPR BIO-10 would apply, and focused surveys for bay checkerspot butterfly would be required, or presence may be assumed. Because the project area is within the range of the ESA-listed bay checkerspot butterfly and near the only known extant population, MM BIO-2e for bay checkerspot butterfly would be implemented, regardless of the results of SPR BIO-10 surveys, although the implementation of specific measures of MM BIO-2e would be informed by the results of the focused surveys if conducted. Under MM BIO-2e, surveys for bay checkerspot butterfly host plants (i.e., *Plantago erecta, Castilleja densiflorus,* and *C. exserta*) would be required; no treatment activities of any kind would occur within 10 feet of host plants in habitat occupied by bay checkerspot butterflies or habitat assumed to be occupied; and no prescribed herbivory would be permitted in known or assumed occupied habitat, unless it can be demonstrated that host plants are unpalatable to the herbivore.

Habitat function for bay checkerspot butterfly would be maintained through prescribed burning, which would result in thinning of nonnative grasses that would approximate conditions under the natural fire regime and provide habitat for the host plants of this species. In addition, MM BIO-2e requires avoidance of host plants in habitat occupied by bay checkerspot or habitat assumed to be occupied and requires that unoccupied habitat be treated in a patchy pattern such that all habitat is not treated in the same year. Furthermore, prescribed burning would maintain serpentine grassland habitat within the project area, which provides habitat for bay checkerspot butterfly.

Pursuant to MM BIO-2e, and because bay checkerspot butterfly is listed under ESA, the Santa Clara County Fire Safe Council (SCCFSC) has notified USFWS on behalf of SFD regarding its determination that mortality, injury, or disturbance would not occur, and habitat function would be maintained. For the reasons summarized above, SFDit was determined that implementation of treatments would maintain habitat function for bay checkerspot butterfly. On December 17, 2025, SCCFSC contacted Ryan Olah at USFWS and described the measures that would be taken to avoid mortality, injury, and disturbance to bay checkerspot butterfly and to maintain habitat function in compliance with MM BIO-2e. No refinements to the project description, SPRs, or MMs related to bay checkerspot butterfly resulted from this consultation.

This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Crotch's Bumble Bee

Crotch's bumble bee has been documented within the project area (see Attachment B), and potential grassland, scrub, and open woodland habitat for nesting is present. Bumble bees have three basic habitat requirements: nesting sites for the colonies, availability of nectar and pollen from floral resources throughout the duration of the colony period (spring, summer, and fall), and overwintering sites for the queens. Crotch's bumble bees nest underground and likely use, at least in part, old rodent burrows (Williams et al. 2014; Xerces Society 2018). Overwintering queens may prefer shaded sites near trees in areas without dense vegetation and north-facing slopes (Liczner and Colla 2019; Williams et al. 2019). Bumble bees in California have been documented overwintering under 1–2 inches of duff, between leaf litter and mineral soil (Williams et al. 2014).

Treatment activities (i.e., manual treatments, mechanical treatments, prescribed burning, prescribed herbivory, and targeted herbicide application) could result in removal of floral resources, as well as inadvertent destruction of bumble bee nests or overwintering sites, if present in the project area, through trampling, crushing, or removal of nesting or overwintering substrate (e.g., downed woody debris, leaf litter). The potential for treatment activities to result in adverse effects on special-status bumble bees was examined in the Program EIR.

In the Program EIR, MM BIO-2g was proposed as a feasible set of actions to reduce potentially significant impacts on special-status bumble bees by requiring avoidance of prescribed burning and targeted ground application of herbicide treatment during the flight/nesting season and retention of habitat in the range of these species, or compensation for unavoidable loss of special-status bumble bees or habitat function. Recognizing the difficulty in detecting overwintering and nesting bumble bees and determining the occurrence and severity of impacts, limited information about nesting and overwintering behaviors, and the statewide scope of potential effects analyzed, for purposes of good faith and full disclosure under CEQA, this impact was designated in the Program EIR as potentially significant and unavoidable. However, addressing this potential effect at a project-specific level may result in a different significance conclusion if evidence supports it.

Per SPR BIO-1, because Crotch's bumble bees may use grassland, scrub, and open woodland habitat in the project area year-round, implementation of SPR BIO-10 would be required prior to treatment activities. Under SPR BIO-10, a habitat evaluation for special-status bumble bees would be conducted, and if it determines that habitat for this species is present in a treatment area, focused surveys for Crotch's bumble bee will be conducted. In lieu of conducting focused surveys (e.g., if conducting a valid survey is not feasible), the potential presence of Crotch's bumble bee in the project area may be assumed.

If presence of Crotch's bumble bee is confirmed or assumed within habitat for this species as determined pursuant to SPR BIO-10, then MM BIO-2g would apply, and prescribed (broadcast and pile) burning, mechanical treatments, and targeted herbicide application will be avoided or limited during the colony active season (April through August). If Crotch's bumble bee nests are detected, then MM BIO-2g will be implemented, and a no-disturbance buffer will be established around active nests for pile burning and mechanical treatments. Furthermore, MM BIO-2g includes additional measures to avoid mortality, injury, or disturbance to Crotch's bumble bees. These measures include conducting treatments in a patchy pattern to retain floral resources for active colonies and to provide refuge for overwintering bumble bees, restrictions on herbicide application techniques, specific guidance for prescribed burning and biomass placement, and division of the project area such that the entirety of overwintering or colony habitat is not treated in a single year to further provide refuge.

With implementation of MM BIO-2g and applicable SPRs, habitat function for Crotch's bumble bee would be maintained during and after treatment implementation. Within nesting and overwintering habitat for the species, the general prescription for the project (see Section 2.1.1, "General Prescription") would retain understory vegetation in a mosaic pattern of patches to maintain habitat heterogeneity and quality, while increasing crown spacing. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape, including preservation of existing grasslands. Ecological restoration treatments would also retain down woody debris in strategic locations (see Section 2.2.1, "Ecological Restoration"), which may be used for nesting. WUI treatments would have similar tree retention standards to ecological restoration, which would maintain overwintering habitat for the species, but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional vegetation that provides habitat for Crotch's bumble bee; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of Crotch's bumble bee habitat affected by fuel break treatments would not be substantial compared to available habitat across the project area. Furthermore, SPR BIO-5 would be applied, which would retain cover in coastal sage scrub and chaparral habitats used by the species. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of chaparral, coastal sage scrub, and oak woodlands and a mosaic of understory vegetation throughout most of the project area would maintain habitat for Crotch's bumble bee. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

The proposed vegetation treatments would not cause any conversion or loss of natural land cover or permanent soil disturbance that could remove availability of potential underground nesting or overwintering sites over the long term. With implementation of MM BIO-2g and applicable SPRs, the impact of the project on habitat function for Crotch's bumble bee would be less than significant with mitigation.

Pursuant to MMs BIO-2a and BIO-2g, the determination that habitat function would be maintained for Crotch's bumble bee must be made in consultation with CDFW. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for Crotch's bumble bee and consulted with CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC sent a memo to Julie Lile at CDFW on behalf of SFD and described the measures that would be taken to avoid mortality, injury, and disturbance to Crotch's bumble bee and to maintain habitat function in compliance with MMs BIO-2a and BIO-2g. No refinements to the project description or measures resulted from this notification. These potential effects would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Monarch Butterfly

Monarch butterflies have been documented foraging and breeding in the project area; however, the project area is too far from the coast and bay to provide overwintering habitat for the species (see Attachment B). Monarch butterfly is a candidate for listing under ESA, and as such, currently does not have protection under ESA and is considered an "other special-status species" in the CalVTP Program EIR. However, it is possible that the species will be listed during the life of the project. USFWS also proposed the 4(d) Rule under the ESA, which would provide certain exceptions to "take" prohibitions for projects that have beneficial or negligible impacts on monarch, including forest or fuels management in breeding habitat.

Treatment activities, (i.e., manual treatment, mechanical treatment, prescribed burning, prescribed herbivory, and targeted herbicide application) could result in damage to overwintering site vegetation structure and removal of floral resources used during overwintering or direct mortality of monarch butterflies. Treatments would also occur in grasslands, riparian areas, wetlands, open woodlands, and openings in forests that may provide breeding habitat (i.e., milkweed) for monarchs. Removal of milkweed is not likely during prescribed herbivory treatments because milkweed plants are unpalatable to livestock and contain glycosides that are toxic to goats and sheep. Manual treatment, mechanical treatment, prescribed burning, and targeted herbicide application could result in removal of monarch butterfly hostplants and injury or death of individuals. The potential for treatment activities to result in adverse effects on special-status butterflies was examined in the Program EIR.

Treatments in riparian areas and wetlands would be limited pursuant to SPRs HYD-3, HYD-4, and BIO-4 and MM BIO-4, and milkweed would not be targeted for treatment in these habitats; however, impacts on monarch could still occur in these and other areas that provide habitat for the species. Per SPR BIO-1, if it is not feasible to avoid manual treatment, mechanical treatment, prescribed burning, and targeted herbicide application in breeding habitat when monarch eggs, larvae, and pupae are likely to be present on milkweed (March 15 through October 31), SPR BIO-10 would apply (see SPR BIO-10 in Attachment A).

Pursuant to SPR BIO-10, surveys for milkweed hostplants would be conducted, and if hostplants are found, further surveys for monarch eggs, larvae, and pupae would be conducted or the presence of monarch assumed (see SPR BIO-10 in Attachment A). If breeding monarchs are detected during focused surveys or are assumed to be present on milkweed, then MM BIO-2e would be implemented. Under MM BIO-2e, several measures will be implemented to reduce the likelihood of mortality, injury, or disturbance to monarchs and to maintain habitat function (see MM BIO-2e in Attachment A).

Habitat function for monarch would be maintained because all monarch breeding habitat in the project area would not be treated at once (i.e., treatments in the project area would occur over the course of several years). Prescribed fire and prescribed herbivory would also reduce encroachment of woody species and maintain grassland areas where this encroachment is occurring, potentially maintaining grassland foraging and breeding habitat for monarchs. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Special-Status Fish

Habitat for special-status fish is present in the project area. Southern coastal roach, Monterey hitch, and south-central California coast distinct population segment of steelhead may occur in streams in the southern portion of the project area that is within the Pajaro River basin. Central California coast distinct population segment of steelhead may be

present in Los Trancos Creek, Coyote Creek, and other streams in the project area that are downstream of fish passage barriers that limit distribution of the species. The potential for treatment activities and maintenance treatments to result in adverse effects on special-status fish was examined in the Program EIR.

Per SPR BIO-1, if it is determined that adverse effects on special-status fish can be clearly avoided by physically avoiding habitat for these species, then mitigation would not be required. Treatments would not occur in aquatic habitat for these species. SPR HYD-4 would be implemented, which prohibits operating heavy equipment, crossing watercourses unless dry, equipment fueling, placement of burn piles, and fire ignition within the WLPZ. In addition, prescribed herbivory treatments would be excluded within 50 feet of environmentally sensitive areas, pursuant to SPR HYD-3. Furthermore, SPRs HAZ-5, HAZ-6, and HYD-5 would apply to targeted herbicide application treatments and would require measures that would reduce the likelihood of contaminated runoff from treatment activities reaching the streams that are habitat for special-status fish (see Attachment A). Therefore, adverse effects on special-status fish would be clearly avoided through implementation of these SPRs, and further measures would not be required.

Habitat function for special-status fish would be maintained because treatment activities and maintenance treatments would not occur in aquatic habitat. Furthermore, treatments within WLPZs adjacent to aquatic habitat would be limited pursuant to SPR HYD-4, which requires retention of at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation. This riparian vegetation standard would maintain stream shading and avoid increases in water temperature. In addition, SPR HYD-3 would require that prescribed herbivory treatments are excluded from habitat for these species, and HYD-1 requires compliance with water quality regulations. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

California Red-Legged Frog

California red-legged frog has been documented in multiple portions of the project area from Los Trancos Creek to the Pajaro River and east to Coyote Creek (see Attachment B). Adult and juvenile California red-legged frogs are known to travel through upland habitats (e.g., riparian, woodland, grassland) to move between breeding and nonbreeding sites (e.g., other ponds, deep pools in streams, moist and cool riparian understory, burrows) for access to refugia and foraging habitat, or to disperse to new breeding locations. Movements through upland habitats are known to occur up to approximately 1 mile over the course of a wet season (Bulger et al. 2003). During migration, California red-legged frogs may travel longer distances from aquatic habitat and typically travel in straight lines irrespective of vegetation types; individuals have been documented to move more than 1.7 miles between aquatic habitat sites (Bulger et al. 2003). However, studies have demonstrated that California red-legged frogs generally remain very close to breeding ponds during the nonbreeding season and typically do not move more than a few hundred feet into upland habitats (Bulger et al. 2003; Fellers and Kleeman 2007). California red-legged frogs generally make overland movements (i.e., dispersal, migration, foraging) during the wet season (i.e., October to May), and these movements are typically made at night (Bulger et al. 2003).

Prescribed herbivory would not result in injury or mortality to California red-legged frog because the species would be expected to move to avoid grazing animals, and grazing is not likely to remove or collapse cover for California red-legged frog. Manual treatment, mechanical treatment, prescribed burning, and herbicide use activities may adversely affect this species through direct loss, injury, or other disturbance of individuals if the species is present in treatment areas. Workers conducting manual treatment activities and herbicide application on foot are unlikely to cause injury, mortality, or substantial disturbance to individual California red-legged frog because they move relatively slowly throughout the project area. However, vehicles associated with these treatment activities have the potential to crush individual frogs that may take refuge under vehicles, and if vehicles are driven over areas containing mammal burrows, burrow collapse may result in injury or mortality of any frogs using burrows for refuge. The potential for treatment activities and maintenance treatments to result in adverse effects on California red-legged frog was examined in the Program EIR.

California red-legged frog is a covered species under the SVCHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the

responsible agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to that portion of the project. Also as discussed for Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to California red-legged frog (County Santa Clara et al. 2012a). Accordingly, this determination for proposed project treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts on California red-legged frog through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR.

If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

The implementation of SPRs HAZ-5, HYD-1, HYD-3, and HYD-4 (see Attachment A) would reduce the impacts of treatment activities by setting buffers around aquatic habitats and limiting activities within those buffers. These SPRs would also reduce impacts on California red-legged frog from manual treatment, mechanical treatment, prescribed burning, and targeted herbicide application. However, injury or mortality cannot be completely avoided by limiting the season or physical location of treatment pursuant to SPR BIO-1 for treatments in habitat for the species, because the species is known to occur year-round and may travel up to 1.7 miles away from aquatic habitat. As a result, the aquatic habitat buffers and treatment limitations would not be sufficient to fully avoid adverse effects on California red-legged frogs.

Because impacts on the species cannot be physical or temporally fully avoided when treatments occur in habitat for the species, SPR BIO-10 would apply. Pursuant to SPR BIO-10, protocol surveys (see SPR BIO-10 in Attachment A) would be conducted, or presence of California red-legged frog would be assumed. If California red-legged frogs are detected during SPR BIO-10 surveys, or presence is assumed, MM BIO-2a will be required.

Because the project area contains potential breeding and nonbreeding habitat, MM BIO-2a would require seasonal pretreatment visual surveys, monitoring during treatments near aquatic habitat, and work stoppages and would prohibit mechanical treatments following precipitation events. Furthermore, targeted herbicide use during project implementation would comply with the herbicide use restrictions in the stipulated injunction issued by the Federal District Court for the Northern District of California (see MM BIO-2a Attachment A).

Habitat function for California red-legged frog would be maintained because downed woody debris would be retained (except for fuel breaks) in strategic locations to maintain forest floor complexity, with a preference for larger, complex logs, generally greater than 12 inches in diameter and totaling approximately 10 tons per acre. Removal of understory vegetation would occur, but a minimum of 10–25 percent understory plant cover per acre would be retained, which would provide shaded, moist microhabitats that support dispersal and cover. Vegetation would be retained in clumps and mosaics to sustain habitat heterogeneity and connectivity, thereby maintaining movement corridors and reducing fragmentation. Root systems would be left intact to allow resprouting and long-term understory recovery. Chipped biomass will not exceed an average of 3 inches in depth, which will allow vegetation to resprout. In addition, degradation of California red-legged frog aquatic habitat that could result from targeted herbicide treatments would be avoided and minimized by implementation of SPRs HAZ-5, HAZ-6, and HYD-5 (see Attachment A), which would retain aquatic habitat function. Habitat for California red-legged frog within oak woodlands and sensitive natural communities would also be maintained through implementation of MM BIO-3a (see Impact BIO-3). MM BIO-4 will further reduce potential impacts by requiring protection of state and federally protected wetlands, which include aquatic habitat for California red-legged frog (see Impact BIO-4). Pursuant to SPR BIO-4, at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within riparian corridors would be maintained, providing continued habitat function for California red-legged frogs in riparian areas.

Pursuant to MM BIO-2a, and because this species is listed under ESA, SFD must notify USFWS about its proposed measures to avoid mortality, injury, and disturbance of the species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for California red-legged frog and contacted USFWS to seek technical

input on this determination, as required. On December 17, 2025, SCCFSC contacted Ryan Olah at USFWS on behalf of SFD and described the measures that would be taken to avoid mortality, injury, and disturbance to California red-legged frogs and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures related to California red-legged frog resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

California Tiger Salamander

The project is within the range of the Central California distinct population segment of California tiger salamander, and individual California tiger salamanders have been documented in grasslands along the eastern and southern portions of the project area (see Attachment B). Aquatic habitat for the species consists of vernal pools, other seasonal wetlands, and seasonal ponds. Grassland and woodland habitats in the project area within 1.3 miles of aquatic habitat may be used as upland habitat for the species.

Manual tree and shrub pruning, prescribed herbivory, and targeted herbicide application are not likely to result in injury, death, or substantial disturbance of individuals due the limited vegetation and ground disturbance that would result from these activities. However, vehicles used for these treatment activities have the potential to crush individual salamanders that may take refuge under vehicles, and if vehicles are driven over areas containing mammal burrows, burrow collapse may result in injury or mortality of any salamanders using burrows for refuge. Mechanical treatments that result in burrow collapse and pile burning (if piles are placed on or near occupied burrows) may cause injury, mortality, or substantial disturbance year-round. In addition, mechanical treatments, manual tree and snag removal, and prescribed burning may cause injury or mortality to individual California tiger salamanders if these activities occur when California tiger salamanders are aboveground during the dispersal season (November 1–April 30). The potential for treatment activities and maintenance treatments to result in adverse effects on California tiger salamander was examined in the Program EIR.

California tiger salamander is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to that portion of the project. Also as discussed for Impact BIO-8, participation in the SCVHP requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to California tiger salamander (County Santa Clara et al. 2012a); accordingly, this determination for proposed project treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts on California tiger salamander through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR.

If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

Implementation of SPRs HAZ-5, HAZ-6, and HYD-5 would reduce impacts on California tiger salamander from targeted herbicide treatments (see Attachment A); however, impacts from herbicide application (other than cut stump and basal bark methods) may still occur. Pursuant to SPR BIO-1, if it is not feasible to avoid mechanical treatments or pile-burning activities within 1.3 miles of aquatic habitat or to avoid broadcast burning, manual tree removal, or herbicide application (other than cut stump and basal bark methods) during the dispersal season for the species (November 1–April 30), then SPR BIO-10 would apply. Per SPR BIO-10, protocol-level surveys would be conducted for California tiger salamander in habitat potentially suitable for the species, or presence of the species would be assumed (see Attachment A). If the species is detected during surveys or assumed to be present, MM BIO-2a would be implemented to avoid injury or mortality of the species including pretreatment surveys, limiting heavy equipment (e.g., tracked chippers and masticators) to compacted surfaces or away from small mammal burrows, and placement of burn piles away from small mammal burrows (see MM Bio-2a in Attachment A).

Habitat function for California tiger salamander would be maintained because upland habitat for the species (i.e., grasslands, open woodlands) would be maintained, and additional open woodland habitat would likely be improved or restored through burning, thinning, and removal of ladder fuels. In areas where Douglas-fir trees are encroaching into grasslands, encroaching trees may be removed to restore grassland habitat, which would maintain and improve habitat used by California tiger salamander In addition, impacts on California tiger salamander habitat from targeted herbicide treatments would be avoided and minimized by implementation of SPRs HAZ-5, HAZ-6, and HYD-5 (see Attachment A). Small stands of immature oak trees (i.e., young oak stands that do not have an established, dominant overstory) would be retained, with a cluster radius of approximately 15–25 feet (30-to-50-foot diameter) and spaced approximately 75–100 feet apart. Oak woodland habitat for California tiger salamander would further be maintained through implementation of MM BIO-3a (see Impact BIO-3). MM BIO-4 would further reduce potential impacts by requiring protection of state and federally protected wetlands, which include aquatic habitat for California tiger salamander (see Impact BIO-4).

Pursuant to MM BIO-2a, and because this species is listed under CESA and ESA, SFD must notify CDFW and USFWS about its proposed measures to avoid mortality, injury, and disturbance of the species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for California tiger salamander and contacted CDFW and USFWS to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW and Ryan Olah at USFWS on behalf of SFD and described the measures that would be taken to avoid mortality, injury, and disturbance to California tiger salamanders and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures related to California tiger salamander resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Foothill Yellow-Legged Frog

Foothill yellow-legged frog has been documented within the project area along and south of Los Gatos Creek and occurred historically in the Stevens Creek Watershed (see Attachment B). This species is typically found in perennial streams and areas directly adjacent to streams, depending on the time of year. During the fall and winter, the species may be found in the uplands near streams, and in the spring, individuals move to wider sunlit channels to breed. The species is highly aquatic and is rarely found farther than 36—150 feet from perennial water (CDFW 2018b). A longer dispersal distance has been noted from perennial waterways (over 4.3 miles); although in this observation, the individual frog primarily used wetted channels for dispersal (CDFW 2018b).

Pursuant to SPR HYD-4, a WLPZ of 50 to 150 feet adjacent to all Class I and Class II streams would be implemented. However, these measures may not result in full avoidance of foothill yellow-legged frogs if frogs travel beyond these buffers or if manual activities implemented within the WLPZ resulted in injury or mortality of frogs. With implementation of SPRs to reduce impacts to aquatic habitat, prescribed herbivory would not result in injury or mortality to foothill yellow-legged frogs because the species would be expected to move to avoid grazing animals, and grazing is not likely to remove or collapse cover for foothill yellow-legged frog in upland habitats. However, treatment activities, including manual tree and snag removal, mechanical treatments, prescribed burning, and targeted herbicide application conducted within upland foothill yellow-legged frog habitat could result in injury or mortality of individuals. The potential for treatment activities, including maintenance treatments, to result in adverse effects on foothill yellow-legged frog was examined in the Program EIR.

Foothill yellow-legged frog is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and then the conservation measures contained in the plan would be applied to that portion of the project. Also as discussed for Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to foothill yellow-legged frog (County Santa Clara et al. 2012a); accordingly, this determination for

proposed treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts to foothill yellow-legged frog through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR.

If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

Implementation of SPRs HAZ-5, HYD-1, HYD-3, and HYD-4 (see Attachment A) would reduce the impacts of treatment activities by setting buffers around aquatic habitats and limiting activities within those buffers, but because the species is present year-round and the species may be present outside of those buffers, effects on foothill yellow-legged frog would not be completely avoided with implementation of these SPRs. Pursuant to SPR BIO-1, a no-disturbance buffer would be established if feasible within 200 feet of aquatic habitat determined to be suitable for this species, and within this buffer, manual, mechanical, and herbicide application (other than cut-stump and basal bark application) would be prohibited.

Because foothill yellow-legged frogs may travel more than 200 feet from aquatic habitat and because implementation of the buffer pursuant to SPR BIO-1 may not be feasible, effects on the species may not be fully avoided with implementation of SPRs BIO-1 and BIO-10 would be required. Focused surveys for foothill yellow-legged frog would be conducted within 200 feet of aquatic habitat for this species prior to implementation of manual tree and snag removal, mechanical treatments, prescribed burning, and targeted herbicide treatments (other than cut stump and basal bark application), or presence would be assumed pursuant to SPR BIO-10. If no foothill yellow-legged frogs are observed during focused surveys, then additional mitigation would not be required. If foothill yellow-legged frogs are observed during focused surveys or presence of the species is assumed, then MM BIO-2a will be implemented. Under MM BIO-2a, biological monitoring and work stoppages would be implemented to avoid injury to or mortality of individual foothill yellow-legged frogs.

Habitat function for foothill yellow-legged frog would be maintained because select large downed logs would be retained where they do not create an additional hazard or prevent project objectives from being met (e.g., downed logs would not be retained within fuel breaks, see Sections 2.1, "Treatment Prescription," and 2.2, "Treatment Types"). Removal of understory vegetation would occur, but a minimum of 50 percent of the understory canopy would be retained within riparian habitats per SPR BIO-4. Outside riparian areas, vegetation would be retained in clumps and mosaics to sustain habitat heterogeneity and connectivity, and root systems would be left intact to allow resprouting and long-term understory recovery. Chipped biomass will not exceed an average of 3 inches in depth. In addition, impacts on foothill yellow-legged frog habitat from targeted herbicide treatments would be avoided and minimized by implementation of SPRs HAZ-5, HAZ-6, and HYD-5 (see Attachment A). Although the species is most often found in riparian and aquatic habitats, upland oak woodland habitat suitable for foothill yellow-legged frog would also be maintained through implementation of MM BIO-3a (see Impact BIO-3). MM BIO-4 would further reduce potential impacts by requiring protection of state and federally protected wetlands, which include aquatic habitat for foothill yellow-legged frog (see Impact BIO-4). Pursuant to SPR BIO-4, at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within riparian corridors would be maintained.

Pursuant to MM BIO-2a and because this species is listed under CESA and ESA, SFD must notify CDFW and USFWS about its proposed measures to avoid mortality, injury, or disturbance of the species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for foothill yellow-legged frog and contacted CDFW and USFWS to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW and Ryan Olah at USFWS on behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to foothill yellow-legged frogs and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures related to foothill yellow-legged frog resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Southwestern Pond Turtle

Southwestern pond turtles have been documented throughout the project area from Los Trancos Creek to the Pajaro River and east to Coyote Creek (see Attachment B). Pruning of trees and shrubs, targeted herbicide application, and

prescribed herbivory are not likely to result in injury, death, or substantial disturbance (e.g., interruption of nest creation) of individuals due the limited vegetation and ground disturbance that would result from these activities. Prescribed burning, mechanical treatments, and manual tree and snag removal within habitat for southwestern pond turtle may result in the interruption of nest construction, destruction of nests, and injury or death of individuals if present. The potential for initial treatment activities and maintenance treatments to result in adverse effects on southwestern pond turtle was examined in the Program EIR.

Southwestern pond turtle is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to the project. Also as discussed for Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to southwestern pond turtle (County Santa Clara et al. 2012a); accordingly, this determination for proposed treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts on southwestern pond turtle through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR.

If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

The implementation of SPRs-BIO-4, HAZ-5, HYD-1, HYD-3, HYD-4, and HYD-5 (see Attachment A) would reduce the impacts of treatment activities by setting buffers around aquatic habitats and limiting activities within those buffers. However, these measures may not avoid impacts on southwestern pond turtle when they are present outside of established buffers or if treatment activities implemented within buffers resulted in injury or mortality of southwestern pond turtle. Furthermore, southwestern pond turtle may be present in upland habitats (up to 1,300 feet from aquatic habitat) year-round; therefore, adverse effects on southwestern pond turtles would not be entirely avoided with physical avoidance of habitat pursuant to SPR BIO-1. If treatment activities occur within 1,300 feet of suitable aquatic habitat and prescribed burning, mechanical treatments, or manual tree and snag removal are implemented within habitat for southwestern pond turtles, SPR BIO-10 would apply, and focused surveys for southwestern pond turtle would be required prior to prescribed burning, mechanical treatments, and manual tree and snag removal. If pond turtles are detected during the survey, than MM BIO-2b would apply. Under MM BIO-2b, biological monitoring by a qualified RPF, biologist, biological technician, or trainee will be conducted during all prescribed burning, mechanical treatments, manual tree and snag removal, or herbicide application (other than cut-stump and basal bark application activities) that are conducted within or adjacent to sensitive habitat areas. If any individual pond turtles are detected, a no-disturbance buffer of 100 feet would be implemented, and treatment activities will cease within the area until the animal has left the area.

Southwestern pond turtle is proposed for listing under ESA, and therefore, currently does not have protection under ESA; however, it is possible that the species will be listed during the life of the project. USFWS also proposed the 4(d) Rule, which would provide certain exceptions to "take" prohibitions in the ESA for projects that have beneficial or negligible impacts to the southwestern pond turtle, including wildfire suppression and management projects, such as WSCLRP. If work occurs before the southwestern pond turtle is listed under ESA or if this species is listed with the proposed 4(d) ruling, protective buffers would be implemented pursuant to MM BIO-2b to avoid injury or mortality.

Habitat function for southwestern pond turtle would be maintained because treatment activities and maintenance treatments would not occur in aquatic habitats, and SPRs BIO-4, HYD-4, and HYD-5 would be implemented to protect aquatic and riparian habitat. In addition, impacts on southwestern pond turtle habitat from targeted herbicide treatments would be avoided and minimized with implementation of SPRs HAZ-5, HAZ-6, and HYD-5 (see Attachment A). MM BIO-4 would further reduce potential impacts by requiring protection of state and federally protected wetlands, which include aquatic habitat for southwestern pond turtle (see Impact BIO-4). Upland habitat for the species would be maintained because prescribed burning would thin dense vegetation and target removal of nonnative grasses. Also, in areas where Douglas-fir trees are encroaching into grasslands and other open habitats,

encroaching trees may be removed to restore habitat. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

San Francisco Gartersnake

The range of San Francisco gartersnake includes San Francisco and San Mateo Counties, with some historic occurrences extending into the base of the Santa Cruz Mountains along the northern and north-western border of the project area. Occurrences have been documented near the town of Woodside, just north of Los Trancos Creek, and within Russian Ridge Open Space Preserve, beyond the northern end of the WSCLRP area. Grasslands contiguous with ponds, creeks, marshes, and wetlands with shallow emergent vegetation and within 6,500 feet of these aquatic habitats (USFWS 2020) support this species; however, the species is not likely to occur in most of the project area because it is outside the geographic range of the species (see Attachment B). This species is active in and near aquatic habitat for most of the year and uses underground rodent burrows or rock piles for shelter during the hibernation period (generally November through February), during which San Francisco gartersnake may occasionally emerge on warm days for dispersal, foraging, and basking.

Pursuant to MM BIO-2a and because this species is listed under CESA and ESA, SFD must notify CDFW and USFWS about its proposed measures to avoid mortality, injury, or disturbance of the species and its determination that habitat function would be maintained after treatments. SFD In initial review of this project, CDFW and USFWS were contacted to seek technical input On December 17, 2025, SCCFSC contacted Julie Lile at CDFW and Ryan Olah at USFWS on behalf of SFD regarding San Francisco gartersnake in compliance with MM BIO-2a. Ryan Olah responded on December 18, 2025, stating that USFWS does not consider this species to be present in the action area for WSCLRP and that any garter snakes in the project area would be intergrade individuals with non-listed garter snakes or other non-listed gartersnakes; therefore, San Francisco gartersnake is not expected to occur in this project area.

Other Special-Status Amphibians and Reptiles

California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard are known to occur or may occur within the project area (see Attachment B). California giant salamanders are most likely to be found in wet redwood and Douglas-fir forests within the project area, whereas Santa Cruz black salamanders may be present in conifer forests, oak woodlands, and grasslands. An isolated population of red-bellied newt may be found in riparian and wet forest habitats within the Steven's Creek watershed; however, the species is not likely to occur south of Los Gatos Creek. Habitat for Northern California legless lizard and coast horned lizard is present in multiple portions of the project area where there is sandy loose soil (see Attachment B).

Prescribed herbivory would not result in injury or mortality to special-status amphibians and reptiles, because the species would be expected to move to avoid grazing animals, and grazing is not likely to remove or collapse cover for special-status amphibians and reptiles. However, manual tree and snag removal, mechanical treatments, prescribed burning, and targeted herbicide treatments (other than basal bark and cut-stump application) conducted in habitat suitable for special-status amphibians and reptiles could result in injury or mortality to these species. The potential for treatment activities to result in adverse effects on special-status reptiles and amphibians was examined in the Program EIR.

These species are present in the project area year-round, and if treatments are conducted in habitat for special-status amphibians and reptiles, effects on these species cannot be clearly avoided pursuant to SPR BIO-1. Therefore, if treatments are conducted in habitat suitable for special-status amphibians and reptiles, SPR BIO-10 would be implemented, and focused surveys would be conducted prior to treatment activities. If individual special-status amphibians and reptiles are detected during pretreatment surveys, then MM BIO-2b would apply, and biological monitoring during treatments, work stoppage, and other measures would be implemented (Attachment A).

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain understory vegetation in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would retain down woody debris in strategic locations (see Section 2.2.1, "Ecological Restoration"). WUI treatments would

have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that provides habitat for special-status amphibians and reptiles; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of habitat affected by fuel break treatments would not be substantial compared to available habitat in the project area. SPR BIO-4 would be applied to retain riparian habitat function. Furthermore, SPR BIO-5 would be applied, which would retain cover in coastal sage scrub and chaparral habitats used by special-status amphibians and reptiles. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of chaparral, coastal sage scrub, oak woodlands, and a mosaic of understory vegetation throughout most of the project area would maintain habitat for special-status amphibians and reptiles. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Bald Eagle

Bald eagles have been reported to nest and overwinter in the project area, and nesting habitat is present within approximately 1 mile of larger lakes and reservoirs that support fisheries (see Attachment B). Bald eagles overwinter adjacent to foraging habitat (lakes and reservoirs) and may use communal roosts during the winter. Treatments conducted during the nesting season could result in loss of nests, eggs, and young if they disturb active nests; helicopter and drone operations could result in injury or death of individuals year-round due to collisions; and mechanical and manual tree removal could result in loss of communal roosting trees that are vital components of overwintering habitat.

Because the species may be present within the project area year-round and is sensitive to disturbance during both nesting and overwintering, adverse effects on the species cannot be clearly avoided pursuant to SPR BIO-1; therefore, SPR BIO-10 will be implemented, and surveys for both nests and overwintering roosts will be conducted prior treatment activities (see Attachment A). If no active bald eagle nests or communal roosts are observed during focused surveys, then additional avoidance measures for these species would not be required. If active nests or communal roosts are detected during focused surveys, then MM BIO-2a would be required, and no-disturbance buffers would be applied around nests. No treatment activities would occur within these buffers until chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. Additionally, trees containing bald eagle nests would not be removed pursuant to the Bald and Golden Eagle Protection Act. A buffer for helicopter operations and retention of the roost tree would be required around communal roosts.

Habitat for bald eagles would be maintained because the general prescription for the project (see Section 2.1.1, "General Prescription") would retain trees greater than 16 inches in diameter, other than Douglas-fir, which may be removed up to 36 inches in diameter when needed to reduce encroachment into other existing vegetation types and therefore, would maintain roosting and nesting trees for bald eagles.

Pursuant to MM BIO-2a and because bald eagle is listed under CESA and a fully protected species under California Fish and Game Code, SFD must notify CDFW about its proposed measures to avoid mortality, injury, or disturbance of these species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for golden eagle, Swainson's hawk, white-tailed kite, and bald eagle and contacted CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW on behalf of SFD and described the measures that would be taken to avoid mortality, injury, and disturbance to bald eagle and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Burrowing Owl

The species has been documented in the project area in Coyote Valley and Caldero County Park (Attachment B). Grassland habitat for the species is present in other lower elevation portions of the project area. The eastern portions

of the project area overlap with the breeding (yearlong) range for burrowing owl, and in this area, nesting may occur in suitable grassland habitat. Most of the project area is outside of the breeding range for burrowing owl but within the winter range of the species, and in these areas, overwintering individuals may be present in burrows or culverts between September 1 and January 31.

Outside of the range of the species, targeted herbicide application is not likely to result in injury, death, or substantial disturbance (i.e., disturbance that could cause burrow abandonment) of overwintering individuals due the limited ground disturbance that would result from this activity. Prescribed burning, other than the disturbance involved in the construction and use of control lines and staging areas, is also not likely to result in injury, death, or substantial disturbance of individuals during the overwintering season (September 1–January 31), because overwintering owls would be able to shelter in a burrow or temporarily flee; prescribed broadcast burns in grassland habitats typically move very quickly and burn at a low intensity, which would allow individual overwintering owls to flee or seek shelter during the short period the burn passes over the burrow. Prescribed herbivory may require placement of fencing, pens, and other infrastructure that causes ground disturbance and can result in injury to, death of, or substantial disturbance to overwintering individuals; however, grazing animal activity is unlikely to result in adverse impacts on burrowing owls because the species is frequently found in areas grazed by native and nonnative ungulates (e.g., deer, elk, cattle, goats), and the herding dogs that may be used for prescribed herbivory are working dogs that are not likely to pursue or injure owls. However, ground-disturbing activities associated with broadcast burning (e.g., control line construction and staging), mechanical treatments, manual tree and snag removal treatments, and placement of infrastructure for prescribed herbivory may result in injury or death of overwintering burrowing owls.

In the easternmost portions of the project area, within the yearlong (breeding) range of the species, the same treatment activities that threaten overwintering owls have the potential to result in injury, death, or substantial disturbance of nesting individuals. Manual tree and snag removal treatments, mechanical treatments, ground-disturbance associated with prescribed burning (e.g., control line construction and staging), and ground disturbance associated with prescribed herbivory (e.g., placement of fencing and other infrastructure) implemented during the nesting season (February 1–August 31) could result in disturbance or loss of burrowing owl burrows, eggs, and young. In addition, although herbicide treatments would not result in ground disturbance, application close to active nest burrows could cause owls to flush, leading to increased risk of predation.

Burrowing owl is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to the project. Also as discussed in Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to burrowing owl (County Santa Clara et al. 2012a). Accordingly, this determination for proposed treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts on burrowing owl through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR.

If a treatment area or activity is not covered by the SCVHP, then the SPRs and MM discussed below would apply.

As described above, ground-disturbing treatments may result in impacts on overwintering owls if conducted in the overwintering range of the species during the overwintering season. Also, manual treatments, mechanical treatments, prescribed burning, ground disturbance associated with prescribed herbivory (e.g., placement of fencing and other infrastructure), and targeted herbicide application implemented during the nesting season (February 1–August 31) could result in disturbance or loss of burrowing owl burrows, eggs, and young. Therefore, if these activities are conducted within burrowing owl habitat during the sensitive season, effects would not be avoided pursuant to SPR BIO-1, and protocol surveys would be conducted (see SPR BIO-10 in Attachment A). If burrowing owl burrows are detected during surveys (pursuant to SPR BIO-10), MM BIO-2a would apply, and seasonal avoidance and no-disturbance buffers would be implemented to avoid injury or mortality (see MM BIO-2a in Attachment A).

Habitat function for burrowing owls would be maintained because treatment activities in habitat for burrowing owls, such as mowing or prescribed burning, would thin dense vegetation and nonnative grasses to approximate conditions under the natural fire regime, which would improve habitat to burrowing owls because the species prefers burrows in areas where vegetation is low to reduce predation risk. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Pursuant to MM BIO-2a and because burrowing owl is a candidate for listing under CESA, SFD must consult with CDFW about its determination that mortality, injury, or disturbance would not occur, and habitat function would be maintained. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for burrowing owl and contacted CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW on behalf of SFD and described the measures that would be taken to avoid mortality, injury, and disturbance to burrowing owl and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

California Condor

Although California condor is not likely to nest in the project area due to an absence of suitable nesting sites, foraging habitat for California condors (grassland, open coastal scrub, and open chaparral) is present in the project area, and this species is known to occur in the eastern portion of Santa Clara County near Anderson Lake and along SR 152 outside the project area (see Attachment B). Although impacts on nesting California condors would not occur because the species is unlikely to nest within the project area, if California condors are foraging within treatment areas, disruption of normal foraging behavior of California condors may still occur as a result of proposed treatments.

Project-specific guidance to SPR BIO-2 would minimize impacts year-round from all treatment activities on foraging condors (see Attachment A); however, impacts may still occur if condors are actively foraging in the project area during implementation of treatment activities. Therefore, measures to avoid impacts to foraging California condors in MM BIO-2a would apply for all project activities (see Attachment A). MM BIO-2a requires that work crews maintain garbage, hazardous material, equipment, and vehicles in a manner that avoids attracting or harming foraging condors, and requires that treatments temporarily stop if California condors are observed prior to the start of work. Habitat function for California condor would be maintained because California condors have an expansive range, use a variety of habitats, and would be expected to continue to use existing foraging habitat posttreatment.

Pursuant to MM BIO-2a and because this species is listed under CESA and ESA, SFD must notify CDFW and USFWS about its proposed measures to avoid mortality, injury, or disturbance of the species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for California condor and contacted CDFW and USFWS to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW and Ryan Olah at USFWS on the behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to California condor and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures related to California condor resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR

Least Bell's Vireo

Mature riparian habitat along large, low-elevation streams in the project area may provide nesting habitat for this species (Attachment B). All treatment activities could result in disturbance or loss of least Bell's vireo, eggs, and young if implemented in habitats for the species during the nesting season (February 1–August 31). In addition, manual treatments and mechanical treatments using handheld power tools (e.g., chainsaws, brush cutters) that occur within 500 feet of nesting habitat for the species may cause nest abandonment resulting in loss of nests, eggs, and young, due to the noise associated with these treatment activities if implemented during the nesting season.

Least Bell's vireo is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to the project. Also as discussed for Impact BIO-8, participation in the SCVHP requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to least Bell's vireo (County Santa Clara et al. 2012a). Accordingly, this determination for proposed treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts on least Bell's vireo through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR. If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

If any treatments occur in least Bell's vireo habitat or if mechanical treatments or manual treatments that use handheld power tools occur within 250 feet of nesting habitat during the nesting season (February 1–August 31), protocol surveys for the species would be implemented pursuant to SPR BIO-10 or the nesting habitat may be assumed to be occupied (see SPR BIO-10 in Attachment A). If least Bell's vireo nests are detected during protocol surveys or if nesting habitat is assumed to be occupied, nest season avoidance of nesting habitat and no-disturbance buffers would be implemented to avoid injury or mortality (see MM BIO-2a in Attachment A).

Habitat function for least Bell's vireo would be maintained because trees greater than 16 inches dbh and select smaller trees would be retained, vegetation would be retained in clumps and mosaics, and root systems would be left intact to allow resprouting. Furthermore, SPRs HYD-4 and HYD-5 would be implemented to protect aquatic habitat, and SPR BIO-4 would prevent loss or degradation of riparian habitat by requiring retention of 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation. MM BIO-3a would avoid loss or degradation of riparian habitats that are also sensitive natural communities. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Pursuant to MM BIO-2a and because least Bell's vireo is listed as threatened under CESA, SFD must consult with CDFW about its determination that mortality, injury, or disturbance would not occur and habitat function would be maintained. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for least Bell's vireo and contacted CDFW and USFWS to seek technical input on this determination, as required. On December 17 2025, SCCFSC contacted Julie Lile at CDFW and Ryan Olah at USFWS on behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to least Bell's vireo and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures related to least Bell's vireo resulted from this consultation. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Tricolored Blackbird

Tricolored blackbird has been documented in the project area in Caldero County Park and along Coyote Creek. The species may occur in other portions of the project area where stock ponds, riparian habitats, and wetland features that provide nesting habitat for the species are present with nearby foraging habitat (e.g., grasslands and agricultural lands). All treatment activities could result in disturbance or loss of tricolored black bird nests, nest colonies, eggs, and young if treatments occur in or near nesting habitat during the nesting season (February 1–August 31). In addition, mechanical treatments and manual treatments using handheld power tools (e.g., chainsaws, brush cutters) that occur within 250 feet of nesting habitat for the species may also result in loss of nests, eggs, and young due to the noise associated with these treatment activities if implemented during the nesting season.

Tricolored blackbird is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible

agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to the project. Also as discussed for Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial to tricolored blackbird (County Santa Clara et al. 2012a). Accordingly, this determination for proposed treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts to tricolored blackbird through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR. If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

If any treatments occur within tricolored blackbird nesting habitat or if mechanical treatments or manual treatments that use handheld power tools occur within 250 feet of nesting habitat during the nesting season (February 1–August 31), focused surveys for the species would be conducted pursuant to SPR BIO-10 or the habitat may be assumed occupied. If tricolored blackbird nest colonies are detected during focused surveys (pursuant to SPR BIO-10) nest buffers would be applied to active nesting colonies or if nesting habitat is assumed to be occupied, nest season avoidance of nesting habitat and no-disturbance buffers would be implemented to avoid injury or mortality (see MM BIO-2A in Attachment A).

Grassland habitat function for tricolored blackbird would be maintained by the project because prescribed burning would thin dense vegetation and nonnative grasses to approximate conditions under the natural fire regime. In areas where Douglas-fir trees are encroaching into grasslands, encroaching trees may be removed to restore grassland habitat. Aquatic habitat would be protected pursuant to SPRs HYD-4 and HYD-5, and SPR BIO-4 would prevent loss or degradation of riparian habitat. MM BIO-4 would avoid treatment activities and maintenance treatments within aquatic habitat when the species is present. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Pursuant to MM BIO-2a and because tricolored blackbird is listed as threatened under CESA, SFD must consult with CDFW about its determination that mortality, injury, or disturbance would not occur and habitat function would be maintained. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for tricolored blackbird and contacted CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW on behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to tricolored blackbird and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures resulted from this consultation. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Other Special-Status Birds

Several other special-status bird species are known to occur or may occur in the project area: grasshopper sparrow, golden eagle, short-eared owl, long-eared owl, Swainson's hawk, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, white-tailed kite, saltmarsh common yellowthroat, yellow breasted chat, loggerhead shrike, purple martin, and yellow warbler. These species are considered together for this analysis because project-related impacts to these species and avoidance measures that would be applied are similar. Nesting habitat for these species is found in various portions of the project area (see Attachment B), and treatment activities may occur during the nesting season for these species. Several additional special-status bird species have the potential to forage or fly over the project area, but the project is outside of their nesting range, and no impacts to these species are anticipated. These include Barrow's golden eye, common loon, and American white pelican (Attachment B).

Per SPR BIO-1, if it is determined that adverse effects on nesting habitat for special-status birds will be clearly avoided by physically avoiding nesting habitat for the species or conducting treatments outside of the season of sensitivity (i.e., nesting bird season), then no additional survey would be required. Adverse effects on nesting special-status birds would be avoided for treatments that would occur outside of nesting habitat (see Attachment B) or the nesting season for each species (see SPR BIO-1 in Attachment A). If conducting some treatments outside of the nesting bird

season is determined to be infeasible for individual treatment areas, then SPR BIO-10 would apply, and focused nesting bird surveys would be conducted prior to implementation of all treatment activities.

If no active bird nests are observed during focused surveys, then additional avoidance measures for these species would not be required. If active special-status bird nests are observed during focused surveys, then MMs BIO-2a (for golden eagle, Swainson's hawk, white-tailed kite, and bald eagle) and BIO-2b (for grasshopper sparrow, short-eared owl, long-eared owl, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, saltmarsh common yellowthroat, yellow breasted chat, loggerhead shrike, purple martin, and yellow warbler) would be implemented. Under MMs BIO-2a and BIO-2b, no-disturbance buffers would be applied around special-status bird nests (see Attachment A). No treatment activities would occur within these buffers until chicks have fledged or the nest is otherwise no longer active, as determined by a qualified RPF or biologist. Additionally, trees containing golden eagle nests would not be removed pursuant to the Bald and Golden Eagle Protection Act.

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain trees greater than 16 inches in diameter, other than Douglas-fir, which may be removed up to 36 inches in diameter when needed to reduce encroachment into other existing vegetation types, which would maintain roosting trees for raptors. Understory vegetation would be retained in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape. Ecological restoration treatments would retain 1–2 snags greater than 12 inches in diameter per acre (see Section 2.2.1, "Ecological Restoration"). WUI treatments would have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that provides habitat for special-status birds; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of habitat affected by fuel break treatments would not be substantial compared to available habitat in the project area. SPR BIO-4 would be applied to retain riparian habitat function. Furthermore, SPR BIO-5 will be applied, which would retain cover in coastal sage scrub and chaparral habitats used by special-status birds. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of chaparral, coastal sage scrub, oak woodlands, and a mosaic of understory vegetation throughout the project area as a whole would maintain habitat for special-status birds. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Pursuant to MM BIO-2a and because golden eagle, Swainson's hawk, and white-tailed kite are listed under CESA or are fully protected under the California Fish and Game Code, SFD must notify CDFW about its proposed measures to avoid mortality, injury, or disturbance of these species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for golden eagle, Swainson's hawk, and white-tailed kite, and contacted CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW and on behalf of SFD and described the measures that would be taken to avoid mortality, injury, and disturbance to golden eagle, Swainson's hawk, and white-tailed kite and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

American Badger

Grassland, open scrub, and open woodland habitat in the project area not subject to high levels of human disturbance may provide habitat for this species, and the species has been observed within the project area (see Attachment B). Other portions of the project area directly adjacent to development or areas regularly used for recreation may not be suitable habitat for the species due to ongoing human disturbance. Mechanical treatments; pile burning; installing control lines for broadcast burning; and the placement of fencing, pens, and other infrastructure for prescribed herbivory in habitats suitable for the species could result in destruction of active dens

and potential loss of adults or young through direct mortality or den collapse. Manual treatments, broadcast burning (other than installation of control lines and staging areas), prescribed herbivory (other than the placement of fencing, pens, and other infrastructure), and targeted herbicide application would not result in destruction of American badger dens, because personnel implementing these treatments would conduct the majority of these activities on foot, and the likelihood of a den being inadvertently crushed or otherwise destroyed would be very low. In addition, broadcast burning, prescribed herbivory, and targeted herbicide application are not likely to cause a substantial disruption in feeding because these activities are not likely to be conducted in the vicinity of a den for a substantial length of time. However, manual treatments, mechanical treatments, installation of control lines and staging areas for prescribed burning, pile burning, and setup of infrastructure associated with prescribed herbivory in the vicinity of a maternity den could result in a substantial interruption of feeding and potential loss of young during the American badger pupping season. The potential for treatment activities to result in adverse effects on American badger was examined in the Program EIR.

American badgers may use a den year-round; therefore, there is no season when all impacts can be avoided (pursuant to SPR BIO-1). Therefore, implementation of SPR BIO-10 would be required before implementation of any mechanical treatments, pile burning, installation of control lines and staging areas for prescribed burning, or the setup of infrastructure for prescribed herbivory activities year-round. SPR BIO-10 would also be required during the pupping season (see Attachment A) for all treatments other than broadcast burning (other than installation of control lines and staging areas), prescribed herbivory (other than setup of infrastructure), and targeted herbicide application. Under SPR BIO-10, focused surveys would be conducted for American badger dens within habitat suitable for the species (i.e., grasslands, open woodland) by a qualified RPF or biologist. If American badger dens are not detected during focused surveys, then further mitigation for the species would not be required. If American badger dens are detected during focused surveys, MM BIO-2b will be implemented, and a no-disturbance buffer will be established around the den, the size of which will be determined by the season and the treatment activity (see Attachment A).

Habitat function for American badger would be maintained because habitat for the species (i.e., grasslands, open scrub, open woodlands) would be maintained, and additional open woodland habitat would likely be restored through burning, thinning, and removal of ladder fuels. Horizontal crown spacing of approximately 25 to 75 feet between clusters, depending on site-specific conditions and vegetation alliance characteristics, would be implemented, and vegetation retention would create a mosaic of patches or shrub islands. In areas where conifer or hardwood is encroaching into shrublands and grasslands, encroaching trees may be selectively removed to restore these habitats. Impacts on oak woodlands will further be avoided or minimized through implementation of MM BIO-3a (see Impact BIO-3). This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Mountain Lion

Mountain lion has been documented at multiple locations throughout the project area (Attachment B). The developed portions of the project area with areas of natural vegetation may provide foraging and movement habitat for the species, and more remote portions of the project area containing structures such as rock outcrops, downed trees, large tree hollows, or shrub thickets in woodlands may provide denning or nursery habitat. Targeted herbicide application and prescribed herbivory are not likely to take place in the more remote portions of the project area that may support denning and nursery habitat due to lack of access and are therefore unlikely to have an impact on the species. Manual treatments, mechanical treatments, and prescribed burning conducted in mountain lion nursery habitat could result in injury or mortality of kittens if an active nursery is present and the kittens are too young to move on their own (less than 3 months old). The potential for treatment activities, including maintenance treatments, to result in adverse effects on mountain lion was examined in the Program EIR.

Mountain lions may breed in the project area year-round, and dens and nurseries may be present in a variety of habitat types; therefore, complete avoidance of impacts (pursuant to SPR BIO-1) is not feasible without further measures. Prior to implementation of manual tree and snag removal treatments, mechanical treatments, and prescribed burning, in potential nursery habitat, a desktop analysis of the treatment area would be conducted (see SPR BIO-10 in Attachment A). If nursery habitat exists within a treatment area, a nursery would be assumed to be

present, and MM BIO-2a would be implemented. MM BIO-2a includes surveys for nurseries, and if a nursery is found a no-disturbance buffer would be established around the nursery (see MM BIO-2a in Attachment A).

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain understory vegetation in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape. Ecological restoration treatments would retain down woody debris in strategic locations (see Section 2.2.1, "Ecological Restoration"). WUI treatments would have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that may provide denning and nursery habitat for mountain lions; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of habitat affected by fuel break treatments would not be substantial compared to available habitat in the project area. Furthermore, SPR BIO-5 will be applied, which would retain cover in coastal sage scrub and chaparral habitats used by the species. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of chaparral, coastal sage scrub, oak woodlands, and a mosaic of understory vegetation throughout most of the project area would maintain habitat for mountain lions. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Pursuant to MM BIO-2a and because mountain lion is listed as candidate under CESA, SFD must consult with CDFW about its determination that mortality, injury, or disturbance would not occur, and habitat function would be maintained. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for mountain lion and contacted CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW on behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to mountain lion and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures resulted from this consultation. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Northern California Ringtail

The forested areas, chaparral (with scattered trees and other denning structures), and riparian habitats in the project area provide habitat for Northern California ringtail (Attachment B). Targeted herbicide application and prescribed herbivory are not expected to result in injury or mortality of ringtail because these treatments would not result in destruction of denning sites. However, manual or mechanical treatments that result in removal of trees and snags greater than 12 inches dbh, as well as prescribed burning, may result in injury or mortality of ringtail if conducted during the maternity season (i.e., the period during which young would be present in a den, approximately April 15–June 30). The potential for treatment activities, including maintenance treatments, to result in adverse effects on ringtail was examined in the Program EIR.

If manual or mechanical removal of trees and snags greater than 12 inches dbh or prescribed burning occurs outside of the maternity season, then adverse effects are clearly avoided, and no further measures are required pursuant to SPR BIO-1. Prior to implementation of prescribed burning or tree or snag removal greater than 12 inches dbh during the ringtail maternity season, focused surveys for ringtail would be conducted (see SPR BIO-10 in Attachment A). If ringtails are detected during focused surveys, then additional surveys by a qualified RPF or biologist would be required to determine whether an active ringtail den is present within a treatment area. If an active den is identified in a treatment area, then MM BIO-2a would be implemented, and a no-disturbance buffer would be applied (Attachment A). If the presence of ringtail in the treatment area is assumed, then implementation of avoidance and minimization measures would be required pursuant to MM BIO-2a before and during implementation manual or mechanical tree and snag removal or prescribed burning conducted during the maternity season (see MM BIO-2a in Attachment A).

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain understory vegetation in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape. Ecological restoration treatments would retain down woody debris in strategic locations (see Section 2.2.1, "Ecological Restoration"). WUI treatments would have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that may provide denning and nursery habitat for ringtail; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of habitat affected by fuel break treatments would not be substantial compared to available habitat in the project area. Furthermore, SPR BIO-5 will be applied, which would retain cover in coastal sage scrub and chaparral habitats used by the species. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities, which provide habitat for the species. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Pursuant to MM BIO-2a and because ringtail is a fully protected species, SFD must consult with CDFW about its determination that mortality, injury, or disturbance would not occur, and habitat function would be maintained. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for ringtail and contacted CDFW to seek technical input on this determination, as required. On December 17, 2025, SCCFSC sent a memo to Julie Lile at CDFW on behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to Northern California ringtail and to maintain habitat function in compliance with MMs BIO-2a and BIO-2g. No refinements to the project description or measures resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

San Francisco Dusky-Footed Woodrat

The project area provides habitat for San Francisco dusky-footed woodrat (see Attachment B). Although the species is usually found in nondeveloped land cover types, it may also be present in areas of natural vegetation in the developed landscape as well. This species builds middens (nests) of dried grass, leaves, sticks, and similar materials on the ground, in shrubs, and occasionally in hollows and low branches of large trees. These nests provide shelter year-round in addition to providing a location for breeding and rearing of young. Prescribed burning, mechanical treatments, and manual treatments conducted in habitat for San Francisco dusky-footed woodrats could result in the disturbance or destruction of woodrat nests and potential injury or mortality of individuals if present. Targeted herbicide application and prescribed herbivory are not anticipated to result in destruction of nests or injury or mortality of individuals because nests are constructed of dead materials and would not be affected by herbicides or grazing animals. The potential for treatment activities, including maintenance treatments, to result in adverse effects on San Francisco dusky-footed woodrat was examined in the Program EIR.

San Francisco dusky-footed woodrats may be present in nests in the project area year-round, and nests are present in a variety of habitat types; therefore, clear avoidance of impacts is not feasible (pursuant to SPR BIO-1) for manual treatments, mechanical treatments, or prescribed burning, which could result in the destruction of nests. However, specialized training (see SPR BIO-2 in Attachment A) would be required for crews conducting treatments to allow these crews to recognize and avoid (for manual treatments, mechanical treatments, and pile burning) or minimize (for broadcast burning) destruction of nests. Although crew training under SPR BIO-2 would minimize destruction of nests, SPR BIO-10 also would apply, and focused surveys for San Francisco dusky-footed woodrat nests would be conducted in habitats for the species prior to implementation of mechanical treatments, or nest presence may be assumed for other treatment types (see SPR BIO-10 in Attachment A).

If no woodrat nests are found during pretreatment surveys, no further measures are required. If woodrat nests are found or presence is assumed, MM BIO-2b will apply, and a no-disturbance buffer of approximately 10 feet around nests, which may be adjusted by a qualified RPF or biologist to avoid impacts as needed, will be implemented if feasible for pile burning, mechanical treatments, and manual treatments. In addition, where nests are found or

assumed to be present, broadcast burning would be avoided during the season when the majority of young are present in the nest (see MM BIO-2b in Attachment A).

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain understory vegetation in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape. Ecological restoration treatments would retain down woody debris in strategic locations (see Section 2.2.1, "Ecological Restoration"). WUI treatments would have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that provides habitat for San Francisco dusky footed woodrat; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of habitat affected by fuel break treatments would not be substantial compared to available habitat in the project area. Furthermore, SPR BIO-5 will be applied, which would retain cover in coastal sage scrub and chaparral habitats used by the species. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of chaparral, coastal sage scrub, oak woodlands, and a mosaic of understory vegetation throughout most of the project area would maintain habitat for San Francisco dusky-footed woodrat. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

San Joaquin Kit Fox

The portion of the project area in the Coyote Valley and surrounding hills is within the range of this species, and grassland, open oak woodland, and open shrubland habitat for this species is present in that area (see Attachment B). Mechanical treatment and pile burning activities could result in direct loss or disturbance of active kit fox dens and potential loss of adults year-round. All treatment activities could result in potential disturbance of natal dens if implemented during the pupping/natal season (February 1–September 30).

San Joaquin kit fox is a covered species under the SCVHP. As discussed for Impact BIO-8, treatment activities may qualify as covered activities under the SCVHP depending on the location, responsible agency, and type of activity. If specific treatment areas and activities contained in this PSA/Addendum are covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP, and the conservation measures contained in the plan would be applied to that portion of the project. Also as discussed for Impact BIO-8, participation in the SCVHP, requires applicable conservation measures and participation in support of the reserve system, which preserves habitat for the species. Participation in the SCVHP through implementation of the conditions in the plan and participation in the reserve system were determined to have less-than-significant impacts and would ultimately be beneficial San Joaquin kit fox (County Santa Clara et al. 2012a). Accordingly, this determination for proposed treatments would be consistent with the less-than-significant determination in the Program EIR. Therefore, impacts to San Joaquin kit fox through use of the SCVHP for WSCLRP treatments would not be substantially more severe than what was covered in the Program EIR. If a treatment area or activity is not covered by the SCVHP, then the SPRs and MMs discussed below would apply.

San Joaquin kit fox may be present in treatment areas year-round, and treatments are proposed for grassland, open oak woodland, and open shrub habitats. Therefore, adverse effects cannot be clearly avoided (per SPR BIO-1), and implementation of SPR BIO-10 would be required for all treatment activities during the pupping/natal season, which requires a habitat evaluation of the treatment area, including one walking transect survey to identify potential dens. SPR BIO-10 would also be required before any pile burning or mechanical treatments year-round (see SPR-BIO-1 in Attachment A). If habitat in the treatment area is found to be suitable for the species and contains potentially occupied dens, further investigation to determine whether San Joaquin kit fox are present would be implemented or the species would be assumed to be present, and a no-disturbance buffer would be placed around dens that are occupied or assumed to be occupied (see MM BIO-2a in Attachment A).

Habitat function for San Joaquin kit fox would be maintained because habitat for the species (i.e., grasslands, scrub, open woodlands) would be maintained and additional open woodland habitat would likely be restored through burning, thinning, and removal of ladder fuels. Horizontal crown spacing of approximately 25–75 feet between clusters, depending on site-specific conditions and vegetation alliance characteristics, would be implemented, and vegetation retention would create a mosaic of patches or shrub islands (see Section 2.1.1, "General Prescription"). In areas where conifer or hardwood is encroaching into shrublands and grasslands, encroaching trees may be selectively removed to preserve these habitats. Impacts on oak woodlands will further be avoided or minimized through implementation of MM BIO-3a (see Impact BIO-3).

Pursuant to MM BIO-2a and because this species is listed under CESA and ESA, SFD must notify CDFW and USFWS about its proposed measures to avoid mortality, injury, or disturbance of the species and its determination that habitat function would be maintained after treatments. For the reasons summarized above, SFD determined that implementation of treatments would maintain habitat function for San Joaquin kit fox and contacted CDFW and CDFW and USFWS to seek technical input on this determination, as required. On December 17, 2025, SCCFSC contacted Julie Lile at CDFW and Ryan Olah at USFWS on behalf of SFD and described the measures that would be taken to avoid mortality, injury, or disturbance to San Joaquin kit fox and to maintain habitat function in compliance with MM BIO-2a. No refinements to the project description or measures related to San Joaquin kit fox resulted from this notification. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Special-Status Bats

Pallid bat, Townsend's big-eared bat, western mastiff bat, and western red bat may occur in nondeveloped portions of the project area (see Attachment B). Large trees, abandoned or little-used structures, and rock outcrops in the project area may provide roosts for these species. Some roost habitat for special-status bats (e.g., rock outcrops, abandoned buildings) would not be targeted for treatment, and prescribed herbivory is not anticipated to result in roost removal or substantial disturbance. However, removal of large live hardwoods, live conifers with cavities, snags, or diseased trees by mechanical or manual treatments could result in destruction of roosts. In addition, depending on the proximity of treatment activities to roost habitat, manual treatments, mechanical treatments, prescribed burning, or targeted herbicide application using power equipment during the bat maternity season (April 1–August 31) could disturb active bat roosts due to auditory and visual stimuli (e.g., heavy equipment, chainsaws, vehicles, personnel) or smoke (e.g., prescribed burning), potentially resulting in abandonment of the roost and loss of young. Additionally, manual and mechanical removal of large live hardwoods, live conifers with cavities, and snags could also result in injury or death of hibernating individual special-status bats if these structures contain overwintering roosts, which may be present (approximately from late October to April). The potential for treatment activities, including maintenance treatments, to result in adverse effects on special-status bats was examined in the Program EIR.

If manual treatments, mechanical treatments, prescribed burning, and targeted herbicide application using power equipment can be restricted to the period outside the bat maternity season, and if the removal of large live hardwoods, live conifers with cavities and snags can be implemented outside of the overwintering season, then adverse effects on the species would be avoided (per SPR BIO-1), and no further action is required. If it is infeasible to implement treatments outside of the bat maternity season or to avoid removal of potential roost trees during the overwintering season, focused surveys for special-status bat maternity roosts would be implemented by a qualified RPF or biologist within habitat for these species (see SPR BIO-10 in Attachment A). If special-status bat roosts are identified, MM BIO-2b would be implemented, a no-disturbance buffer would be established around active special-status bat roosts during the maternity season, and removal of roosts would be avoided during the overwintering season (see MM BIO-2b in Attachment A).

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain trees greater than 16 inches in diameter, other than Douglas-fir, which may be removed up to 36 inches in diameter when needed to reduce encroachment into other existing vegetation types. Understory vegetation would be retained in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape. Ecological restoration treatments would retain 1–2 snags greater than 12 inches in diameter per acre

(see Section 2.2.1, "Ecological Restoration"). WUI treatments would have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that provides habitat for the prey species of special-status bats; however, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Therefore, the area of habitat affected by fuel break treatments would not be substantial when compared to available habitat in the project area. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of large trees and snags for roosting and a mosaic of understory vegetation throughout most of the project area would maintain habitat for special-status bats. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

Conclusion

The potential for treatment activities to result in adverse effects on special-status wildlife species, as described above, was examined in the Program EIR. This impact on special-status wildlife is within the scope of the Program EIR because the treatment activities and intensity of disturbance resulting from treatment activities are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions and habitat characteristics present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape (e.g., no resource is affected outside the treatable landscape that would not also be similarly affected within the treatable landscape); therefore, the potential impact on special-status wildlife species is also the same, as described above.

As described in Section 1.3.2, "Proposed Project Revisions," revisions to SPR HYD-4 are proposed to require establishment of WLPZ buffers for only the watercourses within 300 feet of treatment activities, including manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments. This revision would ensure that all WLPZs in proximity to a treatment area are flagged, without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the overall intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of treatment activities, including manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments, and all other conditions on treatment activities within WLPZs would apply. This establishment of WLPZs within 300 feet of treatment activities would therefore provide the same reduction in impacts on wildlife as provided by SPR HYD-4 in the Program EIR. For the reasons described above, the proposed revisions to SPR HYD-4 would not result in a substantially more severe significant effect related special-status wildlife than what was covered in the Program EIR.

Biological resource SPRs that apply to project impacts under Impact BIO-2 are AD-1, BIO-1 through BIO-6, BIO-9, BIO-10, BIO-11, BIO-12, HYD-1, HYD-2, HYD-4, HYD-5, HAZ-5, and HAZ-6. The biological resource MMs that apply to project impacts under Impact BIO-2 are MMs BIO-2a, BIO-2b, BIO-2c, BIO-2e, BIO-2g, BIO-3a, BIO-3b, BIO-3c, BIO-4, and BIO-5. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-3

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on sensitive habitats, including designated sensitive natural communities, oak woodland, riparian habitat, chaparral, and coastal sage scrub. Potential impacts resulting from maintenance activities would be generally the same as those resulting from initial vegetation treatments because the same treatment activities are proposed; however, retreatment at too great a frequency could result in additional adverse effects. The potential for treatment activities, including maintenance treatments, to result in adverse effects on sensitive habitats was examined in the Program EIR.

Sensitive Natural Communities and Oak Woodlands

According to the fine-scale vegetation mapping available for the project area and the reconnaissance-level survey, sensitive natural communities (i.e., alliances with a rarity rank of S1, S2, or S3) are present in the project area (Table 4.5-2). The sensitive natural communities, their associated rarity rank, and the vegetation type within which the sensitive natural communities may occur are presented in Table 4.5-2, below. In addition, several oak woodland and forest types (i.e., mixed oak forest and woodland, coast live oak woodland and forest, canyon live oak forest and woodland, California black oak forest and woodland, blue oak woodland and forest, valley oak woodland and forest, and interior live oak–shreve oak woodland and forest), which are sensitive habitats pursuant to the Oak Woodlands Conservation Act and PRC Section 21083.4, are mapped in the project area and were observed in the project area during reconnaissance level surveys.

Table 4.5-2 Sensitive Natural Communities Documented to Occur in the Project Area

Sensitive Natural Community[1]	Rarity Rank[2]
Forest/Woodland	
Bigleaf maple forest*[3]	S3
California buckeye grove*	S3
Redwood forest and woodland*	S3
Tanoak forest*	S3.2
Shrub/scrub	
Black sage–California sagebrush scrub*	S3S4
Canyon live oak–Interior live oak chaparral*	S3S4
Brittle leaf–woolly leaf manzanita chaparral	S3
Glossy leaf manzanita–golden chinquapin chaparral	S2
Hoary, common, and Stanford manzanita chaparral	S3
Wart leaf ceanothus chaparral	S3
Herbaceous/Barren	
Goldenaster patches	S3
Wetland/Riparian	
Basket bush–river hawthorn–desert olive patches	S3.2?
Black cottonwood forest and woodland	S3
Box-elder forest and woodland*[3]	S3
California sycamore–coast live oak riparian woodlands*	S3
Fremont cottonwood forest and woodland*	S3.2
Goodding's willow–red willow riparian woodland and forest	S3
Juglans hindsii and hybrids special stands and semi-natural alliance	S1.1
Shining willow groves	S3.2

Note: CWHR = California Wildlife Habitat Relationships.

1 These are designated sensitive natural communities with a state rarity rank of S1 (critically imperiled), S2 (imperiled), or S3 (vulnerable).

* Species associated with these sensitive natural communities were observed during SPR BIO-1 reconnaissance-level surveys.

2 Older ranks, which need to be updated, may still contain a decimal "threat" rank of 0.1 or 0.2, where 0.1 indicates very threatened and 0.2 indicates moderately threatened. Ranks that contain two state ranks (e.g., S3S4) indicate a range of uncertainty about the status of the species or ecosystem, which may fall under either of the two state rank categories listed. Ranks that are followed with a question mark indicate that the numeric rank is considered inexact or tentative. This inexactness suggests there is uncertainty or insufficient information available to confirm the exact rarity rank of the species or habitat.

3 In some circumstances associations, rather than alliances, were mapped in the project area. The table lists the corresponding alliances within which these associations occur. For example, the *Acer macrophyllum–Pseudotsuga menziesii / Polystichum munitum* association mapped in the project area occurs within the bigleaf maple (*Acer macrophyllum*) forest alliance, and the *Acer negundo* / (*Rubus ursinus*) association occurs within the box-elder (*Acer negundo*) forest and woodland alliance.

Source: CNPS 2025b; compiled by Ascent in 2025.

There are areas mapped as "shrub fragment" and "forest fragment" in the project area that were not mapped to the alliance or association level because their size is below the minimum mapping unit used for the fine-scale vegetation mapping. Because of their small size (each area is less than 1 acre) and fragmented nature, they are not expected to support functional sensitive natural communities. There are other portions of the project area that were not mapped to a more refined vegetation classification level that may contain sensitive natural communities: California annual and perennial grassland macrogroup, barren and sparsely vegetated, *Acer macrophyllum* mapping unit, *Umbellularia californica* mapping unit, and *Quercus lobata* mapping unit. Table 4.5-3 presents the sensitive natural communities that may occur within these higher levels of vegetation classification.

Table 4.5-3 Sensitive Natural Communities That May Occur within Broad Vegetation Categories in the Project Area

Broader Vegetation Classification	Sensitive Natural Communities with Potential to Occur	Sensitive Natural Community Rarity Rank
California annual and perennial grassland macrogroup	Water foxtail meadows Monolopia–leafy-stemmed tickseed fields Needle grass–melic grass grassland	S3? S3 S3S4
Barren and sparsely vegetated	Onion–twistflower–dwarf-flax serpentinite rock outcrop Coast Range stonecrop draperies Bushy spikemoss mats	S2S3 S3 S3
Acer macrophyllum mapping unit	Bigleaf maple forest and woodland*	S3
Umbellularia californica mapping unit	California bay forest and woodland*	S3
Quercus lobata mapping unit	Valley oak woodland and forest* Valley oak riparian forest and woodland*	S3 S3

Source: CNPS 2025b; compiled by Ascent in 2025.

*Species associated with these sensitive natural communities were observed during SPR BIO-1 reconnaissance-level surveys.

During reconnaissance-level surveys conducted pursuant to SPR BIO-1, several species associated with sensitive natural communities were observed, including California bay, California sycamore, bigleaf maple, California buckeye, tanoak, valley oak, canyon live oak, coast live oak, redwood, California sagebrush, and willows (*Salix* spp.). Not all dominant or characteristic species associated with sensitive natural communities included in Table 4.5-2 were observed during the reconnaissance-level survey, but not all areas of the project area could be visited. Fine-scale vegetation mapping has been completed in most of the project area, and sensitive natural communities have been identified in the treatment area to the alliance level consistent with *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018a) and using *A Manual of California Vegetation* (including updated natural communities data at http://vegetation.cnps.org/). However, as described above, the few areas classified as California annual and perennial grassland macrogroup, barren and sparsely vegetated, *Acer macrophyllum* mapping unit, *Umbellularia californica* mapping unit, and *Quercus lobata* mapping unit in the project area have not been identified to the alliance or association level, and SPR BIO-3 would be implemented in these areas prior to treatment to determine whether vegetation meets the definition of sensitive natural communities.

As described above, other vegetation treatments have already taken place in the project area (see "Discussion" under Section 4.5). However, per MM BIO-3a, treatments within sensitive natural communities and oak woodlands would be designed to restore the natural fire regime and return vegetation composition and structure to their natural conditions to maintain or improve habitat function of the affected sensitive natural community. Treatments would be designed to replicate the fire regime attributes for the affected sensitive natural community or oak woodland type, including seasonality, fire return interval, fire size, spatial complexity, fire line intensity, severity, and fire type as described in *Fire in California's Ecosystems* (Van Wagtendonk et al. 2018) and *A Manual of California Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/), and to the extent feasible, prescribed burning would be the primary treatment activity in sensitive natural communities that are fire dependent (e.g., closed-cone forest and woodland alliances, chaparral alliances characterized by fire-stimulated, obligate seeders).

Treatments will not be implemented in sensitive natural communities that are within their natural fire return interval (i.e., time since last burn is less than the average time required for that vegetation type to recover from fire) or within Condition Class 1. To the extent feasible, no fuel breaks would be created in sensitive natural communities with rarity ranks of S1 (critically imperiled) and S2 (imperiled). To the extent feasible, fuel breaks would not remove more than 20 percent of the native vegetation relative cover from a stand of sensitive natural community vegetation in sensitive natural communities with a rarity rank of S3 (vulnerable) or in oak woodlands. In forest and woodland sensitive natural communities with a rarity rank of S3. In oak woodlands, only shaded fuel breaks would be installed, and they would not be installed in more than 20 percent of the stand of sensitive natural community (i.e., if the sensitive natural community covers 100 acres, no more than 20 acres would be converted to create the fuel break).

If habitat function of sensitive natural communities or oak woodlands would not be maintained through implementation of MM BIO-3a, then MMs BIO-3b and BIO-3c would apply, and unavoidable losses of these resources would be compensated through restoration or preservation of these vegetation types within or outside of the project area.

Riparian Habitat

The project area contains numerous perennial and intermittent (potentially Class I and Class II) and ephemeral (Class III and Class IV) streams. Riparian habitat is present adjacent to segments of some streams, rivers, and wetlands in the project area, and various types of riparian habitats have been identified in the project area (Table 4.5-1). Under SPR HYD-4, a WLPZ of 50–150 feet adjacent to all Class I and Class II streams and lakes would be implemented for mechanical treatment, manual treatment, prescribed burning, prescribed herbivory, and herbicide application, which would limit the extent of treatment activities in riparian habitat. As required under SPR BIO-4, treatments in riparian habitats would retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation, would not reduce stream shading and increase stream temperatures, and would be limited to removal of uncharacteristic or undesired fuel loads (e.g., dead or dying vegetation, invasive plants). Large, native riparian hardwood trees (e.g., willow, ash, maple, oak, alder, sycamore, cottonwood) would be retained regardless of size unless they are dead, dying, diseased, or a safety hazard. Therefore, this would prevent removal of the larger, more mature trees within the riparian communities dominated by these species that provide wildlife habitat and a seed source for natural regeneration. Lastly, prescribed herbivory treatments would be excluded within 50 feet of environmentally sensitive areas, such as waterbodies, wetlands, or riparian areas, using temporary fencing or active herding, pursuant to SPR HYD-3. Additionally, prior to any treatments in riparian habitat, CDFW would be notified pursuant to California Fish and Game Code 1602, when required.

Chaparral and Coastal Sage Scrub

As shown in Table 4.5-1, chaparral and coastal sage scrub vegetation types are present within the project area. The chaparral and coastal sage scrub alliances that meet the definitions of the vegetation types subject to the restrictions of the writ are noted in Table 4.5-1. The writ restrictions limit the type, location, and intensity of allowable treatment activities; they are defined in SPR CHAP/CSS-1, which was developed to be consistent with the writ.

Pursuant to CHAP/CSS-1, only certain ecological restoration treatments, WUI fuel reduction treatments, and fuel break treatments will be conducted within applicable chaparral and coastal sage scrub vegetation types. For ecological restoration treatment areas, the requirements of SPR CHAP/CSS-1 supersede those of SPR BIO-5 because SPR CHAP/CSS-1 is more restrictive and limits treatment activities to only the removal of flammable, nonnative vegetation; therefore, only the SPR BIO-5 requirements that apply to fuel break and WUI treatment types remain applicable. Also pursuant to SPR CHAP/CSS-1, WUI fuel reduction within chaparral and coastal sage scrub will only occur within 1,000 feet of the "Interface" layer in CAL FIRE's Wildland Urban Interface mapping (Attachment B, Figures B-1 through B-38). Although 2,631 acres of chaparral and 1,083 acres of coastal sage scrub have been included in the WUI fuel reduction treatment type (Table 4.5-1), only 194.2 acres of chaparral and 260.1 acres of coastal sage scrub are located within 1,000 feet of the Interface layer (Table 4.5-4) (Attachment B, Figures B-1 through B-38). Therefore, by following the stipulations of the writ, WUI fuel reduction treatments in the project area would be limited to a maximum of 194.2 acres of chaparral and 260.1 acres of coastal sage scrub. Additionally, new fuel breaks are designed to be less than 300 feet in width, and fuel breaks will be maintained over time to exclude and remove

flammable, nonnative plants. Ongoing maintenance would prevent treated areas from converting to highly flammable nonnative vegetation, thereby reducing the potential for increased fuel continuity, ignition risk, and fire intensity within treatment areas and in adjacent chaparral, coastal sage scrub, and other surrounding vegetation types.

Table 4.5-4 Acres of WUI Treatment in Chaparral and Coastal Sage Scrub within 1,000-feet of the "Interface" layer in the CAL FIRE Wildland Urban Interface Map

Vegetation/Land Cover Type	Total (Acres)[2]
Chaparral	
Adenostoma fasciculatum	57.9
Adenostoma fasciculatum–Salvia spp.	6.5
Arctostaphylos (crustacea, tomentosa)	2.4
Arctostaphylos glauca	39.9
Ceanothus cuneatus	6.1
Cercocarpus montanus	12.5
Prunus ilicifolia–Heteromeles arbutifolia–Ceanothus spinosus	49.4
Quercus berberidifolia	14.3
Quercus durata	5.2
Chaparral total	**194.2**
Coastal Sage Scrub	
Artemisia californica–(*Salvia leucophylla*)	102.9
Salvia mellifera–(*Artemisia californica*)	157.2
Coastal sage scrub total	**260.1**
Chaparral and Coastal Sage Scrub Types Total	**454.3**

Source: Sources: Tukman Geospatial and Aerial Information Systems 2022, 2023; compiled by Ascent in 2026.

Consistent with SPR BIO-5, impacts on chaparral and coastal sage scrub from allowable WUI and fuel break treatments are evaluated at a landscape scale to determine whether habitat function would be maintained. For this project, the spatial scale evaluation consisted of publicly owned or otherwise protected lands within the US Level IV Ecoregions that overlap San Mateo, Santa Clara, and Santa Cruz Counties, specifically within ecological subsections 1n (Santa Cruz Mountains), 6t (Diablo Range), 6v (Bay Terraces/Low Hills), and 6x (Leeward Hills). Most of these publicly owned lands adjacent to the project area are designated as protected areas under various jurisdictions, including State of California lands (e.g., California State Parks) and county (e.g., Santa Clara County Parks and Recreation Department) open spaces. Additionally, some adjacent lands are owned in fee and protected for open space purposes through conservation easements, contributing to the preservation of natural land and ecological resources. Furthermore, a substantial amount of chaparral and coastal sage scrub habitat is also present in the surrounding landscape on private lands outside of the project area. There are approximately 15,711 acres of chaparral habitat and 6,556 acres of coastal sage scrub on these publicly owned or otherwise protected lands outside the project area. In addition, ecological restoration is planned within 7,457 acres of chaparral and 2,618 acres of coastal sage scrub habitat in the project area. Pursuant to SPR CHAP/CSS-1, these treatments would be limited to the removal of flammable, nonnative vegetation; as a result, no chaparral and coastal sage scrub species or native herbaceous cover will be removed as part of the ecological restoration treatments, and habitat function would be maintained or improved by reducing wildfire risk and competitive pressure from nonnative species. Because chaparral and coastal sage scrub habitats within the project area proposed for ecological restoration would maintain or improve habitat function following treatment, these areas are included in the spatial-scale analysis. This spatial scale is appropriate because it represents a substantial, ecologically functional landscape capable of meeting the resource needs of species that rely on these habitats within the region.

Fuel break treatments would permanently remove up to a maximum of 899 acres of chaparral and 262 acres of coastal sage scrub habitat from the project area (Table 4.5-1). WUI fuel reduction treatments would remove up to a maximum of approximately 194.2 acres of chaparral habitat and 260.1 acres of coastal sage scrub habitat from the project area. Together, fuel break and WUI fuel reduction treatments represent the only treatment types that would result in permanent removal of chaparral and coastal sage scrub habitat. When considered within the spatial scale described above, which includes publicly owned or otherwise protected lands surrounding the project area and chaparral and coastal sage scrub habitats within the project area proposed for ecological restoration, fuel break and WUI treatments constitute approximately 4.7 percent of the 23,168 acres of chaparral and 5.7 percent of the 9,174 acres of coastal sage scrub habitat. Because the majority of chaparral and coastal sage scrub habitat would be retained and remain ecologically functional, the fuel break and WUI treatments would not result in landscape-scale conversion of chaparral and coastal sage scrub habitats to other habitat types, nor would they cause a substantial loss of habitat function at the identified spatial scale, consistent with the requirements of SPR BIO-5. Pursuant to SPR BIO-9, all treatment activities will incorporate measures to reduce the risk of introducing or spreading invasive plant species that contribute to type conversion of chaparral and coastal sage scrub communities after treatment. These measures include cleaning equipment and vehicles before entering treatment areas, staging equipment in uninfested areas where feasible, and targeting significant infestations of invasive plants for removal using treatment methods designed to prevent reestablishment. Treatments will be focused on removing invasive plant species that cause ecological harm to native vegetation types, especially those that can alter fire cycles. Invasive plant biomass will be treated or properly disposed of to minimize propagule spread, and project implementation will follow the Fire and Fuel Management Best Management Practices in *Preventing the Spread of Invasive Plants: Best Management Practices for Land Managers* (Cal-IPC 2012, or current version).

Within chaparral and coastal sage scrub habitats, these measures would be implemented in coordination with SPR CHAP/CSS-1, which provides additional requirements for these vegetation types. Consistent with SPR CHAP/CSS-1, ecological restoration treatments would be limited to the removal of flammable, nonnative vegetation, and long-term maintenance of fuel break and WUI treatment areas would control flammable nonnative invasive species. Together, the application of SPR BIO-9 and SPR CHAP/CSS-1 would limit opportunities for invasive species to colonize treated areas, thereby helping native vegetation to regenerate and reducing the potential for long-term type conversion of chaparral and coastal sage scrub to herbaceous, nonnative or invasive vegetation types.

Conclusion

Fuel break and WUI treatments represent the only activities that would permanently remove chaparral and coastal sage scrub habitat in the project area, and they would affect a relatively small proportion of these habitats when considered at a landscape scale. Because the majority of chaparral and coastal sage scrub habitat would be retained and remain ecologically functional, the project would not result in landscape-scale habitat conversion or a substantial loss of habitat function, consistent with the requirements of SPR BIO-5.

The potential for treatment activities to result in adverse effects on sensitive habitats, as described above, was examined in the Program EIR. This impact on sensitive habitats is within the scope of the Program EIR because the treatment activities and intensity of disturbance from implementing treatment activities would be consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and habitat conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential impact on sensitive habitats is also the same, as described above.

Biological resource SPRs that apply to project impacts under Impact BIO-3 are SPRs AD-1, BIO-1 through BIO-6, BIO-9, HYD-4, and HYD-5. Revisions to SPR HYD-4 are proposed, which require that WLPZs buffers are established for only the watercourses within 300 feet of treatment activities. This revision would help ensure that all WLPZs in proximity to a treatment area are recently flagged without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the purpose and intent of SPR HYD-4 to prevent degradation of watercourses during implementation of manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments; degradation would be prevented pursuant to the revised

SPR. For the reasons described, the proposed revision to SPR HYD-4 would not result in a substantially more severe significant effect related to riparian habitat or other sensitive natural communities through direct loss or degradation leading to loss of habitat function as compared to what was covered in the Program EIR. The biological resource mitigation measures that apply to project impacts under Impact BIO-3 are MMs BIO-3a, BIO-3b, and BIO-3c. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-4

Initial vegetation treatments and maintenance treatments could result in direct or indirect adverse effects on state or federally protected wetlands. Potential impacts resulting from maintenance activities would be similar to those resulting from initial vegetation treatments because the same treatment activities are proposed. The potential for treatment activities to result in adverse effects on state or federally protected wetlands was examined in the Program EIR.

During the reconnaissance-level survey, riverine features (i.e., perennial, intermittent, and ephemeral drainages), stock ponds, reservoirs, and freshwater emergent wetlands were observed. Vegetation data for the project area includes some broader wetland vegetation classifications: arid west interior freshwater marsh group, Vancouverian lowland marsh, wet meadow and shrubland group and macrogroup, mudflat/dry pond bottom mapping unit, and Californian vernal pool/swale bottomland group (Table 4.5-1). The National Wetlands Inventory (NWI) classifies the project area as having freshwater emergent wetlands, freshwater forested/shrub wetlands, freshwater ponds, lakes, and riverine habitat (USFWS 2025b). The acreage for these aquatic resources is provided below in Table 4.5-5. Aquatic habitats are mapped at a coarse scale in the NWI database and sometimes without field verification.

Table 4.5-5 Aquatic Habitats within the Project Area as Mapped by the National Wetlands Inventory

Aquatic Feature	Total (acres)
Fresh emergent wetland	229.0
Freshwater forested/shrub wetland	495.6
Freshwater pond	367.4
Lake	1052.0
Riverine	810.1
Total (acres)	**2,954.1**

Source: USFWS 2025b.

Pursuant to SPR HYD-4, a WLPZ of 50 to 150 feet adjacent to all Class I and Class II streams and lakes would be implemented, and WLPZs of sufficient size to avoid degradation of downstream beneficial uses of water would be established adjacent to all Class III and Class IV streams within the project area for prescribed burning, mechanical treatments, manual treatments, prescribed herbivory, and herbicide application. Establishment of WLPZs would result in avoidance of all stream and pond habitat for manual, mechanical, herbicide, and pile-burning treatments. In addition, prescribed herbivory treatments would be excluded within 50 feet of environmentally sensitive areas, such as waterbodies, wetlands, vernal pools, or riparian areas, using temporary fencing or active herding, pursuant to SPR HYD-3. However, additional wetlands may be present throughout the project area that have not been identified or mapped, as well as ponds smaller than 1 acre (i.e., not considered a lake under Forest Practice Rules), seasonal wetlands, vernal pools, springs, and seeps. Some aquatic habitats, such as fresh emergent wetlands, are not associated only with lakes or streams, and would not be protected by implementation of SPR HYD-4 WLPZs. MM BIO-4 would apply to all treatment activities, and a qualified RPF or biologist would delineate the boundaries of wetland features; establish an appropriate buffer (with a minimum of 25 feet) around seasonal wetlands, springs, seeps, vernal pools, and other wetlands, and would mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). A larger buffer may be required if wetlands or other aquatic habitats contain habitat potentially suitable for special-status plants or special-status wildlife (e.g., red-legged frog, western pond turtle; see Impact BIO-1 and Impact BIO-2).

Conclusion

The potential for treatment activities to adversely affect state or federally protected wetlands was examined in the Program EIR. This impact on wetlands is within the scope of the Program EIR because the treatment activities and intensity of disturbance from implementing treatment activities would be consistent with those analyzed in the Program EIR. The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential impact on wetlands is also the same, as described above.

As described in Section 1.3.2, "Proposed Project Revisions," revisions to the requirements under SPR HYD-4 are proposed to require establishment of WLPZ buffers for only the watercourses within 300 feet of treatment activities, including mechanical, manual, herbicide application, pile burning, and staging areas. This revision would ensure that all WLPZs in proximity to a treatment area are flagged, without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the overall intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of treatment activities, including manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments, and all other conditions on treatment activities within WLPZs would apply. This establishment of WLPZs within 300 feet of treatment activities would therefore provide the same reduction in impacts on state or federally protected wetlands as provided by SPR HYD-4 in the Program EIR. For the reasons described above, the proposed revisions to SPR HYD-4 would not result in a substantially more severe significant effect related state or federally protected wetlands than what was covered in the Program EIR.

Biological resource SPRs that apply to project impacts under Impact BIO-4 are AD-1, BIO-1, HYD-1, HYD-3, and HYD-4. The biological resource MM that applies to project impacts under Impact BIO-4 is MM BIO-4. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-5

Initial vegetation treatments and maintenance treatments within the project area could result in direct or indirect adverse effects on wildlife movement corridors and nurseries because habitat suitable for wildlife is present throughout the project area. According to review and survey of project-specific biological resources (SPR BIO-1), large portions of the project area experience little human disturbance and are ranked as Irreplaceable and Essential Corridors in the California ACE Terrestrial Connectivity dataset (CNDDB 2025b). Although these areas have been subject to fuels management treatments over the last several years, particularly at middle and higher elevations within the Santa Cruz Mountains, they function as key pathways that support both local movement within treatment areas and regional wildlife connectivity across the broader landscape. Portions of the project area near Santa Teresa and Coyote are particularly important as cross-range connections between the Santa Cruz Mountains and the Mount Hamilton Range, sustaining broader landscape-scale movement across the South Bay region. Connectivity values decrease in areas closer to the urbanized Santa Clara Valley floor, where habitat is more fragmented and opportunities for regional movement are limited. In more rural portions of the project area, natural vegetation communities also likely function as nursery sites providing habitat for reproduction by common wildlife (e.g., deer fawning areas, common bat roosts), which may be disturbed by treatment activities. The potential for treatment activities to result in adverse effects on wildlife movement corridors and nurseries was examined in the Program EIR.

Prescribed herbivory treatments would be subject to SPR BIO-11, which would require use of wildlife friendly fencing during treatments (see Attachment A). Although SPR BIO-11 would reduce the adverse effects on wildlife movement, temporary disruption of wildlife movement through treatment areas may occur due to the disturbance related to treatment activities (e.g., noise and visual disturbance). However, because only a small portion of the project would be treated in any one year, this temporary disruption would not result in a substantial impact on wildlife movement through the project area as a whole (see Section 1.2, "Phased Implementation").

Ecological restoration treatments, which comprise most of the proposed treatments, would be designed to retain trees greater than 16 inches dbh while incorporating additional measures to maintain wildlife habitat, including selective retention of smaller healthy trees, snags, downed logs, and a mosaic of vegetation patches and understory cover to support habitat heterogeneity and ecosystem function, including function as a movement corridor or nursery site. (see Section 2.2.1, "Ecological Restoration"). Although shaded fuel break treatments may remove more vegetation and wildlife habitat features than ecological restoration treatments (see Section 2.2.3, "Fuel Break"), not all vegetation would be removed. Select live vegetation that provides canopy cover would be retained to a level that provides shade and maintains the ecological benefits provided by the existing vegetation community, while still reducing the potential spread of wildfire through the understory and into the canopy. Non-shaded fuel breaks would occur only in non-forested vegetation types. Further, SPR CHAP/CSS-1 and SPR BIO-5 would ensure that cover is retained in coastal sage scrub and chaparral habitats, allowing them to continue providing refuge, food sources, and reproduction habitat for plants and animals. All shaded and non-shaded fuel breaks would also be subject to applicable SPRs and MMs. Overall, fuel break treatment areas represent only a minor portion of the potential habitat for wildlife species.

WUI fuel reduction treatments apply ecologically restorative standards across large areas (e.g., selectively retaining trees, snags, downed logs, and vegetation mosaics that support habitat value) while allowing for more intensive vegetation removal than ecological restoration treatments where adjacent to critical infrastructure. Although wildlife may occasionally use areas near human structures, developed areas that experience higher levels of human disturbance may discourage movement of wildlife sensitive to human disturbance. Existing habitat corridors in the WUI are important to allow wildlife to move undisturbed through developed areas to otherwise isolated habitat patches on either side of human development. Select vegetation thinning in the WUI would create more open understory, and this may facilitate improved wildlife movement through WUI areas for larger wildlife species (e.g., mule deer). Retention standards outlined in Section 2.1.1, "General Prescription," are designed to reduce risk of wildfire while maintaining essential function of core wildlife movement areas and nursery sites, thereby maintaining wildlife connectivity and habitat value. If surveys conducted pursuant to SPR BIO-10 detect wildlife nursery sites (e.g., deer fawning areas, common bat maternity and overwintering roosts), MM BIO-5 would apply, establishing a no-disturbance buffer of appropriate size around the nursery site as determined by a qualified biologist or RPF.

The potential for treatment activities to interfere substantially with wildlife movement corridors or impede use of wildlife nurseries was examined in the Program EIR. The potential for adverse effects on wildlife movement and nurseries is within the scope of the Program EIR because the proposed treatment activities and intensity of disturbance as a result of implementing treatment activities are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential impact on wildlife movement corridors and wildlife nurseries is also the same, as described above.

As described in Section 1.3.2, "Proposed Project Revisions," SPR HYD-4 would be revised to require establishment of WLPZ buffers for only the watercourses within 300 feet of treatment activities, including manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments. This revision would ensure that all WLPZs in proximity to a treatment area are flagged, without unnecessarily slowing down project implementation to establish all WLPZs throughout the entire project area. This revision would provide equivalent protection for WLPZs used by wildlife for movement and nurseries as that established under SPR HYD-4 in the Program EIR. For the reasons described above, the proposed revisions to SPR HYD-4 would not result in a substantially more severe significant effect related to wildlife movement and wildlife nurseries than what was covered in the Program EIR.

Biological resource SPRs that apply to project impacts under Impact BIO-5 are AD-1, BIO-1, BIO-4, BIO-5, BIO-10, BIO-11, HYD-1, and HYD-4. The biological resource MM that applies to project impacts under Impact BIO-5 is MM BIO-5. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-6

Initial and maintenance treatments could result in direct or indirect adverse effects resulting in a reduction in the abundance of common wildlife, including nesting birds, because habitats for these species are present throughout the treatment areas. The potential for treatment activities, including maintenance treatments, to result in adverse effects on these resources was examined in the Program EIR.

Prescribed burning, mechanical treatments, manual treatments, and prescribed herbivory, and targeted herbicide application conducted during the nesting bird season (February 1 through August 31) could result in direct loss of active nests or disturbance to active nests from auditory and visual stimulus (e.g., heavy equipment, chainsaws, vehicles, personnel), potentially resulting in nest abandonment and loss of eggs or chicks. However, SPR BIO-12 would be applied, and for treatments implemented during the nesting bird season, a survey for common nesting birds would be conducted within the treatment area by a qualified RPF or biologist prior to treatment activities. If no active bird nests are observed during focused surveys, then additional avoidance measures would not be required. If active nests of common birds or raptors are observed during focused surveys, nest disturbance would be avoided by establishing an appropriate buffer around the nests, modifying treatments to avoid disturbance to the nests, or deferring treatment until the nests are no longer active as determined by a qualified RPF, biologist, or biological technician. Buffers may be modified by a qualified biologist based on rationale such as species sensitivity, vegetative cover, nest height, and topography that would attenuate noise and visual disturbance.

The general prescription for the project (see Section 2.1.1, "General Prescription") would retain trees greater than 16 inches in diameter, other than Douglas-fir, which may be removed up to 36 inches in diameter to reduce encroachment into other existing vegetation types. Understory vegetation would be retained in a mosaic pattern of patches to maintain habitat heterogeneity and quality. Ecological restoration treatments would be designed to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape. Ecological restoration treatments would retain down woody debris in strategic locations (see Section 2.2.1, "Ecological Restoration"). WUI treatments would have similar tree retention standards to ecological restoration but would remove additional vegetation and down woody debris in proximity to structures and roadways (see Section 2.2.2, "Wildland-Urban Interface Fuel Reduction"). Although fuel break treatments, both shaded and non-shaded, would remove additional understory vegetation that provides habitat for common wildlife, including nesting birds, the width of fuel breaks would not exceed 200 feet and would not cover more than approximately 8.2 percent of the project area. Furthermore, SPR BIO-5 will be applied, which would retain cover in coastal scrub and chaparral habitats used by the species. Additionally, pursuant to MM BIO-3a, treatments would be designed to avoid the loss of oak woodlands and sensitive natural communities (see Impact BIO-3). The retention of chaparral, coastal sage scrub, oak woodlands, large trees, and a mosaic of understory vegetation throughout the project area would maintain habitat for common wildlife, including nesting birds. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

The potential for adverse effects on wildlife habitat or the abundance of common wildlife, including nesting birds, is within the scope of the Program EIR because the proposed treatment activities and intensity of disturbance as a result of implementing treatment activities are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, because the existing environmental conditions outside the treatable landscape in the project area are essentially the same as those within the treatable landscape, as described above, the potential impact on common wildlife, including nesting birds, is also the same. Biological resource SPRs that apply to project impacts under Impact BIO-6 are AD-1, BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, and BIO-12. Therefore, this impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-7

The potential for treatment activities to result in conflicts with local policies or ordinances was examined in the Program EIR. The Santa Clara County Tree Preservation and Removal Ordinance (Division C16 Tree Preservation and

Removal) applies to the removal of all protected trees on public and private property in unincorporated areas in the county, including any tree, regardless of size, within county road rights-of-way and easements, whether within or outside the unincorporated territory of the county. The County finds that preserving trees on public and private lands is essential to maintain tree cover, protect property values, preserve scenic beauty, reduce erosion and flood risks, improve air quality, buffer winds, regulate climate and provide shade, support wildlife habitat, and safeguard historical and community assets. Heritage trees are also protected trees. "Heritage trees" are trees designated as significant by Santa Clara County to have special significance to the community and that have, therefore, been included in the heritage resource inventory adopted by resolution of the Board of Supervisors.

Where the project is within the limits of towns and cities with tree protection ordinances, the local tree protection ordinance of the applicable city or town would apply. The project area includes areas that fall within the incorporated boundaries of the cities and towns of Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, Palo Alto, San Jose, and Saratoga.

In the City of Cupertino, authorization is required for removal of public trees or protected trees. Protected trees include heritage trees and specimen trees, which are trees of specific species (e.g., oaks) greater than 12 inches dbh for single trunks and greater than 24 inches dbh for multiple trunks. Authorization can be obtained through an individual tree removal permit or through adoption of tree management plan. In the City of Gilroy, a permit is required to remove native trees larger than 12 inches dbh and any tree larger than 28.5 inches dbh.

Where the project area is located with the Los Altos, a tree removal permit is required to remove any tree 12 inches or greater dbh ,native tree species 10-inches or greater dbh, trees designated as heritage trees, and trees located in the public right-of-way. Removal of hazard trees and tree removal by agencies outside of the jurisdiction of the City of Los Altos (e.g., school district) to maintain safe operation of facilities is exempt from tree permitting with verification by the City of Los Altos. In the City of Los Altos Hills a tree removal permit is required to remove oaks (*Quercus* spp.) 12 inches or greater dbh. Permits are not required to remove trees of any other species within Los Altos Hills.

In the town limits of Los Gatos, the Los Gatos Tree Protection Ordinance (Chapter 9, Article I, Division 2) applies. This ordinance applies to all trees with a diameter of at least 4 inches located on property that is not residential property, all heritage trees ("heritage trees" are trees or grouping of trees specifically designated by action of the town council, upon the recommendation of the Historic Preservation Commission, that possess exceptional aesthetic, biological, cultural, or historic value and are expected to have a continuing contribution to the community), and large protected trees ("large protected trees" are certain native tree species with a 24-inch or greater diameter or any other species of tree with a 48-inch or greater diameter). With the exception of heritage trees and large protected trees, the requirement for a permit for removal is exempt when removal or maintenance of a tree is to conform with the implementation and maintenance of defensible space. Heritage trees and large protected trees require a permit for removal and tree pruning.

In Morgan Hill, a permit is required for pruning or removing public or street trees, native trees with a diameter greater than 6 inches, or nonnative trees with a diameter greater than 13 inches.

If the treatment activities occur within Monte Sereno, a tree removal permit is required for the removal of significant trees whether alive or dead (Chapter 10.15). Significant trees are defined as oaks and redwoods with a dbh of greater than 6 inches and any other tree species with a dbh greater than 8 inches. Removal of hazard trees and tree removal by public utilities or the City of Monte Sereno to maintain safe operation of public service or public right-of-way is exempt from tree permitting with verification.

The portion of the project area within Palo Alto occurs within the wildland urban interface as defined in Chapter 15 of the Palo Alto Municipal Code. Within this area, defensible space requirements under the California Public Resources Code take precedence over the City of Palo Alto tree ordinance; however, outside of the defensible space zone, the tree protection ordinance (Chapter 8.04 and Chapter 8.10) applies to protected trees, shrubs, hedges, and plants located on public property within the city. A permit is required from the city to prune or remove protected trees, public trees, shrubs, and hedges. Protected trees include a suite of locally native tree species 11.5 inches dbh, coast

redwoods 18 inches dbh, and any other mature tree greater than 15 inches dbh; although, there are exceptions for certain exotic species.

Within the boundaries of San Jose, a permit is required removal of any tree greater than 12 inches dbh with a height of at least 54 inches (4 foot 5 inches), whether the tree is live, dead, or designated as unsuitable for the area by an arborist (Chapter 13 Section 32.020). The tree removal permit must be posted on the site where the subject tree is located, and a certified arborist report must be submitted with the tree removal permit justifying the need for the tree removal.

Where the project is in the city limits of Saratoga, the Saratoga Tree Ordinance applies (Chapter 15, Article 15-50). The ordinance applies to native trees with at least a 6-inch dbh, any tree with at least a 10-inch dbh, any tree within a public street or right-of-way, any tree of historic significance, any tree required to be planted or retained as a condition of any approval, and any tree required to be planted as a replacement. Trees protected under the ordinance require a removal permit and may require a pruning permit, depending on how much is being pruned. Exceptions include an emergency exception if the condition of the tree presents an immediate hazard to life or property.

In accordance with SPR AD-3, treatments would be designed and implemented in a manner that is consistent with applicable local plans (e.g., general plans), policies, and ordinances to the extent the project is subject to them. In addition, treatments will be designed to retain healthy, live trees up to 16 inches in diameter to achieve appropriate crown and bole spacing, reduce vertical and horizontal fuel continuity, and promote both the growth of residual trees and overall habitat restoration. Healthy hardwoods and conifers will generally be preserved with appropriate canopy spacing, and tree removal will otherwise be limited to dead, dying, diseased, or hazard trees. Trees that do not pose a safety risk will be preferentially retained as standing habitat features, such as snags or live trees with dead limbs that provide nesting and foraging opportunities for wildlife. Together, SPR AD-3 and treatment design ensure a certain level of tree retention, which is consistent with the applicable tree preservation and removal ordinances in each jurisdiction. Therefore, there would be no conflict with local ordinances as a result of implementation of treatment activities.

As explained in the CalVTP Program EIR, projects are required to be consistent with local policies and ordinances. Therefore, and consistent with the determination in the Program EIR, there would be no impact. The potential for the proposed treatments to conflict with local policies is within the scope of the Program EIR because vegetation treatment locations, types, and activities are consistent with those analyzed in the Program EIR. The SPRs applicable to this impact are AD-1 and AD-3. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the project area boundary, the existing regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential for conflicts with local policies or ordinances is also the same, as described above. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT BIO-8

A portion of the project area south and east of the Los Gatos Creek watershed overlaps with the permit area of the SCVHP (See Map 3-1, "Santa Clara Valley Habitat Plan Permit Area"), as well as several of the reserves within the SCVHP reserve system. The SCVHP reserve system currently consists of approximately 16,150 acres of reserves (Santa Clara Valley Habitat Agency 2025) that are managed to enhance populations of covered and other native species and maintain ecosystem processes on those lands. The reserves also provide preservation of connections between other protected lands and important habitat areas that are either protected with conservation easements or acquired by the Santa Clara Valley Habitat Agency. Participation in the SCVHP requires that project proponents pay fees that support the reserve system or demonstrate a benefit to covered species from the project, and comply with all relevant conditions on covered activities that are applied based on the activity type, natural community type, and covered species that may be affected directly or indirectly by the project (County Santa Clara et al. 2012b). The effect

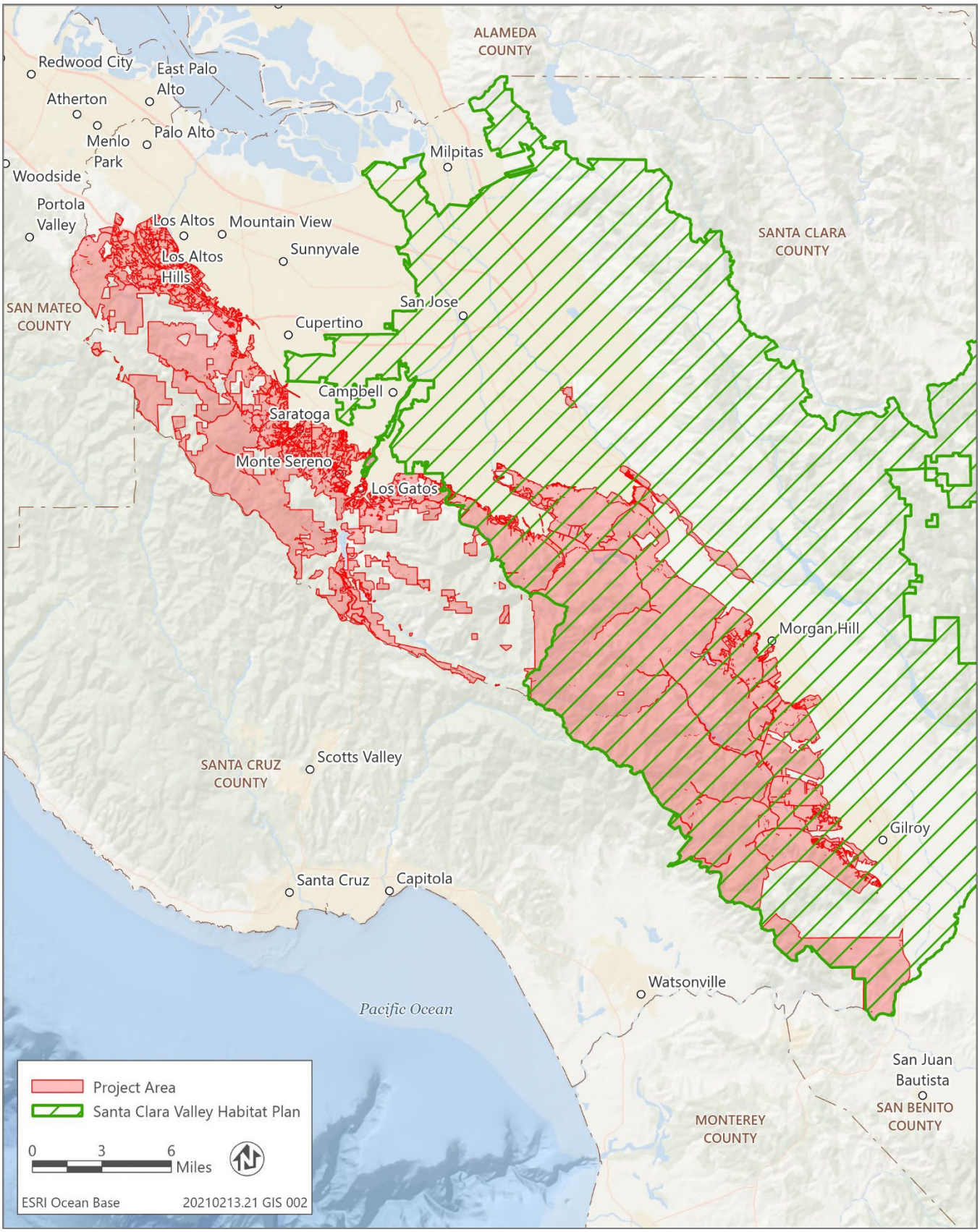
of financial support of the reserve system or benefits to covered species, and application of conditions on covered activities in the SCVHP would be cumulatively beneficial to covered species (County Santa Clara et al. 2012a).

The SCVHP is a combined habitat conservation plan (HCP) and natural community conservation plan (NCCP). Participation in the SCVHP is not mandatory for projects occurring within the permit area. Treatment activities in the WSCLRP may qualify as SCVHP-exempt activities or SCVHP-covered activities depending on the location, responsible agency, and type of activity proposed. To qualify as covered activities under the SCVHP, treatment activities would need to take place within the permit area for the plan (Map 3-1).

When treatment activities occur within the SCVHP area, most treatment activities proposed under this PSA/Addendum may be covered by the SCVHP if they would result in reasonable potential or likelihood to take a covered species, depending on the location (i.e., habitat suitable for covered species) and timing of that activity. Herbicide application is not covered under the HCP portion of the SCVHP, nor would take coverage be available for federally listed species for that activity. However, herbicide is covered under the NCCP portion of the SCVHP, and consequently, take coverage for California-listed species is also included in the SCVHP for herbicide treatments. For specific treatment areas and activities contained in this PSA/Addendum covered under the SCVHP, the responsible agency may elect to enroll that portion of the project in the SCVHP. If the responsible agency (see Section 1.3.1, "Roles Under CEQA") is a co-permittee under the plan (e.g., SCCP; City of Gilroy, City of Morgan Hill), the permittee would determine whether the treatment activities within a given treatment area would be covered under the SCVHP and would apply the necessary conditions on covered activities. For other responsible agencies that are not co-permittees, the responsible agency would apply for coverage under the plan as a "participating special entity," and the Santa Clara Vally Habitat Agency would determine whether treatment activities are covered activities under the plan. If a portion of the project is enrolled in the SCVHP, all applicable conservation measures of the SCVHP would apply to treatments carried out in that area, and that portion of the project would participate in conservation strategy implementation and support the reserve system through enrollment fees.

The proposed project includes implementation of Ecological Restoration, WUI, and fuel break treatment types (see Section 2.2, "Treatment Types") in portions of the SCVHP reserve system. Treatments within the reserve system could be covered activities under the plan if they would result in reasonable potential or likelihood to take a covered species (see exception for herbicide above) and therefore would be consistent with the SCVHP. For WSCLRP treatments outside of the reserve system, if the responsible agency elects to enroll a portion of the project in the SCVHP, that portion of the project would be consistent with the SCVHP. For portions of the project within the SCVHP permit area that do not enroll in the SCVHP, consistency with the SCVHP would be met with the habitat retention standards in this PSA/Addendum and the implementation of SPRs and MMs (see Impacts BIO-1, BIO-2, BIO-3, BIO-4, and BIO 5 above) that would avoid impacts to both covered species and habitats. Furthermore, the post-treatment conditions that would result from implementation of the proposed project would enhance grassland habitats through prescribed burning, which would result in the thinning of nonnative grasses that would approximate conditions under the natural fire regime. The SPR that applies to this impact is SPR AD-1.

As explained in the CalVTP Program EIR, project consistency with an adopted HCP is a legal requirement. Therefore, and consistent with the determination in the Program EIR, there would be no impact. The inclusion of land in the proposed project area outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the project area boundary, the existing regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential for conflicts with NCCPs and HCPs is also the same, as described above. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.



Source: County Santa Clara et. al. 2012b.

Map 3-1. Santa Clara Valley Habitat Plan Permit Area

NEW BIOLOGICAL RESOURCE IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The project proponent has considered the site-specific characteristics of the proposed project and determined that they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.6.1, "Environmental Setting," and Section 3.6.2, "Regulatory Setting," in Volume II of the Final Program EIR).

As described in Section 1.3.2, "Proposed Project Revisions," revisions to requirements under SPR HYD-4 are proposed to require establishment of WLPZ buffers only for watercourses within 300 feet of treatment activities, including mechanical, manual, herbicide application, pile burning, and staging areas. This revision would ensure that all WLPZs in proximity to a treatment area are flagged, while avoiding unnecessary delays from flagging all WLPZs across the entire project area. This revision is consistent with the overall intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of treatment activities, including manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments. All other conditions on treatment activities within WLPZs would continue to apply. Limiting establishment of WLPZs to within 300 feet of treatment activities would provide the same reduction in impacts to state or federally protected wetlands as SPR HYD-4 in the Program EIR. Therefore, the proposed revision would not result in a substantially more severe significant effect on wetlands than what was previously covered.

Revisions to requirements under SPR GEO-1 are also proposed. Revisions to SPR GEO-1 would allow for suspension of mechanical treatments, herbicide treatments, or prescribed herbivory when it is actively raining, soils are saturated, or wet enough for compaction. This would replace the current rule of suspending activities based on a forecasted 30 percent chance of rain. Suspension of these activities would not be based on weather forecasts alone, but rather if weather predictions materialize and lead to precipitation events. This revision would provide the same level of protection for indirect effects on special-status plants resulting from soil destabilization as the original SPR GEO-1, because these activities would not continue during conditions where soil destabilization occurs. This revision to SPR constitutes a change to the SPR presented in the Program EIR and would not constitute a new significant impact than what was covered in the Program EIR.

The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to biological resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed project are also consistent with those considered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to biological resources would occur.

4.6 GEOLOGY, SOILS, PALEONTOLOGY, AND MINERAL RESOURCES

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact GEO-1: Result in Substantial Erosion or Loss of Topsoil	LTS	Impact GEO-1, pp. 3.7-26 – 3.7-29	Yes	AD-3 AQ-3, AQ-4 GEO-1, GEO-2 GEO-3, GEO-4 GEO-5, GEO-6 GEO-7, GEO-8 HYD-3, HYD-4	NA	LTS	No	Yes
Impact GEO-2: Increase Risk of Landslide	LTS	Impact GEO-2, pp. 3.7-29 – 3.7-30	Yes	AD-3 AQ-3 GEO-3, GEO-4 GEO-7, GEO-8	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Geology, Soils, Paleontology, and Mineral Resource Impacts: Would the treatment result in other impacts to geology, soils, paleontology, and mineral resources that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
	☐	☐	☐

Discussion

The project area is located within the Southern Coastal Ranges physiographic and geologic province. The Coastal Ranges physiographic province extends more than 370 miles from the Transverse Ranges in the south to beyond the Oregon border in the north (DeCourten 2009). The mountains in this province, called the Coast Ranges, are all aligned in a consistent northwest trend. The Coast Ranges are generally oriented parallel to the Great Valley and Sierra Nevada provinces to the east and have a similar extent. The relatively recent emergence of the Coast Ranges was strongly affected by the evolution of the San Andreas Fault system and the development of the modern transform boundary between the Pacific and North American plates (DeCourten 2009). The California Coast Ranges have traditionally been divided into northern and southern portions with the San Francisco Bay dividing the two. However, it is more meaningful to divide the Coast Ranges into northern and southern portions owing to their separation by the San Andreas Fault system. The California Coast Ranges are primarily composed of Jurassic- to Cretaceous-age (about 65–150 million years old) marine sedimentary and volcanic rocks of the Franciscan assemblage. The Franciscan assemblage consists of partially metamorphosed greenstone, basalt, chert, and graywacke that originated as sea floor sediments. The coastline along this province is uplifted, wave-cut, and terraced. The eastern border of the Coast Ranges province is characterized by ridges and valleys in Mesozoic strata (CGS 2002). As discussed in Section 3.7.1, "Environmental Setting," of the CalVTP Program EIR, the southern portion of the Coastal Ranges exhibit high erodibility risk.

IMPACT GEO-1

Proposed treatment types are ecological restoration, WUI fuel reduction, and fuel break, which would be implemented using manual treatment, mechanical treatment, prescribed burning, prescribed herbivory, and targeted ground application of herbicides. Most of these activities would result in vegetation removal and soil disturbance. The potential for these treatment activities to cause substantial erosion or loss of topsoil was examined in the Program EIR. This impact is within the scope of the Program EIR because the use and type of equipment, extent of vegetation removal, and intensity of prescribed burning are consistent with those analyzed in the Program EIR.

As described above under Section 1.3.2, "Proposed Project Revisions," SPR GEO-1 would be revised. As presented in the Program EIR, SPR GEO-1 requires suspension of treatment activities, including mechanical treatments, herbicide application, and prescribed herbivory, during heavy precipitation (i.e., if the National Weather Service forecast is a chance [30 percent or more] of rain within the next 24 hours). As described in the CalVTP Program EIR, mechanical treatments and herbicide application conducted during precipitation events can result in soil disturbance, erosion, increased runoff, soil destabilization, and water quality impacts. A revision to the SPR is proposed such that mechanical treatments would be suspended if (1) it is raining, (2) soils are saturated, or (3) soils are wet enough to be compacted by mechanical treatment activities and herbicide application would be suspended if the National Weather Service forecast is a "chance" (30 percent or more averaged over each hour) of rain. In the region where the project is located, forecasts often include a chance of rain; however, precipitation sometimes does not materialize. Therefore, suspension of treatment activities in these cases could result in unnecessary loss of work time. Suspending mechanical treatments, prescribed herbivory, and herbicide treatments during precipitation events would minimize the risk of soil compaction and disturbance; therefore, this revision would not result in any new or substantially more severe impacts related to erosion. This revision is consistent with the purpose of SPR GEO-1, which is to suspend disturbance during heavy precipitation to minimize the risk of soil compaction and disturbance. Therefore, the proposed revisions to SPR GEO-1 would not result in substantial erosion or loss of topsoil or an increased risk of landslides, and revisions to SPR GEO-1 would not result in a substantially more significant effect related to erosion or loss of topsoil and landslides than what was covered in the program EIR.

SPR HYD-4 would be revised to require establishment of WLPZ buffers for only the watercourses within 300 feet of the manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments. This revision would ensure that all WLPZs in proximity to a treatment area are flagged, without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the overall intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of manual, mechanical, prescribed pile burning, and targeted herbicide application treatments; degradation would be prevented pursuant to the revised SPR. For the reasons described above, the proposed revisions to SPR HYD-4 would not result in a substantially more severe significant effect related to erosion or loss of topsoil than what was covered in the Program EIR. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the soil characteristics of the project area are essentially the same within and outside the CalVTP treatable landscape; therefore, the potential impact related to soil erosion is also the same, as described above. SPRs applicable to this impact are AD-3, AQ-3, AQ-4, GEO-1 through GEO-8, HYD-3, and HYD-4. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT GEO-2

Treatments would include vegetation removal in areas with steep slopes. Portions of the project area are within an earthquake-induced landslide zone as mapped by the California Geological Survey (CGS 2025). Additionally, portions of the project area are in liquefaction hazard zones and landslide hazard zones (County of Santa Clara 2012). The potential for landslides to occur in the project area is moderate to high (USGS 2025). Along roadways, small slip outs

and slumps are relatively common during severe winter storms. The potential for treatment activities to increase landslide risk was examined in the Program EIR. This impact is within the scope of the Program EIR because the extent of vegetation removal, intensity of treatment activities, and required avoidance of steep slopes and areas of instability are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the potential impact related to landslide risk is also the same, as described above. SPRs applicable to this impact are AD-3, AQ-3, GEO-3, GEO-4, GEO-7, and GEO-8. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW GEOLOGY, SOILS, PALEONTOLOGY, AND MINERAL RESOURCE IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.7.1, "Environmental Setting," and Section 3.7.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR, and revisions to an SPR constitute a revision to the program. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to geology, soils, paleontology, and mineral resources that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed project are the same, and for the reasons described above, impacts are also consistent with those covered in the Program EIR.

Revisions to SPR GEO-1 and SPR HYD-4 would constitute changes to the project analyzed in the Program EIR. However, as described for Impact GEO-1 above, the revisions would reduce the potential for runoff and soil erosion and would be consistent with the overall intent of SPR GEO-1 and SPR HYD-4. Therefore, revisions to SPR GEO-1 and SPR HYD-4 would not result in a new impact that was not covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape, and revisions to SPR GEO-1 and SPR HYD-4, would not give rise to any new significant impacts. Therefore, no new impact related to geology, soils, paleontology, or mineral resources would occur that is not covered in the Program EIR.

4.7 GREENHOUSE GAS EMISSIONS

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact GHG-1: Conflict with Applicable Plan, Policy, or Regulation of an Agency Adopted for the Purpose of Reducing the Emissions of GHGs	LTS	Impact GHG-1, pp. 3.8-10 – 3.8-11	Yes	AD-3	NA	LTS	No	Yes
Impact GHG-2: Generate GHG Emissions through Treatment Activities	PSU	Impact GHG-2, pp. 3.8-11 – 3.8-17	Yes	AD-3 AQ-3	GHG-2	SU	No	Yes

Notes: LTS = less than significant; PSU = potentially significant and unavoidable; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New GHG Emissions Impacts: Would the treatment result in other impacts to GHG emissions that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
	☐	☐	☐

Discussion

IMPACT GHG-1

Use of vehicles and mechanical equipment and prescribed burning during initial and maintenance treatments would result in greenhouse gas (GHG) emissions. Consistency of treatments under the CalVTP with applicable plans, policies, and regulations aimed at reducing GHG emissions was examined in the Program EIR. Consistent with the Program EIR, although GHG emissions would occur from equipment and vehicles used to implement treatments, the purpose of the proposed project is to reduce wildfire risk, which could reduce GHG emissions and increase carbon sequestration over the long term. This impact is within the scope of the Program EIR because the proposed activities, as well as the associated equipment, duration of use, and resulting GHG emissions, are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the same plans, policies, and regulations adopted to reduce GHG emissions apply in the areas outside the treatable landscape, as well as in the areas within the treatable landscape; therefore, the GHG impact is also the same, as described above. SPR AD-3, which requires consistency with local plans, policies, and ordinances, is applicable to this impact. SPR GHG-1 is not applicable to the proposed project because this project is not a registered offset project under the Board of Forestry and Fire Protection's AB 1504 Carbon Inventory Process. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT GHG-2

Use of vehicles and mechanical equipment and prescribed burning during initial and maintenance treatments and biomass processing would result in GHG emissions. The potential for treatments under the CalVTP to generate GHG emissions was examined in the Program EIR. This impact was found to be potentially significant and unavoidable after the application of all feasible MMs because of the infeasibility of implementing specific emission reduction techniques and the uncertainties associated with all the parameters and objectives of prescribed burning. MM GHG-2 in the CalVTP Program EIR requires project proponents to implement feasible methods to reduce the GHG emissions from prescribed burning, including pile burning. Accordingly, WSCLRP includes the proposed use of air curtain burners and carbonizers. The essential function of these specialized biomass processing technologies is to reduce smoke and resultant GHG emissions compared to pile burning by consuming biomass quickly and efficiently. According to a 2020 study of biomass, air curtain burners and Oregon kilns emit 54 percent less carbon dioxide (CO_2) emissions compared to pile burning (Puettmann et al. 2020, as cited in Ascent 2022). In addition, the production of biochar by air curtain burning and subsequent application as a soil amendment provide long-term carbon sequestration benefits that are not available from pile burning.

This impact is within the scope of the Program EIR because the proposed activities, as well as the associated equipment and duration of use, and the intent of the treatments to reduce wildfire risk and GHG emissions related to wildfire are consistent with those analyzed in the Program EIR. MM GHG-2 will be implemented by using air curtain burners and carbonizers when feasible to reduce GHG emissions associated with prescribed burning. Although use of these specialized biomass processing technologies would substantially reduce GHG emissions, emissions generated by the proposed treatments would still contribute to the annual emissions generated by the CalVTP, and this impact would remain significant and unavoidable, consistent with, and for the same reasons described in, the Program EIR.

The inclusion of land in the proposed project area outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the climate conditions present in the areas outside the treatable landscape are the same as those within the treatable landscape; therefore, the GHG impact is also the same, as described above. SPR AD-3 and SPR AQ-3 are applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW IMPACTS RELATED TO GHG EMISSIONS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during development of this PSA/Addendum, and it was determined that they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.8.1, "Regulatory Setting," and Section 3.8.2, "Environmental Setting," in Volume II of the Final Program EIR). Including land in the proposed project area outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions pertinent to the climate conditions that are present in the areas outside the treatable landscape are the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to GHG emissions would occur.

4.8 ENERGY RESOURCES

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact ENG-1: Result in Wasteful, Inefficient, or Unnecessary Consumption of Energy	LTS	Impact ENG-1, pp. 3.9-7 – 3.9-8	Yes	NA	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Energy Resource Impacts: Would the treatment result in other impacts to energy resources that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT ENG-1

Use of vehicles, mechanical equipment, and some manual equipment (e.g., chainsaws, weed-trimmers, drip torches, propane torches, leaf blowers) during initial treatment and treatment maintenance activities would result in the consumption of energy through the use of fossil fuels. The use of fossil fuels for equipment and vehicles was examined in the Program EIR. The consumption of energy during implementation of the project is within the scope of the Program EIR because the types of activities, as well as the associated equipment and duration of proposed use, are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, the existing energy consumption is essentially the same within and outside the treatable landscape; therefore, the energy impact is also the same, as described above. No SPRs are applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW ENERGY RESOURCE IMPACTS

The proposed treatments are consistent with the treatment types and activities covered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.9.1, "Environmental Setting," and Section 3.9.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to energy resources outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are

consistent with those covered in the Program EIR. The inclusion of areas outside of the CalVTP treatable landscape would not give rise to any new significant impact. Therefore, no new impact related to energy resources would occur.

4.9 HAZARDOUS MATERIALS, PUBLIC HEALTH AND SAFETY

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered In the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact HAZ-1: Create a Significant Health Hazard from the Use of Hazardous Materials	LTS	Impact HAZ-1, pp. 3.10-14 – 3.10-15	Yes	AD-3 HAZ-1, HAZ-2 HAZ-3, HAZ-4 HYD-4	NA	LTS	No	Yes
Impact HAZ-2: Create a Significant Health Hazard from the Use of Herbicides	LTS	Impact HAZ-2, pp. 3.10-15 – 3.10-18	Yes	AD-3 HAZ-2, HAZ-3 HAZ-4, HAZ-5 HAZ-6, HAZ-7 HAZ-8, HAZ-9	NA	LTS	No	Yes
Impact HAZ-3: Expose the Public or Environment to Significant Hazards from Disturbance to Known Hazardous Material Sites	LTSM	Impact HAZ-3, pp. 3.10-18 – 3.10-19	Yes	AD-3 HAZ-2 HAZ-3 HAZ-4	HAZ-3	LTSM	No	Yes

Notes: LTS = less than significant; LTSM = less than significant with mitigation; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Hazardous Materials, Public Health and Safety Impacts: Would the treatment result in other impacts related to hazardous materials, public health and safety that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT HAZ-1

Initial and maintenance treatments would consist of manual treatments, mechanical treatments, prescribed burning, prescribed herbivory, and targeted application of herbicides. These treatment activities would require the use of oils, fuels, lubricants, and related accelerants, which are hazardous materials. The potential for treatment activities to cause a significant health hazard from the use of hazardous materials was examined in the Program EIR. This impact is within the scope of the Program EIR because the types of treatments and associated equipment and types of hazardous materials that would be used are consistent with those analyzed in the Program EIR.

As described under Section 1.3.2, "Proposed Project Revisions," revisions are proposed to SPR HAZ-1. SPR HAZ-1 would be revised to promptly stabilize any equipment found leaking and fix it on-site, outside of the WLPZ, or remove the leaking equipment from the treatment area. This provides flexibility to fix equipment on-site if feasible and continue treatment rather than requiring all leaking equipment be removed. This would help to prevent unnecessarily slowing down project implementation while maintaining the overall intent of SPR HAZ-1, which is to

minimize hazardous material releases in treatment areas from equipment use. For the reasons described, the proposed revision to SPR HAZ-1 would not result in a substantially more severe significant effect related to creation of a significant health hazard from the use of hazardous materials compared to what was covered in the Program EIR.

Revisions to SPR HYD-4 are also proposed that require that WLPZs buffers are established for only the watercourses within 300 feet of treatment activities. This revision would help ensure that all WLPZs in proximity to a treatment area are recently flagged without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the purpose and intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments; degradation would be prevented pursuant to the revised SPR. For the reasons described, the proposed revision to SPR HYD-4 would not result in a substantially more severe significant effect related to creation of a significant health hazard from the use of hazardous materials compared to what was covered in the Program EIR.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, the exposure potential and regulatory conditions are essentially the same within and outside the treatable landscape; therefore, the hazardous material impact is also the same, as described above. SPRs AD-3, HAZ-1 through HAZ-4, and HYD-4 are applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT HAZ-2

Initial and maintenance treatments would include targeted ground-based herbicide application methods, including batch truck application devices (e.g., backpack sprayer, manual brush applicator), and passenger vehicle(s) or all-terrain vehicle(s). No aerial spraying of herbicides would occur. The potential for treatment activities to cause a significant health hazard from use of herbicides was examined in the Program EIR. This impact is within the scope of the Program EIR because the herbicides (i.e., clopyralid, glyphosate, velpar, imazapyr, sulfometuron, triclopyr, nonylphenol, and Cleantraxx) and application methods that would be used are consistent with those analyzed in the Program EIR. In addition, herbicides would be applied by licensed applicators in compliance with all laws, regulations, and herbicide label instructions, consistent with herbicide use described in the Program EIR. Consistent with the Program EIR, SPRs AD-3 and HAZ-2 through HAZ-9 would be implemented, which require the preparation of a spill prevention and response plan, triple rinsing of herbicide containers before disposal, proper storage of herbicides, and measures to minimize herbicide drift to non-target areas.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the hazardous materials impact is also the same, as described above. SPRs AD-3 and HAZ-2 through HAZ-9 are applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT HAZ-3

Treatments would include soil disturbance and prescribed burning, which could expose workers, the public, or the environment to hazardous materials if a contaminated site is present within the project area. The potential for workers participating in treatment activities to encounter contamination that could expose them, the public, or the environment to hazardous materials was examined in the Program EIR. This impact was identified as potentially significant in the Program EIR because hazardous materials sites could be present within treatment sites throughout the large geographic extent of the treatable landscape, and the feasibility of implementing mitigation for exposure of people or the environment to hazards resulting from soil disturbance or burning in a hazardous materials site was uncertain.

As directed by MM HAZ-3, database searches for hazardous materials sites within the project area have been conducted. Six active cleanup sites were identified in the project area: Kerful Cleaners located in Saratoga on Saratoga-Los Gatos Road, SJWC Belgatos Station in Los Gatos on Belgatos Road, Hillview Cleaners in Saratoga on Big Basin Way, Sanborn Christensen Nursery Remediation in Saratoga on Sanborn Road, Owens Development located in Los Altos on Middle Fork Lane, and Madera Drive Cupertino Lot Spill located in Cupertino on Madera Drive. There are 19 sites currently being evaluated by the California Environmental Protection Agency in the project area. Fourteen of these are located in the Almaden Quicksilver County Park Area; they are New Almaden-South Randol (60002538), New Almaden-North Randol (60002548), New Almaden-Velasco (60002550), New Almaden-San Pedro-Almaden Area (60002539), New Almaden District (60002540), New Almaden-Harry Area (60002541), New Almaden-Santa Marina Area (60002544), New Almaden-San Francisco Area (60002545), New Almaden-Central Stope Area (60002542), New Almaden Mine (60002549), New Almaden-Cora Blanca Area (60002546), Almaden Quicksilver Country Park (43100001), New Almaden Placers and Dump (60002547), and San Francisco Mine (60002543). The project area also encompasses a state response site (Tripp residence/Saratoga House [43280118]), a voluntary agreement site (Mazzone Property [60001951]), a historical site (Kaiser Cement Corp, Permanente Plant [43350079]), and two formerly used defense sites (FUDSs) sites (Nas Moffett Field [80000787]; Almaden Air Force Station). A total of 25 sites under evaluation have been identified within the project area that could have potential contaminants not specified yet. The rest of the sites identified in the project area are not active or have been remediated and closed (SWRCB 2025; DTSC 2025; CalEPA 2025).

All sites that are known to or have potential to contain hazardous waste will be marked, and no prescribed burning or soil-disturbing treatment activities will occur within 100 feet of the site boundaries, in accordance with MM HAZ-3. Therefore, with the implementation of MM HAZ-3, no hazardous materials sites would be disturbed by treatments, and this impact would be less than significant.

This impact is within the scope of the Program EIR because the types of treatments and associated equipment that could potentially expose workers or the environment to hazardous materials are consistent with those analyzed in the Program EIR. The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the potential to encounter hazardous materials and the regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the hazardous materials impact is also the same, as described above. SPRs AD-3, HAZ-2, HAZ-3, and HAZ-4 are applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW HAZARDOUS MATERIALS, PUBLIC HEALTH AND SAFETY IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.10.1, "Environmental Setting," and Section 3.10.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project areas constitutes a change to the geographic extent presented in the Program EIR, and revisions to an SPR constitute a revision to the program. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to hazardous materials that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are also consistent with those covered in the Program EIR.

Revisions to SPRs HAZ-1 and HYD-4 would constitute a change to the project analyzed in the Program EIR. However, as described for Impact HAZ-1 above, the revisions would reduce the potential for hazardous material releases in treatment areas from equipment use and would prevent degradation of watercourses, consistent with the overall intent of SPRs HAZ-1 and HYD-4. Therefore, revisions to SPRs HAZ-1 and HYD-4 would not result in a new impact that was not covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape and revisions to SPRs HAZ-1 and HYD-4 would not give rise to any new significant impacts. Therefore, no new impact related to hazardous materials, public health, or safety would occur.

4.10 HYDROLOGY AND WATER QUALITY

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact HYD-1: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Implementation of Prescribed Burning	LTS	Impact HYD-1, pp. 3.11-25 – 3.11-27	Yes	AD-3 AQ-3 BIO-4 BIO-5 GEO-4 GEO-6 HYD-2 HYD-4	NA	LTS	No	Yes
Impact HYD-2: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Implementation of Manual or Mechanical Treatment Activities	LTS	Impact HYD-2, pp. 3.11-27 – 3.11-29	Yes	AD-3 BIO-1 GEO-1, GEO-2 GEO-3, GEO-4 GEO-5, GEO-7 GEO-8 HYD-1, HYD-2 HYD-4, HYD-5 HAZ-1, HAZ-5	NA	LTS	No	Yes
Impact HYD-3: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through Prescribed Herbivory	LTS	Impact HYD-3, p. 3.11-29	Yes	AD-3 HYD-2 HYD-3	NA	LTS	No	Yes
Impact HYD-4: Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Ground Application of Herbicides	LTS	Impact HYD-4, pp. 3.11-30 – 3.11-31	Yes	AD-3 BIO-4 HAZ-5 HAZ-7 HYD-2 HYD-5	NA	LTS	No	Yes

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Impact HYD-5: Substantially Alter the Existing Drainage Pattern of a Treatment Site or Area	LTS	Impact HYD-5, p. 3.11-31	Yes	AD-3 GEO-5 HYD-2, HYD-4 HYD-6	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Hydrology and Water Quality Impacts: Would the treatment result in other impacts to hydrology and water quality that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
	☐	☐	☐

Discussion

The project area is primarily within the following watersheds: Adobe Creek–Frontal San Francisco Bay Estuaries, San Francisquito Creek, Permanente Creek-Frontal San Francisco Bay Estuaries, Stevens Creek, Saratoga Creek, Corralitos Creek, Calabazas Creek–Frontal San Francisco Bay Estuaries, Los Gatos Creek, Guadalupe River, Alamintos Creek, Canoas Creek, Metcalfe Canyon–Coyote Creek, Little Llagas Creek, Upper Uvas Creek, Lower Uvas Creek, Salsipuedes Creek, Lower Pajaro River, and Lower Llagas Creek. With smaller portions in the Bear Creek–San Lorenzo River, Upper Pescadero Creek, Zayante Creek–San Lorenzo River, Soquel Creek, and Upper Pajaro River watersheds. Some of the major hydrologic features include Adobe Creek, San Francisquito Creek, Bear Creek, Corte Madra Creek, Lexington Reservoir, Permanente Creek, Stevens Creek, Saratoga Creek, Corralitos Creek, Calabazas Creek, Los Gatos Crook, Guadalupe River, Alamintos Creek, Canoas Creek, Coyote Creek, Little Llagas Creek, Upper Uvas Creek, Lower Uvas Creek, Salsipuedes Pescadero Creek, Zayante Creek, San Lorenzo River, Soquel Creek, and Pajaro River.

Several of the impacts below (i.e., Impacts HYD-1 through HYD-4) evaluate compliance with water quality standards or waste discharge requirements. All include implementation of SPR HYD-1, which requires compliance with water quality regulations. The State Water Resources Control Board requires all projects using the CalVTP Program EIR to follow the requirements of their Vegetation Treatment General Order, which would meet the requirements of SPR HYD-1. Users of the CalVTP PSA process are automatically enrolled in the General Order and are required to implement all applicable SPRs and MMs from the Program EIR. In addition, the General Order requires project proponents to comply with any applicable basin plan prohibitions.

IMPACT HYD-1

Initial and maintenance treatments would include prescribed burning. Ash and debris from treatment areas that are treated with prescribed burning could be washed by runoff into adjacent drainages and streams. Prescribed burning would only be implemented during appropriate burn windows (typically fall, winter, spring, and early summer) when environmental conditions (e.g., windspeed, weather forecast, fuel moisture) are conducive to burning targeted fuels, while reducing the risk of high severity burns. WLPZs would be implemented for Class I and Class II streams that are within treatment areas pursuant to SPR HYD-4. The potential for prescribed burning activities to cause runoff and violate water quality regulations or degrade water quality was examined in the Program EIR. This impact is within the

scope of the Program EIR because the use of low intensity prescribed burns and associated impacts to water quality are consistent with those analyzed in the Program EIR.

The proposed revisions to SPR HYD-4 require the establishment of WLPZ buffers for only the watercourses within 300 feet of treatment activities, including prescribed burning. This revision would ensure that all WLPZs in proximity to a treatment area are flagged, without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the overall intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of treatment activities, including prescribed burning. For the reasons described above, the proposed revisions to SPR HYD-4 would not result in a substantially more severe significant effect related to water quality than what was covered in the Program EIR.

SPR GEO-1 would be revised to remove the requirement of suspending certain treatment activities when rain is in the forecast; all other components of SPR GEO-1 would remain the same. This revision would replace the current requirement of suspending activities based on a forecasted 30 percent chance of rain within the next 24 hours. Suspension of these activities would not be based on weather forecasts alone (under which precipitation may never materialize), but rather on if weather predictions materialize and lead to precipitation events. This revision is consistent with the overall intent of SPR GEO-1 because the project proponent would be required to suspend mechanical disturbance during heavy precipitation to minimize the risk of soil compaction and soil disturbance.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the surface water conditions are essentially the same within and outside the treatable landscape; therefore, the water quality impact from prescribed burning is also the same, as described above. SPRs applicable to this impact are AD-3, AQ-3, BIO-4, BIO-5, GEO-4, GEO-6, HYD-2, and HYD-4. As explained above, impacts on water quality resulting from the proposed project would not constitute a new or substantially more severe significant impact than what was covered in the Program EIR.

IMPACT HYD-2

Initial and maintenance treatments would include manual and mechanical treatment activities. The potential for mechanical and manual treatment activities to violate water quality regulations or degrade water quality was examined in the Program EIR. This impact is within the scope of the Program EIR because the use of heavy equipment and handheld tools to remove vegetation and associated impacts to water quality are consistent with those analyzed in the Program EIR.

Revisions to SPRs HYD-4, GEO-1, and HAZ-1 are proposed. SPR HYD-4 would be revised to require establishment of WLPZ buffers for only the watercourses within 300 feet of treatment activities, including mechanical and manual treatments. This revision would help ensure that all WLPZs in proximity to a treatment area are recently flagged without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the original purpose and intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of treatment activities, including mechanical and manual treatments.

Revisions to SPR HAZ-1 would allow for leaking equipment to be stabilized and fixed on-site. All other elements of SPR HAZ-1 would remain the same as presented in the Program EIR. This revision is consistent with the original purpose and intent of SPR HAZ-1, which is to minimize hazardous material releases in treatment areas from equipment use, and would allow the project proponent to stabilize and fix leaking equipment promptly on-site, if feasible; otherwise, the equipment would be promptly removed.

Proposed revisions to GEO-1 would require that mechanical treatments would be suspended if (1) it is raining, (2) soils are saturated, or (3) soils are wet enough to be compacted by mechanical treatment activities, rather than when there is a "chance" (30 percent or more averaged over each hour) of rain. This modification constitutes a revision to the program description analyzed in the Program EIR. Requirements under SPR GEO-1 are intended to prevent soil destabilization during precipitation events that could result adverse effects on hydrology and water quality. The revision to SPR GEO-1 would provide the same level of protection to water quality and hydrology resulting from soil

destabilization as the original SPR GEO-1 because these activities would not continue during conditions where soil destabilization occurs. Suspension of these activities would not be based on weather forecasts alone, but rather on if weather predictions materialize and lead to precipitation events. Therefore, proposed revisions to SPR GEO-1 would not result in a substantially more severe significant effect on water quality or waste discharge requirements than what was covered in the Program EIR.

For the reasons described above, the proposed revisions to SPRs HYD-4, GEO-1, and HAZ-1 would not result in a substantially more severe significant effect related to water quality than what was covered in the Program EIR.

The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the surface water conditions are essentially the same within and outside the treatable landscape; therefore, the water quality impact from manual and mechanical treatments is also the same, as described above. SPRs applicable to this impact are AD-3, HYD-1, HYD-2, HYD-4, HYD-5, GEO-1 through GEO-5, GEO-7, GEO-8, BIO-1, HAZ-1, and HAZ-5. As explained above, this determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT HYD-3

Initial and maintenance treatments would include prescribed herbivory. The potential for prescribed herbivory to violate water quality regulations or degrade water quality was examined in the Program EIR. This impact is within the scope of the Program EIR because the use of grazing animals (e.g., goats, sheep) and the grazing intensity to manage and remove vegetation are consistent with those analyzed in the Program EIR. Environmentally sensitive areas, such as watercourses, riparian woodlands, and sensitive habitat areas or areas potentially containing special-status plant species or cultural resources, would be identified and avoided if prescribed herbivory would have an adverse effect on the resource. A herder, fencing, mineral block, or a watering site may be required to keep the grazing animals within the desired area; typically, professional herders or portable electric fencing would be used during prescribed herbivory treatments. A buffer of approximately 50 feet would be maintained between sensitive and actively grazed areas as required by SPR HYD-3.

The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the surface water conditions are essentially the same within and outside the treatable landscape; therefore, the water quality impact from prescribed herbivory treatments is also the same, as described above. SPRs applicable to this impact are AD-3, HYD-2, and HYD-3. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT HYD-4

Initial and maintenance treatments would include targeted application of herbicides to treat invasive plant species as defined by Cal-IPC. Targeted herbicide application would be used to prevent the resprouting of invasive species in the project area. Herbicides would not be used within WLPZ buffers. Targeted herbicide application would occur on up to 143,375 acres of the project area. Consistent with the Program EIR, herbicide application would be implemented only at ground-level by manual application devices (i.e., spot, foliar spray, or cut stump method by hand) and would comply with EPA and DPR label standards. The potential for the use of herbicides to violate water quality regulations or degrade water quality was examined in the Program EIR. This impact is within the scope of the Program EIR because the use of herbicides and associated impacts to water quality are consistent with those analyzed in the Program EIR.

The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, surface water conditions are essentially the same within and outside the treatable landscape; therefore, the water quality impact from use of herbicides is also the same, as described above. SPRs applicable to this impact are AD-3, HYD-2, HYD-5,

BIO-4, HAZ-5, and HAZ-7. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT HYD-5

Initial and maintenance treatments could cause ground disturbance and erosion, which could directly or indirectly modify existing drainage patterns. The potential for treatment activities to substantially alter the existing drainage pattern of a treatment area was examined in the Program EIR. This impact on site drainage is within the scope of the Program EIR because the types of treatments and treatment intensity are consistent with those analyzed in the Program EIR.

SPRs applicable to this impact are AD-3, GEO-5, HYD-2, HYD-4, and HYD-6. Revisions are proposed to SPR HYD-4 that require establishment of WLPZ buffers for watercourses within 300 feet of manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments. This revision would ensure that all WLPZs in proximity to a treatment area are flagged without unnecessarily slowing down implementation to establish all WLPZs throughout the entire project area. This revision is consistent with the overall intent of SPR HYD-4, which is to prevent degradation of watercourses during implementation of manual, mechanical, prescribed burning, prescribed herbivory, and targeted herbicide application treatments. For the reasons described above, the proposed revisions to SPR HYD-4 would not result in a substantially more severe significant effect related to drainage patterns than what was covered in the Program EIR.

The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, surface water conditions are essentially the same within and outside the treatable landscape; therefore, the impact related to alteration of site drainage patterns is also the same, as described above. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW HYDROLOGY AND WATER QUALITY IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed project were considered during the development of this PSA/Addendum, and it is determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.11.1, "Environmental Setting," and Section 3.11.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to hydrology and water quality that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are also consistent with those covered in the Program EIR.

Revisions to SPRs HYD-4, GEO-1, and HAZ-1 would constitute a change to the project analyzed in the Program EIR. However, as described under Impacts HYD-1, HYD-2, and HYD-5 above, the revisions would reduce the potential for hydrology and water quality impacts consistent with the overall intent of SPRs HYD-4, GEO-1, and HAZ-1. Therefore, revisions to these SPRs would not result in a new impact that was not covered in the Program EIR. No changed circumstances are present; the inclusion of areas outside the CalVTP treatable landscape and revisions to SPRs HYD-4, GEO-1, and HAZ-1 would not give rise to any new significant impacts. Therefore, no new impact related to hydrology and water quality would occur.

4.11 LAND USE AND PLANNING, POPULATION AND HOUSING

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact LU-1: Cause a Significant Environmental Impact Due to a Conflict with a Land Use Plan, Policy, or Regulation	LTS	Impact LU-1, pp. 3.12-13 – 3.12-14	Yes	AD-3 AD-9	NA	LTS	No	Yes
Impact LU-2: Induce Substantial Unplanned Population Growth	LTS	Impact LU-2, pp. 3.12-14 – 3.12-15	Yes	NA	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Land Use and Planning, Population and Housing Impacts: Would the treatment result in other impacts to land use and planning, population and housing that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT LU-1

Vegetation treatment activities would occur in Santa Clara County consisting of approximately 99,209 acres of private land and 44,166 acres of publicly owned land, including land owned by California State Parks; Santa Clara County Parks; Santa Clara Habitat Agency; Santa Clara Valley Open Space Authority; Peninsula Open Space Trust; the Cities of Palo Alto, Cupertino, Saratoga, Morgan Hill, and Gilroy; and the Land Trusts of Santa Clara County and Santa Cruz County. The proposed project would not conflict with any land use plan, policy, or regulation (including noise ordinances, as explained in Section 4.12, or local tree removal ordinances or HCP, as explained under "Impact BIO-7" in Section 4.5).

SPR AD-3 would be implemented, which would ensure that the project does not conflict with land use plans, policies, or regulations. Treatments would be designed and take place in a manner that is consistent with applicable plans, policies, and regulations outlined in the Santa Clara County General Plan (County of Santa Clara 1994), SCC Land Use and Development Code (County of Santa Clara 2022), 2025 Cal Fire Santa Clara Unit Fire Plan (Hernandez 2025), Castle Rock General Plan (California State Parks 2000), Upper Stevens Creek County Park Master Plan (Santa Clara County Parks 1993), Sanborn County Park Master Plan (Santa Clara County Parks 2019), Santa Clara Valley Habitat Plan (ICF International 2012), City of Palo Alto Comprehensive Plan (City of Palo Alto 2023), Cupertino General Plan (City of Cupertino 2016), City of Saratoga General Plan (City of Saratoga 2024), 2035 General Plan of Morgan Hill (City of Morgan Hill 2016), and City of Gilroy General Plan (City of Gilroy 2020).

The potential for vegetation treatment activities to cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation was examined in the Program EIR. This impact is within the scope of the Program EIR because the treatment types and activities are consistent with those analyzed in the Program EIR. The inclusion of land in the project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent considered in the Program EIR. However, land uses in the project area are essentially the same within and outside the treatable landscape; therefore, the land use impact is also the same. Treatment types would be consistent with those described in the Program EIR. SPRs applicable to this impact are AD-3 and AD-9. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than covered in the Program EIR.

IMPACT LU-2

The potential increases in demand for employees to implement initial and maintenance treatments and resultant potential for substantial population growth was examined in the Program EIR. Manual treatments would involve three to 20 workers per treatment, and mechanical treatments would involve one hand crew of approximately five to 20 workers and equipment operators. Prescribed broadcast burns typically last approximately 1 day to up to 2 weeks where the average number of workers on a prescribed burn is approximately 50. Typically, herbicide application would be carried out by two to four workers. Prescribed herbivory typically requires one to two workers on-site to monitor and manage grazing animals. Although treatments would result in temporary increase in the demand of workers, the increase in employee demand would not represent a substantial increase in demand for new residents in the region. Impacts associated with short-term increases in the demand for workers during implementation of the project are within the scope of the Program EIR because the number of workers required for implementation of the treatments is consistent with the crew sizes analyzed in the Program EIR for the treatment activities proposed.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the population and housing impact is also the same, as described above. No SPRs are applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than covered in the Program EIR.

NEW LAND USE AND PLANNING, POPULATION AND HOUSING IMPACTS

The proposed treatments are within the CalVTP treatable landscape and are consistent with the treatment types and activities covered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.12.1, "Environmental Setting," and Section 3.12.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed treatment areas constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to new significant impacts not addressed in the Program EIR. Therefore, no new impact related to land use and planning or population and housing would occur that is not covered in the Program EIR.

4.12 NOISE

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact NOI-1: Result in a Substantial Short-Term Increase in Exterior Ambient Noise Levels During Treatment Implementation	LTS	Impact NOI-1, pp. 3.13-9 – 3.13-12; Appendix NOI-1	Yes	AD-3 NOI-1 NOI-2 NOI-3 NOI-4 NOI-5 NOI-6	NA	LTS	No	Yes
Impact NOI-2: Result in a Substantial Short-Term Increase in Truck-Generated Single-Event Noise Levels During Treatment Activities	LTS	Impact NOI-2, p. 3.13-12	Yes	NOI-1	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact

New Noise Impacts: Would the treatment result in other noise-related impacts that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
	☐	☐	☐

Discussion

IMPACT NOI-1

Proposed treatments would require the use of heavy, noise-generating equipment. The potential for a substantial short-term increase in ambient noise levels from use of heavy equipment was examined in the Program EIR. Treatment activities would occur during any time of the year. Prescribed burning may occur any day of the week or time of day within identified burn prescription windows. Manual treatments, mechanical treatments, and targeted herbicide application would occur on any day of the week but would generally be limited to daylight hours. Prescribed herbivory in one fenced area would occur across the span of days or up to a week at the longest.

Santa Clara County's Noise and Vibration Ordinance contains provisions that limit noise sources associated with construction (which applies to vegetation treatment) to certain hours. Specifically, Section B.11-154 regulates noise generated by the operation of any tools or equipment on weekdays and Saturday from 7:00 p.m. to 7:00 a.m. and all hours on Sundays and holidays (County of Santa Clara 2025a). Although noise ordinances do not apply to portions of the project in unincorporated areas of Santa Clara County, treatments would still be conducted in a manner consistent with the county noise ordinance.

As discussed in the Program EIR, the most noise-intensive treatment activities are manual, mechanical, and prescribed burning treatments; prescribed herbivory and herbicide application treatments generally result in a negligible amount of noise disturbance. For manual, mechanical, and prescribed burning treatments, noise levels generated by

individual equipment range from 75 to 87.9 decibels (dB) at 50 feet from the noise source (75 to 85 dB at 50 feet from the noise source for projects without the use of helicopters). The most frequently used noise-generating types of equipment proposed for this project would be chainsaws, dozers, excavators, and shears on a backhoe. Although multiple pieces of equipment would be operated simultaneously to implement a treatment, they would typically be spread out (i.e., usually more than 100 feet apart) rather than operating next to each other. This is particularly true of larger, heavy-duty off-road equipment, such as masticators and chippers. Noise-generating equipment would be used intermittently between 7:00 a.m. and 6:00 p.m. during treatments. Although there is the potential for some prescribed burning to occur during nighttime and weekend hours, all treatment activities using noise-generating equipment would be limited to 7:00 a.m. to 6:00 p.m., which would avoid the potential to cause sleep disturbance to residents during the more noise-sensitive evening and nighttime hours. This impact is within the scope of the Program EIR because the number of pieces of equipment that would be operated simultaneously, the types of equipment proposed, and the temporary and sporadic nature of the equipment use are consistent with the assumptions analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the exposure potential to any sensitive receptors present in the areas outside the treatable landscape is essentially the same as that within the treatable landscape; therefore, the noise impact is also the same, as described above. SPRs applicable to this impact are AD-3 and NOI-1 through NOI-6. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT NOI-2

Initial and maintenance treatments would involve large trucks hauling heavy equipment to the project area. These haul truck trips would be dispersed on area roadways providing access to the project area consisting of, but not limited to, SR 9 (Big Basin Way), SR 35 (Skyline Boulevard), SR 17, SR 280, SR 152, Summit Road, Bear Creek Road, Stevens Creek Canyon Road, Redwood Gulch Road, Los Trancos Road, and Page Mill Road. Haul truck trips on the local roadways would pass residential receptors, and the event of each truck passing by could increase the single-event noise level (SENL). The potential for a substantial short-term increase in SENL was examined in the Program EIR. This impact is within the scope of the Program EIR because the number and types of equipment proposed are consistent with those analyzed in the Program EIR. The haul trips associated with the treatment would occur during daytime hours (per SPR NOI-1), which would avoid the potential to cause sleep disturbance to residents during the more noise-sensitive evening and nighttime hours.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the exposure potential is essentially the same within and outside the treatable landscape; therefore, the noise impact is also the same, as described above. SPR NOI-1 is applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW NOISE IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during preparation of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.13.1, "Environmental Setting," and Section 3.13.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to noise that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the

proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to noise would occur.

4.13 RECREATION

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact REC-1: Directly or Indirectly Disrupt Recreational Activities within Designated Recreation Areas	LTS	Impact REC-1, pp. 3.14-6 – 3.14-7	Yes	REC-1	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Recreation Impacts: Would the treatment result in other impacts to recreation that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

The project area provides a diverse array of recreational opportunities, such as hiking, biking, picnicking, camping, and wildlife viewing, at several recreational areas. These areas include Mount Madonna County Park, Uvas Reservoir County Park, Chesbro Reservoir County Park, Calero County Park, Sierra Azul Open Space Preserve, Almaden Quicksilver County Park, Santa Teresa County Park, Bear Creek Redwoods Open Space Preserve, Lexington Reservoir County Park, El Sereno Open Space Preserve, Sanborn County Park, Saratoga Gap Open Space Preserve, Picchetti Ranch Open Space Preserve, Fremont Older Open Space Preserve, Stevens Creek County Park, Rancho San Antonio County Park, Foothills Nature Preserve, and Mont Bello Open Space Preserve. Impact REC-1 evaluates the project's potential to disrupt recreational activities within these designated recreational areas, including implementation of SPR REC-1, which requires notification of temporary closures of recreational areas.

IMPACT REC-1

Initial and maintenance vegetation treatments would occur along the western boundary of Santa Clara County, from the WUI of the Santa Clara Valley and southern Bay Area west into the Santa Cruz Mountains, and this area contains a variety of recreational areas. Vegetation treatment activities have the potential to disrupt recreational activities by degrading the experience of recreationists in nearby areas through the creation of noise, dust, degradation of scenic views, temporary closure of recreational areas during treatment, or increased traffic when treatments are implemented near recreation areas. The potential for vegetation treatment activities to disrupt recreation activities was examined in the Program EIR. Impacts related to aesthetics, air quality, noise, and transportation would be avoided or minimized to the extent feasible and are within the scope of the Program EIR, as explained in the discussion for those respective resource areas in this PSA/Addendum.

The potential for the proposed project to adversely affect recreation is within the scope of the Program EIR because the treatment activities, and their duration and intensity are consistent with those analyzed in the Program EIR. Recreational users would be notified of temporary closures of any public recreation areas in advance of treatment activities per SPR REC-1. Where feasible, notice of recreational area closure would be posted 2 weeks prior to

commencement of treatment activities consistent with SPR REC-1, which would reduce the risk of disruption of recreational activities within the treatment area. Any closures of recreation areas would be temporary and short-term, lasting only the duration of active treatment and required post-treatment cleanup.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, the availability of recreational resources within the project is essentially the same within and outside the CalVTP treatable landscape and the treatment activities and intensity are consistent with those analyzed in the Program EIR. The SPR applicable to this impact is REC-1. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than covered in the Program EIR.

NEW RECREATION IMPACTS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed project were considered during preparation of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.14.1, "Environmental Setting," and Section 3.14.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to recreation that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to any new significant impacts. Therefore, no new impact related to recreation would occur.

4.14 TRANSPORTATION

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact TRAN-1: Result in Temporary Traffic Operations Impacts by Conflicting with a Program, Plan, Ordinance, or Policy Addressing Roadway Facilities or Prolonged Road Closures	LTS	Impact TRAN-1, pp. 3.15-9 – 3.15-10	Yes	AD-3 TRAN-1	NA	LTS	No	Yes
Impact TRAN-2: Substantially Increase Hazards due to a Design Feature or Incompatible Uses	LTS	Impact TRAN-2, pp. 3.15-10 – 3.15-11	Yes	AD-3 HYD-2 TRAN-1	NA	LTS	No	Yes
Impact TRAN-3: Result in a Net Increase in VMT for the Proposed CalVTP	PSU	Impact TRAN-3, pp. 3.15-11 – 3.15-13	Yes	NA	AQ-1	SU	No	Yes

Notes: LTS = less than significant; PSU = potentially significant and unavoidable; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Transportation Impacts: Would the treatment result in other impacts to transportation that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT TRAN-1

Initial and maintenance treatments would temporarily increase vehicular traffic along roadways throughout the project area, including SR 9 (Big Basin Way), SR 35 (Skyline Boulevard), SR 17, SR 280, SR 152, Summit Road, Bear Creek Road, Stevens Creek Canyon Road, Redwood Gulch Road, Los Trancos Road, and Page Mill Road. The potential for a temporary increase in traffic to result in traffic operations impacts by conflicting with a program, plan, ordinance, or policy addressing roadway facilities or prolonged road closures was examined in the Program EIR. The proposed treatments would be short term, and temporary increases in traffic are within the scope of the Program EIR because the treatment duration and limited number of vehicles (i.e., heavy equipment transport, crew vehicles for crew members) associated with the proposed treatments are consistent with those analyzed in the Program EIR. In addition, the proposed treatments would not all occur concurrently, and increases in vehicle trips associated with the treatments would be dispersed on multiple roadways across a large project area.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the

existing transportation conditions (e.g., roadways and road use) present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the transportation impact is also the same, as described above. The SPRs applicable to this impact are AD-3 and TRAN-1. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT TRAN-2

Initial and maintenance treatments would not require the construction or alteration of any roadways. However, the proposed treatments would include prescribed burning, which would produce smoke that could potentially affect visibility along nearby roadways. Hauling heavy machinery and operating large trucks along roadways could also result in a transportation hazard. The potential for smoke to affect visibility along roadways and large trucks to result in hazards during implementation were examined in the Program EIR. As described in Attachment A, SPR TRAN-1 requires that prescribed burning operations are monitored and that traffic control operations be initiated if burning operations begin to affect traffic safety along any roadways. SPR TRAN-1 also requires that if the treatment manager deems it necessary, a traffic management plan (TMP) would be prepared prior to initiating treatment activities when traffic generated by a treatment would result in substantial obstructions, hazards, or delays. This impact is within the scope of the activities and impacts addressed in the Program EIR because the burn duration and intensity and types of equipment used for treatments are consistent with that analyzed in the Program EIR.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing transportation conditions (e.g., roadways and road use) present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the transportation impact is also the same, as described above. SPRs applicable to this impact are AD-3, HYD-2, and TRAN-1. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT TRAN-3

Treatments could temporarily increase vehicle miles traveled (VMT) above baseline conditions because the proposed project would require vehicle trips to transport crew members and equipment to the treatment areas. This impact was identified as potentially significant and unavoidable in the Program EIR because implementation of the CalVTP would result in a net increase in VMT. As noted under Impact TRAN-3 in the Program EIR, individual vegetation treatments under the CalVTP are likely to generate fewer than 110 trips per day, which would be considered a less-than-significant transportation impact for specific later activities, as described in *the Technical Advisory on Evaluating Transportation Impacts*, published by the Governor's Office of Planning and Research, now known as the Governor's Office of Land Use and Climate Innovation (OPR 2018). Manual treatments would require one or two crews of approximately three to 20 members to implement treatments. To implement mechanical treatments, one hand crew of approximately five to 20 workers may aid equipment operators in achieving treatment specifications, and the average number of workers on a prescribed broadcast burn would be approximately 50 over a limited period of time. The operation of an air curtain burner would require a crew of two to three people per burner, and operating multiple burners next to each other would not necessarily require additional people. Herbicide application would be carried out by two to four workers, and prescribed herbivory would require a herder and one to two support workers. Treatments are expected to be spread across different locations within the project area and would be conducted at different periods of time over the course of the project. Thus, treatments under the proposed project would typically require between one and 50 crew members with several crews implementing treatments simultaneously, dispersed throughout the project area. Therefore, the anticipated crew sizes are sufficiently small so that the total increase in VMT would not likely exceed 110 trips per day. In addition, as mentioned above, the increase in vehicle trips would be dispersed to multiple roadways throughout a large project area. However, individual treatments would contribute to the overall annual net increase in VMT generated by the CalVTP. Although carpooling would be encouraged under

MM AQ-1, crew sizes would be small and may not all be employed with the same company. Therefore, carpooling may not be feasible to implement for most of the workers. Although the net increase in VMT is not expected to generate greater than 110 trips per day, because the project would contribute to the overall annual net increase in VMT generated by the CalVTP, it would contribute to the environmental significance conclusion in the Program EIR; therefore, for purposes of CEQA compliance, this PSA/Addendum notes the impact as significant and unavoidable.

This impact is within the scope of the activities and impacts addressed in the Program EIR because the size and number of crews is consistent with that analyzed in the Program EIR. The increase in vehicle trips would be temporary and dispersed over multiple roadways. The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the transportation-related conditions in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the transportation impact is also the same, as described above. No SPRs are applicable to this impact. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW IMPACTS ON TRANSPORTATION

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during preparation of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.15.1, "Environmental Setting," and Section 3.15.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to transportation that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts are the same, and for the reasons described above, impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to any new significant impacts not addressed in the Program EIR. Therefore, no new impact related to transportation would occur that is not covered in the Program EIR.

4.15 PUBLIC SERVICES, UTILITIES, AND SERVICE SYSTEMS

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is this Impact Within the Scope of the Program EIR?
Would the project:								
Impact UTIL-1: Result in Physical Impacts Associated with Provision of Sufficient Water Supplies, Including Related Infrastructure Needs	LTS	Impact UTIL-1, p. 3.16-9	Yes	AD-3	NA	LTS	No	Yes
Impact UTIL-2: Generate Solid Waste in Excess of State Standards or Exceed Local Infrastructure Capacity	PSU	Impact UTIL-2, pp. 3.16-10 – 3.16-12	Yes	AD-3 UTIL-1	NA	SU	No	Yes
Impact UTIL-3: Comply with Federal, State, and Local Management and Reduction Goals, Statutes, and Regulations Related to Solid Waste	LTS	Impact UTIL-2, p. 3.16-12	Yes	AD-3 UTIL-1	NA	LTS	No	Yes

Notes: LTS = less than significant; PSU = potentially significant and unavoidable; SU = significant and unavoidable; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Public Services, Utilities and Service System Impacts: Would the treatment result in other impacts to public services, utilities, and service systems that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	**Less Than Significant with Mitigation Incorporated**	**Less than Significant**
	☐	☐	☐

Discussion

IMPACT UTIL-1

Initial and maintenance treatments would consist of manual treatments, mechanical treatments, prescribed burning, prescribed herbivory, and targeted herbicide application. Water would be required during implementation of the proposed project as a safety measure for fire suppression during a prescribed burn, for livestock used for prescribed herbivory, and to minimize dust if excessive while traveling on unpaved roads or to remove visible dirt or mud that gets tracked out onto public paved roadways (per SPR AQ-4). If needed, water would be supplied from water trucks or tanks or existing on-site troughs for livestock. The potential increased demand for water was examined in the Program EIR. This impact is within the scope of activities and impacts addressed in the Program EIR because the size of areas proposed for prescribed burn treatments, amount of water required for prescribed burning, dust control, and domestic livestock, as well as water source type are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the water supply impact is also the same, as described above. SPR AD-3 is applicable to this impact. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT UTIL-2

Initial and maintenance treatments would generate biomass from vegetation removal within the treatment areas. Biomass generated by mechanical and manual treatments would be disposed of by several means: chipping, mastication, and lop and scatter on-site. Pile burning, broadcast burning, and specialized biomass processing technologies (e.g., air curtain burning and carbonization) may be used in some areas. Invasive plant and noxious weed biomass would be treated on-site or disposed of off-site at an appropriate waste collection facility to prevent reestablishment or spread of invasive plants and noxious weeds.

The potential for solid waste generation to exceed state standards or local infrastructure capacity was examined in the Program EIR. This impact is within the scope of the activities and impacts addressed in the Program EIR because the types and amount of biomass that may need to be hauled off-site are consistent with those analyzed in the Program EIR. This impact was identified as potentially significant and unavoidable in the Program EIR because biomass hauled off-site in some parts of the treatable landscape could exceed the capacity of existing infrastructure for handling biomass. For the proposed project, approximately 2.5 percent of plant biomass would be hauled off-site to an appropriate waste collection facility. Per SPR UTIL-1, a waste disposition plan would outline the hauling locations prior to biomass being hauled off-site. The two closest large-scale biomass processing facilities are within 155 miles of the project area. DTE Stockton LLC in Stockton, San Joaquin County, California, is approximately 120 miles from the farthest southern section of the project area, and Woodland Biomass Power LLC in Woodland, Yolo County, California, is approximately 152 miles from the farthest southern section of the project area.

The volume of biomass generated from treatments is not expected to exceed the capacity of existing disposal facilities in West Santa Clara County because biomass would be disposed of primarily by other methods (e.g., mastication, chipping, lop and scattering, prescribed burning, and incineration with a curtain burner or carbonator); only an estimated 2.5 percent of the created biomass would only be disposed of by shipping to a waste generation facility. However, because the project would generate biomass needing off-site disposal, it would contribute to the environmental significance conclusion in the Program EIR. Therefore, for the purposes of CEQA compliance, this PSA/Addendum identifies the impact as significant and unavoidable.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, conditions related to biomass in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, impacts related to biomass are also the same, as described above. SPR AD-3 is applicable to this impact. SPR UTIL-1 would be applicable for treatments where biomass is hauled off-site. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT UTIL-3

As discussed above, initial and maintenance treatments would generate biomass from vegetation removal within the treatment areas. If off-site disposal is required, treatment activities would comply with all federal and state management and reduction goals, statutes, and regulations related to solid waste. Compliance with reduction goals, statutes, and regulations related to solid waste was examined in the Program EIR. This impact is within the scope of the activities and impacts addressed in the Program EIR because the types and amount of biomass that would be hauled off-site are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed treatment area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the biomass conditions in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, impacts related to biomass are also the same, as described above. SPR AD-3 is applicable to this impact. SPR UTIL-1 would be applicable to treatments where biomass is hauled off-site. This determination is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW IMPACTS ON PUBLIC SERVICES, UTILITIES, AND SERVICE SYSTEMS

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed treatments were considered during the development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.16.1, "Environmental Setting," and Section 3.16.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental conditions pertinent to public services, utilities, and service systems that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances are present, and the inclusion of areas outside the CalVTP treatable landscape would not give rise to any new significant impacts not addressed in the Program EIR. Therefore, no new impact related to public services, utilities, or service systems would occur that is not covered in the Program EIR.

4.16 WILDFIRE

Impact in the Program EIR			Project-Specific Checklist					
Environmental Impact Covered in the Program EIR	Identify Impact Significance in the Program EIR	Identify Location of Impact Analysis in the Program EIR	Does the Impact Apply to the Treatment Project?	List SPRs Applicable to the Treatment Project	List MMs Applicable to the Treatment Project	Identify Impact Significance for Treatment Project	Would This Be a Substantially More Severe Significant Impact than Identified in the Program EIR?	Is This Impact within the Scope of the Program EIR?
Would the project:								
Impact WIL-1: Substantially Exacerbate Fire Risk and Expose People to Uncontrolled Spread of a Wildfire	LTS	Impact WIL-1, pp. 3.17-14 – 3.17-15	Yes	AD-3 HAZ-2, HAZ-3 HAZ-4	NA	LTS	No	Yes
Impact WIL-2: Expose People or Structures to Substantial Risks Related to Postfire Flooding or Landslides	LTS	Impact WIL-2, pp. 3.17-15 – 3.17-16	Yes	AD-3 AQ-3 GEO-3, GEO-4 GEO-5, GEO-8	NA	LTS	No	Yes

Notes: LTS = less than significant; NA = not applicable because there are no SPRs and/or MMs identified in the Program EIR for this impact.

New Wildfire Impacts: Would the treatment result in other impacts related to wildfire that are not evaluated in the CalVTP Program EIR?	☐ Yes	☒ No	If yes, complete row(s) below and discussion
	Potentially Significant	Less Than Significant with Mitigation Incorporated	Less than Significant
	☐	☐	☐

Discussion

IMPACT WIL-1

Proposed vegetation treatment activities include manual treatment, mechanical treatment, prescribed burning, prescribed herbivory, and targeted ground application of herbicides. Machine-powered hand tools would have federal- or state-approved spark arrestors, which prevent the emissions of flammable debris. Vegetation treatment involving mechanical equipment poses a risk of accidental ignition. Vegetation treatment crews would carry one fire extinguisher per chainsaw and one long-handle shovel and one axe or Pulaski to quickly respond to an ignition should one occur. Temporary increases in risk associated with uncontrolled fire from prescribed burns could also occur. As discussed in Section 3.17.1, "Environmental Setting," in Volume II of the Final Program EIR, under "Prescribed Burn Planning and Implementation," implementing a prescribed burn requires extensive planning, including the preparation of prescription burn plans, smoke management plans, site-specific weather forecasting, public notifications, safety considerations, and assessment of favorable weather conditions before a burn can occur on a given day. Prior to implementing a broadcast burn, fire containment lines would be established by clearing vegetation surrounding the designated burn area to help prevent the accidental escape of fire. Water containers and safety equipment would be staged on-site as necessary.

The potential increase in exposure to wildfire during implementation of treatments was examined in the Program EIR. Increased wildfire risk associated with the use of heavy equipment in vegetated areas and with prescribed burns is within the scope of the Program EIR because the types of equipment, treatment duration, and the types of prescribed burning methods proposed as part of the project are consistent with those analyzed in the Program EIR.

The inclusion of land in the proposed project area that is outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the wildfire risk is essentially the same within and outside the treatable landscape; therefore, the wildfire impact is also the same, as described above. SPRs applicable to this impact are AD-3, HAZ-2, HAZ-3, and HAZ-4.

SPR BIO-9 would also be implemented as part of proposed treatment design. This SPR avoids the spread or introduction of annual grasses rated as invasive by Cal-IPC or designated as noxious weeds by the California Department of Food and Agriculture. Invasive annual grasses can provide flashy fuels for wildfire ignition; however, these would be managed pursuant to SPR BIO-9 such that their establishment in treated areas will be avoided.

This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

IMPACT WIL-2

Vegetation treatment activities include manual treatment, mechanical treatment, prescribed burning, prescribed herbivory, and targeted ground application of herbicides, which could exacerbate fire risk as described for Impact WIL-1 above. The potential for post-fire landslides and flooding was evaluated in the Program EIR. The potential exposure of people or structures to post-fire landslides and flooding are within the scope of the activities and impacts covered in the Program EIR because the equipment types, duration, and methods of prescribed burning implementation are consistent with those analyzed in the Program EIR. The inclusion of land in the proposed project area outside the CalVTP treatable landscape constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the wildfire risk of the project area is essentially the same within and outside the treatable landscape; therefore, the wildfire impact is also the same, as described above. SPRs applicable to this impact are AD-3, AQ-3, GEO-3 through GEO-5, and GEO-8. Although most mechanical treatment would occur from existing roads or on flat to moderate slopes (i.e., 35–50 percent), SPR GEO-8 would apply if a treatment area contains steep slopes. Furthermore, because the treatments reduce wildfire risk, they would also decrease post-wildfire landslide and flooding risk in treated areas. This impact of the proposed project is consistent with the Program EIR and would not constitute a substantially more severe significant impact than what was covered in the Program EIR.

NEW IMPACTS ON WILDFIRE

The proposed treatments are consistent with the treatment types and activities considered in the CalVTP Program EIR. The site-specific characteristics of the proposed project were considered during the development of this PSA/Addendum, and it was determined they are consistent with the applicable environmental and regulatory conditions presented in the CalVTP Program EIR (refer to Section 3.17.1, "Environmental Setting," and Section 3.17.2, "Regulatory Setting," in Volume II of the Final Program EIR). Including land from outside the CalVTP treatable landscape in the proposed project area constitutes a change to the geographic extent presented in the Program EIR. However, within the boundary of the project area, the existing environmental and regulatory conditions pertinent to wildfire that are present in the areas outside the treatable landscape are essentially the same as those within the treatable landscape; therefore, the impacts of the proposed project are also consistent with those covered in the Program EIR. No changed circumstances would give rise to new significant impacts not addressed in the Program EIR. Therefore, no new impact related to wildfire would occur that is not covered in the Program EIR.

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Attachment A

Mitigation Monitoring and Reporting Program for the West Santa Clara Landscape Resiliency Project

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MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) is required for approval of the proposed project because the Project-Specific Analysis/Addendum to the California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report (Program EIR) (PSA/Addendum) identifies potential significant adverse impacts and all feasible mitigation measures have been adopted. Standard project requirements (SPRs), which are part of the project description, have been incorporated to avoid or minimize adverse effects. Where potentially significant impacts remain after application of SPRs, mitigation measures have been identified to further reduce and/or compensate for those impacts. While only mitigation measures are required to be covered in an MMRP, both SPRs and mitigation are included in this MMRP to assist in implementation of all environmental protection features of later activities consistent with the CalVTP Program EIR.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to facilitate the implementation of SPRs and mitigation measures. The attached table presents the text of each SPR and mitigation measure from the CalVTP Program EIR that is applicable to the project, the timing of its planned implementation, the implementing entity, and the entity with monitoring responsibility. The numbering of SPRs and mitigation measures follows the numbering used in the Program EIR. SPRs and mitigation measures that are referenced more than once in the PSA are not duplicated in the MMRP. Instruction for project-specific guidance to implement certain SPRs and Mitigation Measures has been added to tailor the specific impact avoidance and minimization actions relevant to the proposed treatments, agency standard practices, and the conditions and resources present within each treatment site. In addition, non-substantive clarifying edits to mitigation measures in the Program EIR are shown in underline and strikethrough. In all cases, the additional project-specific implementation instruction and clarifying edits to mitigation measures maintain the SPRs and mitigation measures as equivalent or more effective than those presented in the Program EIR.

ROLES AND RESPONSIBILITIES

As defined in the CalVTP Program EIR and the PSA/Addendum, the project proponent is a public agency that provides funding for vegetation treatment or has land ownership, land management, or other regulatory responsibility in the treatable landscape and is seeking to fund, authorize, or implement vegetation treatments consistent with the CalVTP. The SPRs and mitigation measures in this MMRP direct the project proponent to implement actions to avoid, minimize and mitigate impacts.

The Saratoga Fire Protection District (SFD) is the lead agency under CEQA. As the CEQA lead agency, SFD will approve the West Santa Clara Landscape Resiliency Project (WSCLRP), approve and adopt the PSA/Addendum, file a CEQA Notice of Determination (NOD), approve and adopt the MMRP, and approve and adopt a statement of overriding considerations, if needed. The Saratoga Fire Protection District will enter into a partnership with Santa Clara County Firesafe Council (SCC FSC) to implement treatments because SCC FSC would be the primary entity to coordinate and implement treatments; this partnership encompasses SFD's discretionary approval. The partnership may entail the provision of resources, possibly including equipment, staffing, and technical input.

SFD will typically not be implementing treatments directly; rather, treatments will be implemented by landowning and land managing agencies, non-governmental organizations (e.g., SCC FSC), private landowners, and contractors to implement treatments. For treatments requiring a discretionary approval by another agency (e.g., those that would be

implemented by another public agency or funded through future public funding sources that have not yet been requested/obtained), that agency would be responsible for adopting the MMRP and statement of overriding considerations, if needed, for their portion of the project and filing a CEQA NOD.

If desired by SFD as the lead agency or for a responsible agency and pursuant to State CEQA Guidelines Section 15097(a), the agency can delegate monitoring and reporting responsibilities to another qualified responsible party (e.g., SCC FSC or a private entity) that accepts the delegation; however, until the mitigation measures and SPRs have been completed, the lead or responsible agency remains responsible for ensuring that implementation of the measures occurs in accordance with this MMRP. For example, SCC FSC (and its contractors) could implement treatments and the associated mitigation measures and SPRs, but the public lead or responsible agency remains responsible for ensuring that implementation of the measures occurs in accordance with this MMRP.

The "project proponent" as identified in the SPRs and mitigation measures would refer to the agency or entity responsible for implementing treatments.

REPORTING

The qualified responsible party as delegated by the lead or responsible agency shall document and describe the compliance of the treatments with the required SPRs and mitigation measures either by adapting the project-specific MMRP table or preparing a separate post-project implementation report pursuant to the requirements of SPR AD-7.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- SPRs and Mitigation Measures – This column provides the text of the applicable SPR or adopted mitigation measure.
- Timing – This column identifies the time frame in which the SPR or mitigation measure will be implemented.
- Implementing Entity – This column identifies the party responsible for implementing the SPR or mitigation measure.
- Verifying/Monitoring Entity – This column identifies the party responsible for verifying and monitoring implementation of the SPR or mitigation measure.

QUALIFICATION REQUIREMENTS

The biological and cultural resource SPRs and mitigation measures in the attached MMRP table require that qualified individuals implement components of the measures. The requirements listed below will be met to be considered qualified and may be performed by individuals of various titles (including biologist, botanist, ecologist, Registered Professional Forester (RPF), biological technician, or supervised designees working at the direction of a qualified professional) as long as they are qualified for the task at hand.

Archaeologically Trained Resource Professional: To be qualified, an archaeologically-trained resource professional would hold a valid Archaeological Training Certificate issued by CAL FIRE and the Board of Forestry and Fire Protection or equivalent state or local agency training or certification. If CAL FIRE is not leading the project, work performed by an archaeologically-trained resource professional must be reviewed and approved by a qualified archaeologist.

Qualified Archaeologist: To be qualified, an archaeologist would hold a Prehistoric Archeology, Historic Archeology, Conservation, Cultural Anthropology, or Curation degree from an accredited university and meet the Secretary of Interior's Qualifications Standards (36 CFR Part 61). The project proponent will review the resume and approve the qualifications of the archaeologists.

Qualified RPF or Biological Technician: To be qualified, an RPF or biological technician would 1) be knowledgeable in relevant species life histories and ecology, 2) be able to correctly identify relevant species and habitats, 3) have experience conducting biological monitoring of relevant species or resources, and 4) be knowledgeable about state and federal laws regarding the protection of special-status species. The project proponent will review the resume and approve the qualifications of RPFs or biological technicians.

Qualified RPF or Biologist: To be qualified, an RPF or biologist would hold a wildlife biology, botany, ecology, forestry, or other relevant degree from an accredited university and: 1) be knowledgeable in relevant species life histories and ecology, 2) be able to correctly identify relevant species and habitats, 3) have experience conducting field surveys of relevant species or resources, 4) be knowledgeable about survey protocols, 5) be knowledgeable about state and federal laws regarding the protection of special-status species, and 6) have experience with CDFW's California Natural Diversity Database (CNDDB) and Biogeographic Information and Observation System (BIOS). The project proponent will review the resume and approve the qualifications of RPFs or biologists. If species-specific protocol surveys are performed, surveys would be conducted by qualified RPFs or biologists with the minimum qualifications required by the appropriate protocols, including having CDFW or USFWS approval to conduct such surveys, if required by certain protocols.

Qualified RPF or Botanist: To be qualified, an RPF or botanist would 1) be knowledgeable about plant taxonomy, 2) be familiar with plants of the region, including special-status plants and sensitive natural communities, 3) have experience conducting floristic botanical field surveys as described in CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018), or experience conducting such botanical field surveys under the direction of an experienced botanical field surveyor, 4) be familiar with the *California Manual of Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/), and 5) be familiar with federal, state, and local statutes and regulations related to plants and plant collecting. The project proponent will review the resume and approve the qualifications of RPFs or botanists.

Qualified Responsible Party: A person or entity that possesses the necessary professional qualifications, licenses experience, and/or authority to perform the required duties and who assumes responsibility for carrying out those duties in compliance with this PSA/Addendum and MMRP including applicable laws and regulations as well as contractual obligations.

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Administrative Standard Project Requirements			
SPR AD-1: Project Proponent Coordination For treatments coordinated with CAL FIRE, CAL FIRE will meet with the project proponent to discuss all natural and environmental resources that must be protected using SPRs and any applicable mitigation measures; identify any sensitive resources onsite; and discuss resource protection measures. For any prescribed burn treatments, CAL FIRE will also discuss the details of the burn plan in the incident action plan (IAP). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AD-2: Delineate Protected Resources: The project proponent will clearly define the boundaries of the treatment area and protected resources on maps for the treatment area and with highly visible flagging or clear, existing landscape demarcations (e.g., edge of a roadway) prior to beginning any treatment to avoid disturbing the resource. "Protected Resources" refers to environmentally sensitive places within or adjacent to the treatment areas that would be avoided or protected to the extent feasible during planned treatment activities to sustain their natural qualities and processes. This work will be performed by a qualified person, as defined for the specific resource (e.g., qualified Registered Professional Forester or biologist). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AD-3: Consistency with Local Plans, Policies, and Ordinances: The project proponent will design and implement the treatment in a manner that is consistent with applicable local plans (e.g., general plans, Community Wildfire Protection Plans, CAL FIRE Unit Fire Plans), policies, and ordinances to the extent the project is subject to them. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AD-4: Public Notifications for Prescribed Burning: At least three days prior to the commencement of prescribed burning operations, the project proponent will: 1) post signs along the closest public roadway to the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or smoke concerns; 2) publish a public interest notification in a local newspapers or other widely distributed media source describing the activity, timing, and contact information; 3) send the local county supervisor and county administrative officer (or equivalent official responsible for distribution of public information) a notification letter describing the activity, its necessity, timing, and measures being taken to protect the environment and prevent prescribed burn escape. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.	At least three days prior to prescribed burn treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AD-5: Maintain Site Cleanliness: If trash receptacles are used on-site, the project proponent will use fully covered trash receptacles with secure lids (wildlife proof) to contain all food, food scraps, food wrappers, beverages, and other worker generated miscellaneous trash. Remove all temporary non-biodegradable flagging, trash, debris, and barriers from the project site upon completion of project activities. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR AD-6: Public Notifications for Treatment Projects One to three days prior to the commencement of a treatment activity, the project proponent will post signs in a conspicuous location near the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or concerns. This SPR applies to all treatment activities and all treatment types, including treatment maintenance. Prescribed burning is subject to the additional notification requirements of SPR AD-4.	One to three days prior to treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AD-7: Provide Information on Proposed, Approved, and Completed Treatment Projects For any vegetation treatment project using the CalVTP Program EIR for CEQA compliance, the project proponent will provide the information listed below to the Board of Forestry and Fire Protection (Board) or CAL FIRE during the proposed, approved, and completed stages of the project. The Board or CAL FIRE will make this information available to the public via an online database or other mechanism. Information on proposed projects (PSA in progress): ▶ GIS data that include project location (as a point), or project latitude/longitude; ▶ project size (typically acres); ▶ treatment types and activities; and ▶ contact information for a representative of the project proponent. The project proponent will provide information on the proposed project to the Board or CAL FIRE as early as feasible in the planning phase. The project proponent will provide this information to the Board or CAL FIRE with sufficient lead time to allow those agencies to make the information available to the public at least two weeks prior to project approval. The project proponent may also make information available to the public via other mechanisms (e.g., the proponent's own website). Information on approved projects (PSA complete): ▶ A completed PSA Environmental Checklist; ▶ A completed Mitigation Monitoring and Reporting Program (using Attachment A to the Environmental Checklist); ▶ GIS data that include a polygon(s) of the project area, showing the extent of each treatment type included in the project (ecological restoration, fuel break, WUI fuel reduction) Information on completed projects (following initial treatment): ▶ GIS data that include a polygon(s) of the treated area, showing the extent of each treatment type implemented (ecological restoration, fuel break, WUI fuel reduction) ▶ A post-project implementation report (referred to by CAL FIRE as a Completion Report) that includes ▪ Size of treated area (typically acres); ▪ Treatment types and activities; ▪ Dates of work; ▪ A list of the SPRs and mitigation measures that were implemented; and	Prior to, during, and following treatment **Information on the proposed project (PSA/Addendum in progress) was submitted to CAL FIRE on October 14, 2025.**	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ Any explanations regarding implementation if required by SPRs and mitigation measures (e.g., explanation for feasibility determination required by SPR BIO-12; explanation for reduction of a no-disturbance buffer below the general minimum size described in Mitigation Measures BIO-1a and BIO-2b). This SPR applies to all treatment activities and all treatment types, including treatment maintenance.			
Aesthetic and Visual Resource Standard Project Requirements			
SPR AES-1: Vegetation Thinning and Edge Feathering The project proponent will thin and feather adjacent vegetation to break up or screen linear edges of the clearing and mimic forms of natural clearings as reasonable or appropriate for vegetation conditions. In general, thinning and feathering in irregular patches of varying densities, as well as a gradation of tall to short vegetation at the clearing edge, will achieve a natural transitional appearance. The contrast of a distinct clearing edge will be faded into this transitional band. This SPR only applies to mechanical and manual treatment activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AES-2: Avoid Staging within Viewsheds The project proponent will store all treatment-related materials, including vehicles, vegetation treatment debris, and equipment, outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. The project proponent will also locate materials staging and storage areas outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AES-3: Provide Vegetation Screening The project proponent will preserve sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from public trails, parks, recreation areas, and roadways as reasonable or appropriate for vegetation conditions. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Air Quality Standard Project Requirements			
SPR AQ-1: Comply with Air Quality Regulations The project proponent will comply with the applicable air quality requirements of air districts within whose jurisdiction the project is located. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AQ-2: Submit Smoke Management Plan The project proponent will submit a smoke management plan for all prescribed burns to the applicable air district, in accordance with 17 CCR Section 80160. Pursuant to this regulation a smoke management plan will not be required for burns less than 10 acres that also will not be conducted near smoke sensitive areas, unless otherwise directed by the air district. Burning will only be conducted in compliance with the burn authorization program of the applicable air district(s) having jurisdiction over the treatment area. Example of a smoke management plan is in Appendix PD-2. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	Prior to prescribed burn treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR AQ-3: Create Burn Plan The project proponent will create a burn plan using the CAL FIRE burn plan template for all prescribed burns. The burn plan will include a fire behavior model output of First Order Fire Effects Model and BEHAVE or other fire behavior modeling simulation and that is performed by a qualified fire behavior technical specialist that predicts fire behavior, calculates consumption of fuels, tree mortality, predicted emissions, greenhouse gas emissions, and soil heating. The project proponent will minimize soil burn severity from broadcast burning to reduce the potential for runoff and soil erosion. The burn plan will be created with input from a qualified technician or certified State burn boss. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance. **Project-Specific Implementation of SPR AQ-3** The project proponent will create a burn plan for broadcast burns using the CAL FIRE burn plan template or a template accepted by CAL FIRE as equivalent and industry-standard, such as the National Wildfire Coordinating Group (NWCG) template.	Prior to prescribed burn treatment activities; does not apply to pile burning	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AQ-4: Minimize Dust To minimize dust during treatment activities, the project proponent will implement the following measures: ▶ Limit the speed of vehicles and equipment traveling on unpaved areas to 15 miles per hour to reduce fugitive dust emissions, in accordance with the California Air Resources Board (CARB) Fugitive Dust protocol. ▶ If road use creates excessive dust, the project proponent will wet appurtenant, unpaved, dirt roads using water trucks or treat roads with a non-toxic chemical dust suppressant (e.g., emulsion polymers, organic material) during dry, dusty conditions. Any dust suppressant product used will be environmentally benign (i.e., non-toxic to plants and will not negatively impact water quality) and its use will not be prohibited by ARB, EPA, or the State Water Resources Control Board (SWRCB). The project proponent will not over-water exposed areas such that the water results in runoff. The type of dust suppression method will be selected by the project proponent based on soil, traffic, site-specific conditions, and air quality regulations. ▶ Remove visible dust, silt, or mud tracked-out on to public paved roadways where sufficient water supplies and access to water is available. The project proponent will remove dust, silt, and mud from vehicles at the conclusion of each workday, or at a minimum of every 24 hours for continuous treatment activities, in accordance with Vehicle Code Section 23113. ▶ Suspend ground-disturbing treatment activities, including land clearing and bulldozer lines, when there is visible dust transport (particulate pollution) outside the treatment boundary, if the particulate emissions may "cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property," per Health and Safety Code Section 41700. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR AQ-5: Avoid Naturally Occurring Asbestos The project proponent will avoid ground-disturbing treatment activities in areas identified as likely to contain naturally occurring asbestos (NOA) per maps and guidance published by the California Geological Survey, unless an Asbestos Dust Control Plan (17 CCR Section 93105) is prepared and approved by the air district(s) with jurisdiction over the treatment area. Any NOA-related guidance provided by the applicable air district will be followed. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR AQ-6: Prescribed Burn Safety Procedures Prescribed burns planned and managed by non-CAL FIRE crews will follow all safety procedures required of CAL FIRE crew, including the implementation of an approved Incident Action Plan (IAP). The IAP will include the burn dates; burn hours; weather limitations; the specific burn prescription; a communications plan; a medical plan; a traffic plan; and special instructions such as minimizing smoke impacts to specific local roadways. The IAP will also assign responsibilities for coordination with the appropriate air district, such as conducting onsite briefings, posting notifications, weather monitoring during burning, and other burn related preparations. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	During prescribed burn treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Archaeological, Historical, and Tribal Cultural Resources Standard Project Requirements			
SPR CUL-1: Conduct Record Search An archaeological and historical resource record search will be conducted per the applicable state or local agency procedures. Instead of conducting a new search, the project proponent may use recent record searches containing the treatment area requested by a landowner or other public agency in accordance applicable agency guidance. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment **Record search of project area and 0.25-mile buffer surrounding project area has been conducted; see PSA/Addendum for a summary of results.**	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR CUL-2: Contact Geographically Affiliated Native American Tribes The project proponent will obtain the latest Native American Heritage Commission (NAHC) provided Native Americans Contact List. Using the appropriate Native Americans Contact List, the project proponent will notify the California Native American Tribes in the counties where the treatment activity is located. The notification will contain the following: ▶ A written description of the treatment location and boundaries. ▶ Brief narrative of the treatment objectives. ▶ A description of the activities used (e.g., prescribed burning, mastication) and associated acreages. ▶ A map of the treatment area at a sufficient scale to indicate the spatial extent of activities. ▶ A request for information regarding potential impacts to cultural resources from the proposed treatment. ▶ A detailed description of the depth of excavation, if ground disturbance is expected. In addition, the project proponent will contact the NAHC for a review of their Sacred Lands File. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment **Tribes have been contacted and Sacred Lands File (SLF) query completed; see PSA/Addendum for a summary of consultation and SLF results.**	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR-CUL-3: Pre-field Research The project proponent will conduct research prior to implementing treatments as part of the cultural resource investigation. The purpose of this research is to properly inform survey design, based on the types of resources likely to be encountered within the treatment area, and to be prepared to interpret, record, and evaluate these findings within the context of local history and prehistory. The qualified archaeologist and/or archaeologically-trained resource professional will review records, study maps, read pertinent ethnographic, archaeological, and historical literature specific to the area being studied, and conduct other tasks to maximize the effectiveness of the survey. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR CUL-4: Archaeological Surveys The project proponent will coordinate with an archaeologically-trained resource professional and/or qualified archaeologist to conduct a site-specific survey of the treatment area. The survey methodology (e.g., pedestrian survey, subsurface investigation) depends on whether the area has a low, moderate, or high sensitivity for resources, which is based on whether the records search, pre-field research, and/or Native American consultation identifies archaeological or historical resources near or within the treatment area. A survey report will be completed for every cultural resource survey completed. The specific requirements will comply with the applicable state or local agency procedures. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Proposed Revision to SPR CUL-4** SPR CUL-4, as presented in the Program EIR, requires that an archaeological survey report for all treatment activities and treatment types, including treatments that do not result in ground disturbance or other risk of impact to archaeological or historical resources (e.g., manual treatments and herbicide application). A revision to the SPR is proposed such that archaeological surveys would only be conducted for ground disturbing treatment activities (i.e., treatments that include the use of heavy equipment) and prescribed burning treatment activities. An excerpt of the original language of SPR CUL-4 is as follows: This SPR applies to all treatment activities and all treatment types, including treatment maintenance. The SPR revision modifies the last sentence of the SPR to state the following: This SPR applies to all treatment activities that have the potential for ground disturbance beyond established road surfaces, including treatment maintenance.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR CUL-5: Treatment of Archaeological Resources If cultural resources are identified within a treatment area, and cannot be avoided, a qualified archaeologist will notify the culturally affiliated tribe(s) based on information provided by NAHC and assess, whether an archaeological find qualifies as a unique archaeological resource, an historical resource, or in coordination with said tribe(s), as a tribal cultural resource. The project proponent, in consultation with culturally affiliated tribe(s), will develop effective protection measures for important cultural resources located within treatment areas. These measures may include adjusting the treatment location or design to entirely avoid cultural resource locations or changing treatment activities so that damaging effects to cultural resources will not occur. These protection measures will be written in clear, enforceable language, and will be included in the survey report in accordance with applicable state or local agency procedures. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR CUL-6: Treatment of Tribal Cultural Resources The project proponent, in consultation with the culturally affiliated tribe(s), will develop effective protection measures for important tribal cultural resources located within treatment areas. These measures may include adjusting the treatment location or design to entirely avoid cultural resource locations or changing treatment activities so that damaging effects to cultural resources will not occur. The project proponent will provide the tribe(s) the opportunity to submit comments and participate in consultation to resolve issues of concern. The project proponent will defer implementing the treatment until the tribe approves protection measures, or if agreement cannot be reached after a good-faith effort, the proponent determines that any or all feasible measures have been implemented, where feasible, and the resource is either avoided or protected. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR CUL-7: Avoid Built Historical Resources If the records search identifies built historical resources, as defined in Section 15064.5 of the State CEQA Guidelines, the project proponent will avoid these resources. Within a buffer of 100 feet of the built historical resource, there will be no prescribed burning or mechanical treatment activities Buffers less than 100 feet for built historical resources will only be used after consultation with and receipt of written approval from a qualified archaeologist. If the records search does not identify known historical resources in the treatment area, but structures (i.e., buildings, bridges, roadways) over 50 years old that have not been evaluated for historic significance are present in the treatment area, they will similarly be avoided. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR CUL-8: Cultural Resource Training The project proponent will train all crew members and contractors implementing treatment activities on the protection of sensitive archaeological, historical, or tribal cultural resources. Workers will be trained to halt work if archaeological resources are encountered on a treatment site and the treatment method consists of physical disturbance of land surfaces (e.g., soil disturbance). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Chaparral and Coastal Sage Scrub Standard Project Requirement			
SPR CHAP/CSS-1: Chaparral and Coastal Sage Scrub To be consistent with the Writ of Mandate and its Exhibit A (dated November 14, 2025) in Case No. 37-2020-00005203-CU-TT-CT, for the purposes of this SPR only, chaparral and coastal sage scrub are defined as follows: **Chaparral**: Dominated by evergreen, drought-tolerant shrubs that are typically 1.5–3 meters tall (Barbour, Keeler-Wolf, and Schoenherr 2007) with stiff branches, and sclerophyllous (i.e., hard-leaved) leaves. ▶ Chaparral alliances are listed in level 1, 2 of the Key to Shrublands in the California Native Plant Society's (CNPS) Manual of California Vegetation. This definition does not include alliances dominated by coyote brush (*Baccharis pilularis*). ▶ Dominant plant species may include manzanita (*Arctostaphylos* spp.), ceanothus (*Ceanothus* spp.), chamise (*Adenostoma fasciculatum*), redshank (*Adenostoma sparsifolium*), sugarbush (*Rhus ovata*), scrub oak species (e.g., *Quercus berberdifolia*, *Q. dumosa*, *Q. durata*), Mission manzanita (*Xylococcus bicolor*), mountain mahogany (*Cercocarpus montanus*), hollyleaf cherry (*Prunus ilicifolia*), redberry (*Rhamnus crocea*), toyon (Heteromeles arbutifolia), and evergreen buckthorn (*Rhamnus ilicifolia*). **Coastal sage scrub:** Dominated by drought-tolerant, deciduous, lower-growing (typically 1–1 .5 meters tall) (Barbour Keeler-Wolf, and Schoenherr 2007), shallow-rooted, aromatic shrubs with soft, flexible branches, and soft, deciduous leaves that drop off in response to drought. ▶ Coastal sage scrub alliances are listed in level 15 and 15' under 1, 2', 12', 13', 14 of the Key to Shrublands in the CNPS Manual of California Vegetation. This definition does not include alliances dominated by coyote brush (*Baccharis pilularis*) or nonnative species (e.g., broom [*Genista monspessulana*, *Cytisus scoparius*], *Cotoneaster* spp.). ▶ Dominant or diagnostic plant species may include California sagebrush (*Artemisia californica*), white sage (*Salvia apiana*), black sage (*Salvia mellifera*), purple sage (*Salvia leucophylla*), California brittle bush (*Encelia californica*), buckwheat (*Eriogonum* spp.), monkey flower (*Diplacus* spp.), and stands with other species dominant to co-dominant listed in level 15' under 1, 2', 12', 13', 14. A stand of chaparral or coastal sage scrub is defined as a spatially continuous unit of shrub vegetation composed of chaparral and/or coastal sage scrub alliances. A chaparral and/or coastal sage scrub stand may be surrounded by forest, grassland, or woodland vegetation. All references to the CNPS Manual of California Vegetation are to the most current online edition, available at https://vegetation.cnps.org/. As required in Exhibit A of the Writ of Mandate, treatments in chaparral and coastal sage scrub will be limited to activities listed below: ▶ New linear, accessible strategic fuel breaks located along ridgelines, roadsides, and in other critical defensive locations determined by responsible fire agencies, provided that long-term maintenance of flammable nonnative vegetation is included. Such fuel break treatments shall be the minimum width necessary to provide for firefighter safety, operational procedures, and back firing operations, and shall not exceed 300 feet in width.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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▶ Maintenance of existing fuel breaks and prior treatment areas to control flammable, nonnative invasive plants. ▶ Wildland-urban interface (WUI) fuel reduction treatment located within 1,000 feet of the Interface layer mapped in the CAL FIRE WUI layer (WUI25 1) (available at: https://hub-calfire-forestry.hub.arcgis.com/maps/ab3148666b084efcbe3bec0bf6af7441/explore?location=36.998595%2C-121.992016%2C13), provided that long-term maintenance of flammable, nonnative vegetation is included, with a preference for hand thinning. ▶ Ecological restoration treatments consisting of removal of flammable, nonnative vegetation; and/or ▶ Treatments where the stand of chaparral or coastal sage scrub has a state rarity rank of S4 (apparently secure) or S5 (demonstrably secure) according to the California Department of Fish and Wildlife (available at: https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities#lists) and has generated following a fire within the last 15 years in an area previously characterized by woodland or forest before the fire, as evidenced by satellite imagery and as defined in accordance with the Key to Main Vegetation Categories in the CNPS Manual of California Vegetation.			
Biological Resources Standard Project Requirements			
SPR BIO-1: Review and Survey Project-Specific Biological Resources The project proponent will require a qualified RPF or biologist to conduct a data review and reconnaissance-level survey prior to treatment, no more than one year prior to the submittal of the PSA, and no more than one year between completion of the PSA and implementation of the treatment project. The data reviewed will include the biological resources setting, species and sensitive natural communities tables, and habitat information in this Program EIR for the ecoregion(s) where the treatment will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species distribution/range information, CNDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, and relevant general and regional plans. Reconnaissance-level biological surveys will be general surveys that include visual and auditory inspection for biological resources to help determine the environmental setting of a project site. The qualified surveyor will 1.) identify and document sensitive resources, such as riparian or other sensitive habitats, sensitive natural community, wetlands, or wildlife nursery site or habitat (including bird nests), and 2.) assess the suitability of habitat for special-status plant and animal species. The surveyor will also record any incidental wildlife observations. For each treatment project, habitat assessments will be completed at a time of year that is appropriate for identifying habitat and no more than one year prior to the submittal of the PSA, unless it can be demonstrated in the PSA that habitat assessments older than one year remain valid (e.g., site conditions are unchanged and no treatment activity has occurred since the assessment). If more than one year passes between completion of the PSA and initiation of the treatment project, the project proponent will verify the continued accuracy of the PSA prior to beginning the treatment project by reviewing for any data updates and/or visiting the site to verify conditions. Based on the results of the data review and reconnaissance-level survey, the project proponent, in consultation with a qualified RPF or biologist, will determine which one of the following best characterizes the treatment:	Prior to treatment **Initial data review and reconnaissance-level survey have been conducted, see PSA/Addendum for results.**	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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1. **Suitable Habitat Is Present but Adverse Effects Can Be Clearly Avoided**. If, based on the data review and reconnaissance-level survey, the qualified RPF or biologist determines that suitable habitat for sensitive biological resources is present but adverse effects on the suitable habitat can clearly be avoided through one of the following methods, the avoidance mechanism will be implemented prior to initiating treatment and will remain in effect throughout the treatment: a. by physically avoiding the suitable habitat, or b. by conducting treatment outside of the season when a sensitive resource could be present within the suitable habitat or outside the season of sensitivity (e.g., outside of special-status bird nesting season, during dormant season of sensitive annual or geophytic plant species, or outside of maternity and rearing season at wildlife nursery sites). Physical avoidance will include flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway) to delineate the boundary of the avoidance area around the suitable habitat. For physical avoidance, a buffer may be implemented as determined necessary by the qualified RPF or biologist. **Project-Specific Guidance to Implement SPR BIO-1** <u>Bay checkerspot butterfly</u> If treatment activities occur outside of the serpentine grassland habitat suitable for bay checkerspot butterfly no further measures are needed; however, if treatments occur within habitat for the species, because bay checkerspot butterfly and host plants may be present within serpentine grassland habitat in the project area year-round, the sensitive season for this species cannot be avoided, and SPR BIO-10 will apply. <u>Crotch's bumble bee</u> If treatment activities occur outside of the grassland, scrub, and woodland habitat suitable for Crotch's bumble bee no further measures are needed; however, if treatments occur within habitat for the species, because Crotch's bumble bee may be present within grassland, scrub, and woodland habitat in the project area year-round, the sensitive season for this species cannot be avoided, and SPR BIO-10 will apply. <u>Monarch butterfly</u> ▶ To avoid impacts on breeding monarch butterflies, prescribed burning, mechanical, manual, and herbicide treatments will be conducted in grassland, shrub, and oak woodland habitat outside of the season when monarch eggs, larvae, and pupae are likely to be present on milkweed host plants (i.e., treatment will be conducted outside of March 15-October 31) (Xerces Society 2019). This period may be adjusted by a qualified biologist or RPF to reflect local timing of monarch breeding. If it is not feasible to avoid treatments during this sensitive season, then SPR BIO-10 will be implemented. <u>California red-legged frog</u> If no California red-legged frog aquatic breeding habitat (as determined by a qualified RPF or biologist) is present within 1.7 miles of the proposed treatment area, then the species is not expected to occur and no further California red-legged frog measures would apply. When treatment activities other than prescribed herbivory or herbicide	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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application are proposed within 1.7 miles of aquatic breeding habitat for California red-legged frog, a no-disturbance buffer of 300 feet from all aquatic habitat is required or SPR BIO-10 will be implemented. All herbicide use during project implementation will comply with current herbicide use restrictions. The stipulated injunction issued by the Federal District Court for the Northern District of California to resolve the 2006 case brought against the US Environmental Protection Agency by the Center for Biological Diversity requires that pesticides listed in the injunction will not be applied within aquatic breeding critical habitat, nonbreeding aquatic critical habitat, upland critical habitat for the California red-legged frog, or in buffer zones (60 feet for ground application) measured from the edge of the aquatic breeding, nonbreeding aquatic, or upland critical habitat. <u>California tiger salamander</u> If proposed project activities will occur within suitable upland habitat for California tiger salamander as determined by a qualified RPF or biologist, then the following will apply (upland habitat is typically defined as oak woodland or grassland within 1.3 miles of suitable aquatic breeding habitat). ▶ Within upland habitat suitable for California tiger salamander, if no mechanical treatment or pile burning is proposed, and no broadcast burning, manual tree and snag removal, or herbicide application other than cut-stump and basal bark application is proposed during the dispersal season (November 1–April 30), then no further avoidance measures are required for California tiger salamander. ▶ If pile burning or mechanical treatment is proposed within suitable upland habitat at any time of the year, then SPR BIO-10 will be implemented. ▶ If broadcast burning, manual tree and snag removal, or herbicide application other than cut-stump and basal bark application is proposed within suitable upland habitat during the dispersal season for California tiger salamander (November 1–April 30), then SPR BIO-10 will be implemented. <u>Foothill yellow-legged frog</u> ▶ To the extent feasible, prior to commencement of prescribed burning, manual treatments, mechanical treatments, and herbicide application other than cut-stump and basal bark application, a no-disturbance buffer of 200 feet will be implemented adjacent to all perennial (i.e., Class I and Class II) watercourses that provide habitat for the species as assessed and determined by a qualified RPF or biologist, if feasible. ▶ If work occurs in upland habitat suitable for foothill yellow-legged frog (as determined by a qualified RPF or biologist), or if the 200-foot no-disturbance buffer is determined to be infeasible for certain treatment areas, then SPR BIO-10 will be implemented. <u>Southwestern pond turtle</u> If treatment activities occur more than 1,300 feet (USFWS 2023) from aquatic habitat suitable for southwestern pond turtle, then impacts to the species would be avoided, and no further measures are required. For treatments conducted within 1,300 feet of aquatic suitable habitat for southwestern pond turtle, the following will apply: ▶ If only manual pruning, prescribed herbivory, or cut-stump and basal bark herbicide application is proposed, then no further avoidance measures are required.			

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▶ If prescribed burning, mechanical treatments, manual tree and snag removal, and herbicide application (other than cut-stump and basal bark application) occur within upland habitat for southwestern pond turtle, which may include riparian areas, grasslands, and open oak woodlands on east-facing (Reese and Welsh 1997) or south-facing areas that are less than 25 percent slope (Buskirk 2002) within 1,300 feet of aquatic habitat (USFWS 2023), then SPR BIO-10 will be implemented. Special-status amphibians and reptiles ▶ If prescribed burning, mechanical treatments, manual tree and snag removal, and targeted herbicide treatments (other than basal bark and cut stump application) cannot be avoided within habitat suitable for California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard then SPR BIO-10 will be implemented. Burrowing owl ▶ To avoid impacts on overwintering burrowing owl, within habitats determined to be suitable for overwintering burrowing owls by a qualified RPF or biologist, a limited operating period from September 1–January 31 would prohibit manual treatments, mechanical treatments, prescribed burning, and prescribed herbivory, if feasible. If conducting treatments outside of the burrowing owl overwintering season is determined to be infeasible, then SPR BIO-10 will be implemented. This applies to all project areas. ▶ To avoid impacts on nesting burrowing owl, within habitats determined to be suitable for nesting burrowing owls by a qualified RPF or biologist, a limited operating period from February 1–August 31 would prohibit manual treatments, mechanical treatments, prescribed burning, prescribed herbivory and herbicide treatments, if feasible. If conducting treatments outside of the burrowing owl nesting season is determined to be infeasible, then SPR BIO-10 will be implemented. ▶ In areas utilized by burrowing owls year-round (during the overwintering and breeding periods), the species may be present in burrows throughout the year, and adverse impacts on individuals cannot be avoided with a limited operating period. For treatment in areas utilized by burrowing owls year-round, the above measures are infeasible, and SPR BIO-10 will be implemented. Least Bell's vireo ▶ To avoid impacts on least Bell's vireo, a limited operating period of February 1 through August 31 will be implemented within 250 feet of habitats determined to be suitable for the species by a qualified RPF or biologist, if feasible. If conducting treatments outside of the nesting season is determined to be infeasible, then SPR BIO-10 will be implemented. Tricolored blackbird ▶ To avoid impacts on tricolored blackbird, a limited operating period of February 1 through August will be implemented within 250 feet of habitats determined to be suitable for the species by a qualified RPF or biologist, if feasible. If conducting treatments outside of the nesting season is determined to be infeasible, then SPR BIO-10 will be implemented.			

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Other Special-Status birds ▶ To avoid impacts on special-status nesting birds (i.e., grasshopper sparrow, golden eagle, short-eared owl, long-eared owl, Swainson's hawk, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, white-tailed kite, saltmarsh common yellowthroat, yellow breasted chat, loggerhead shrike, purple martin, and yellow warbler), a limited operating period for all treatment activities from December 1 through July 31 for golden eagle, January 1 through August 31 for white-tailed kite, and February 1 through August 31 for other special-status nesting birds will be implemented within habitats determined to be suitable for these species by a qualified RPF or biologist, if feasible. If conducting treatments outside of the nesting bird season is determined to be infeasible, then SPR BIO-10 will be implemented. Northern California ringtail ▶ To avoid impacts on Northern California ringtail, a limited operating period for manual or mechanical tree or snag (i.e., greater than 12 inches DBH) removal activities and prescribed burning during the maternity season from April 15 to July 31 will be implemented, if feasible. If conducting manual and mechanical tree or snag removal or prescribed burning treatments outside of the ringtail maternity season is determined to be infeasible for certain treatments, then SPR BIO-10 will be implemented. San Francisco dusky-footed woodrat If proposed project activities will occur within suitable habitat for San Francisco dusky-footed woodrat as determined by a qualified RPF or biologist, then the following will apply. ▶ If only prescribed herbivory or herbicide application is proposed, then no further avoidance measures are required. ▶ If manual treatments, mechanical treatments, or prescribed burning is proposed, then SPR BIO-10 will be implemented. Special-Status bats ▶ To avoid impacts on special-status bat maternity colonies, a limited operating period for prescribed burning, mechanical treatments, and manual treatments and herbicide application using power equipment from April 1 to August 31 during the sensitive season will be implemented, if feasible. If the limited operating period is infeasible, focused surveys will be required per SPR BIO-10. ▶ To avoid impacts on hibernating special-status bats, avoid removal of structures that may contain roosts as determined by a qualified RPF or biologist (e.g., large hardwoods and conifers containing cavities, and snags) during the overwintering season (October 15 -April 1) if feasible. If avoiding removal of potential roosting trees and snags is infeasible, focused surveys will be required per SPR BIO-10. 2. **Suitable Habitat is Present and Adverse Effects Cannot Be Clearly Avoided**. Further review and surveys will be conducted to determine presence/absence of sensitive biological resources that may be affected, as described in the SPRs below. Further review may include contacting USFWS, NOAA Fisheries, CDFW, CNPS, or local resource agencies as necessary to determine the potential for special-status species or other sensitive biological resources to be affected by the treatment activity. Focused or protocol-level surveys will be			

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conducted as necessary to determine presence/absence. If protocol surveys are conducted, survey procedures will adhere to methodologies approved by resource agencies and the scientific community, such as those that are available on the CDFW webpage at: https://www.wildlife.ca.gov/Conservation/Survey-Protocols. Specific survey requirements are addressed for each resource type in relevant SPRs (e.g., additional survey requirements are presented for special-status plants in SPR BIO-7). This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-1** Special-status plants For special-status plants not listed under CESA or ESA, to avoid impacts on the annual and geophyte species identified in Attachment B of the PSA/Addendum, only non-ground-disturbing treatment activities (i.e., manual treatments, herbicide application, prescribed herbivory, and prescribed burning) will be implemented and only during the dormant season for these species (i.e., when the plant has no aboveground parts), if feasible, provided the treatment will not alter habitat in a way that would make it unsuitable for the special-status plants to reestablish following treatment, or destroy seedbanks, stumps, or roots, rhizomes, bulbs and other underground parts of these species. If the limited operating period for annual and geophyte species (i.e., only non-ground-disturbing treatment activities conducted during the dormant season) is determined to be infeasible, then protocol-level surveys will be required per SPR BIO-7. Note that ground-disturbing treatment activities (i.e., mechanical treatments) and pile burning may result in impacts on these plant species even when dormant and will not be conducted without prior implementation of SPR BIO-7. Special-Status Wildlife Because there is no reliable season during which all impacts on bald eagle, California condor, American badger, mountain lion, and San Joquin kit fox could be avoided, and because full avoidance of habitat is not feasible due to these species' variable habitat preferences, SPR BIO-10 will apply for these species before all treatment activities.			
SPR BIO-2: Require Biological Resource Training for Workers The project proponent will require crew members and contractors to receive training from a qualified RPF or biologist prior to beginning a treatment project. The training will describe the appropriate work practices necessary to effectively implement the biological SPRs and mitigation measures and to comply with the applicable environmental laws and regulations. The training will include the identification, relevant life history information, and avoidance of pertinent special-status species; identification and avoidance of sensitive natural communities and habitats with the potential to occur in the treatment area; impact minimization procedures; and reporting requirements. The training will instruct workers when it is appropriate to stop work and allow wildlife encountered during treatment activities to leave the area unharmed and when it is necessary to report encounters to a qualified RPF, biologist, or biological technician. The qualified RPF, biologist, or biological technician will immediately contact CDFW or USFWS, as appropriate, if any wildlife protected by the California Endangered Species Act (CESA) or Federal Endangered Species Act (ESA) is encountered and cannot leave the site on its own (without being handled). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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Project-Specific Guidance to Implement SPR BIO-2 California Condor ▶ The qualified RPF or biologist will provide all workers at the project site with "condor hazing" training pursuant to the September 3, 2014, California Condor Recovery Program memo (USFWS 2014). If any California condors enter the project area while work activities are being conducted, the hazing measures would be implemented to avoid the possibility that California condors would become habituated to human activities or be harmed by project activities. Work crews will inform the project biologist should any California condor hazing take place. ▶ In circumstances where California condors are already present in the project area, and engaged in natural behaviors (e.g., roosting, foraging), prior to treatment the hazing protocol would not be implemented and California condors would be allowed to depart on their own. Condors that come into the project area while work activities are taking place will be hazed. San Francisco Dusky-Footed Woodrat ▶ The qualified RPF or biologist will provide all workers conducting prescribed burning, mechanical, and manual treatments with specific training on finding the various typical and atypical woodrat nests, and how to estimate a 5 to 10-foot buffer around the nest. Training will include practical training in the field using existing woodrat nests within planned treatment areas or similar habitat types.			
Sensitive Natural Communities and Other Sensitive Habitats			
SPR BIO-3: Survey Sensitive Natural Communities and Other Sensitive Habitats If SPR BIO-1 determines that sensitive natural communities or sensitive habitats may be present and adverse effects cannot be avoided, the project proponent will: ▶ require a qualified RPF or biologist to perform a protocol-level survey following the CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018) of the treatment area prior to the start of treatment activities for sensitive natural communities and sensitive habitats. Sensitive natural communities will be identified using the best means possible, including keying them out using the most current edition of *A Manual of California Vegetation* (including updated natural communities data at http://vegetation.cnps.org/), or referring to relevant reports (e.g., reports found on the VegCAMP website). ▶ map and digitally record, using a Global Positioning System (GPS), the limits of any potential sensitive habitat and sensitive natural community identified in the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR BIO-4: Design Treatment to Avoid Loss or Degradation of Riparian Habitat Function Project proponents, in consultation with a qualified RPF or qualified biologist, will design treatments in riparian habitats to retain or improve habitat functions by implementing the following within riparian habitats: ▶ Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian habitat identified and mapped during surveys conducted pursuant to SPR BIO-3.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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Native riparian vegetation will be retained in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities. ▶ Treatments will be limited to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region. This includes hand removal (or mechanized removal where topography allows) of dead or dying riparian trees and shrubs, invasive plant removal, selective thinning, and removal of encroaching upland species. ▶ Removal of large, native riparian hardwood trees (e.g., willow, ash, maple, oak, alder, sycamore, cottonwood) will be minimized to the extent feasible and 75 percent of the pretreatment native riparian hardwood tree canopy will be retained. Because tree size varies depending on vegetation type present and site conditions, the tree size retention parameter will be determined on a site-specific basis depending on vegetation type present and setting; however, live, healthy, native trees that are considered large for that type of tree and large relative to other trees in that location will be retained. A scientifically-based, project-specific explanation substantiating the retention size parameter for native riparian hardwood tree removal will be provided in the Biological Resources Discussion of the PSA. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, presence of sufficient seed trees, light availability, and changes in stream shading may inform the tree size retention requirements. ▶ Removed trees will be felled away from adjacent streams or waterbodies and piled outside of the riparian vegetation zone (unless there is an ecological reason to do otherwise that is approved by applicable regulatory agencies, such as adding large woody material to a stream to enhance fish habitat, e.g., see *Accelerated Wood Recruitment and Timber Operations: Process Guidance from the California Timber Harvest Review Team Agencies and National Marine Fisheries Service*). ▶ Vegetation removal that could reduce stream shading and increase stream temperatures will be avoided. ▶ Ground disturbance within riparian habitats will be limited to the minimum necessary to implement effective treatments. This will consist of the minimum disturbance area necessary to reduce hazardous fuels and return the riparian community to a natural fire regime (i.e., Condition Class 1) considering historic fire return intervals, climate change, and land use constraints. ▶ Only hand application of herbicides approved for use in aquatic environments will be allowed and only during low-flow periods or when seasonal streams are dry. ▶ The project proponent will notify CDFW when required pursuant to California Fish and Game Code Section 1602 prior to implementing any treatment activities in riparian habitats. Notification will identify the treatment activities, map the vegetation to be removed, identify the impact avoidance identification methods to be used (e.g., flagging), and appropriate protections for the retention of shaded riverine habitat, including buffers and other applicable measures to prevent erosion into the waterway. ▶ In consideration of spatial variability of riparian vegetation types and condition and consistent with California Forest Practice Rules Section 916.9(v) (February 2019 version), a different set of vegetation retention standards and protection measures from those specified in the above bullets may be implemented on a site-specific basis if			

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the qualified RPF and the project proponent demonstrate through substantial evidence that alternative design measures provide a more effective means of achieving the treatment objectives and would result in effects to the Beneficial Functions of Riparian Zones equal or more favorable than those expected to result from application of the above measures. Deviation from the above design specifications, different protection measures and design standards will only be approved when the treatment plan incorporates an evaluation of beneficial functions of the riparian habitat and with written concurrence from CDFW. This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
SPR BIO-5: Avoid Environmental Effects of Type Conversion and Maintain Habitat Function in Chaparral and Coastal Sage Scrub The project proponent will design treatment activities to avoid type conversion where native coastal sage scrub and chaparral are present. An ecological definition of type conversion is used in the CalVTP Program EIR for assessment of environmental effects: a change from a vegetation type dominated by native shrub species that are characteristic of chaparral and coastal sage scrub vegetation alliances to a vegetation type characterized predominantly by weedy herbaceous cover or annual grasslands. For the Program EIR, type conversion is considered in terms of habitat function, which is defined here as the arrangement and capability of habitat features to provide refuge, food source, and reproduction habitat to plants and animals, and thereby contribute to the conservation of biological and genetic diversity and evolutionary processes (de Groot et al. 2002). Some modification of habitat characteristics may occur provided habitat function is maintained (i.e., the location, essential habitat features, and species supported are not substantially changed). During the reconnaissance-level survey required in SPR BIO-1, a qualified RPF or biologist will identify chaparral and coastal sage scrub vegetation to the alliance level and determine the condition class and fire return interval departure of the chaparral and/or coastal sage scrub present in each treatment area. For all treatment types in chaparral and coastal sage scrub, the project proponent, in consultation with a qualified RPF or qualified biologist will: ▶ Develop a treatment design that avoids environmental effects of type conversion in chaparral and coastal sage scrub vegetation alliances, which will include evaluating and determining the appropriate spatial scale at which the proponent would consider type conversion, and substantiating its appropriateness. The project proponent will demonstrate with substantial evidence that the habitat function of chaparral and coastal sage scrub would be at least maintained within the identified spatial scale at which type conversion is evaluated for the specific treatment project. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, spatial needs of sensitive species, presence of sufficient seed plants and nurse plants, light availability, and edge effects may inform the determination of an appropriate spatial scale. ▶ The treatment design will maintain a minimum percent cover of mature native shrubs within the treatment area to maintain habitat function; the appropriate percent cover will be identified by the project proponent in the development of treatment design and be specific to the vegetation alliances that are present in the identified spatial scale used to evaluate type conversion. Mature native shrubs that are retained will be distributed contiguously or in patches within the stand. If the stand consists of multiple age classes, patches representing a	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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range of middle to old age classes will be retained to maintain and improve heterogeneity, to the extent needed to avoid type conversion. These SPR requirements apply to all treatment activities and all treatment types, including treatment maintenance. Additional measures will be applied to ecological restoration treatment types: ▶ For ecological restoration treatment types, complete removal of the mature shrub layer will not occur in native chaparral and coastal sage scrub vegetation types. ▶ Ecological restoration treatments will not be implemented in vegetation types that are within their natural fire return interval (i.e., time since last burn is less than the average time listed as the fire return interval range in Table 3.6-1) unless the project proponent demonstrates with substantial evidence that the habitat function of chaparral and coastal sage scrub would be improved. ▶ A minimum of 35 percent relative cover of existing shrubs and associated native vegetation will be retained at existing densities in patches distributed in a mosaic pattern within the treated area or the shrub canopy will be thinned by no more than 20 percent from baseline density (i.e., if baseline shrub canopy density is 60 percent, post treatment shrub canopy density will be no less than 40 percent). A different percent relative cover can be retained if the project proponent demonstrates with substantial evidence that alternative treatment design measures would result in effects on the habitat function of chaparral and coastal sage scrub that are equal or more favorable than those expected to result from application of the above measures. Biological considerations that may inform a deviation from the minimum 35 percent relative cover retention include but are not limited to soil moisture requirements, increased soil temperatures, changes in light/shading, presence of sufficient seed plants and nurse plants, erosion potential, and site hydrology. ▶ If the stand within the treatment area consists of multiple age classes, patches representing a range of middle to old age classes will be retained to maintain and improve heterogeneity. These SPR requirements apply to all treatment activities and only the ecosystem restoration treatment type, including treatment maintenance. A determination of compliance with the SB 1260 prohibition of type conversion in chaparral and coastal sage scrub is a statutory issue separate from CEQA compliance that may involve factors additional to the ecological definition and habitat functions presented in the Program EIR, such as geographic context. It is beyond the legal scope of the Program EIR to define SB 1260 type conversion and statutory compliance. The project proponent, acting as lead agency for the proposed later treatment project, will be responsible for defining type conversion in the context of the project and making the finding that type conversion would not occur, as required by SB 1260. The project proponent will determine its criteria for defining and avoiding type conversion and, in making its findings, may draw upon information presented in this Program EIR. **Project-Specific Implementation of SPR BIO-5** This project will implement SPR CHAP/CSS-1 to be consistent with the Writ of Mandate in chaparral and coastal sage scrub habitat areas. Some requirements of SPR CHAP/CSS-1 are more restrictive on ecological restoration treatment activities than SPR BIO-5; therefore, the requirements of SPR CHAP/CSS-1 that are more restrictive			

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supersede SPR BIO-5 in ecological restoration treatments of chaparral and coastal sage scrub. To ensure compliance with SPR CHAP/CSS-1, the following text will be removed from SPR BIO-5: Additional measures will be applied to ecological restoration treatment types: ▶ For ecological restoration treatment types, complete removal of the mature shrub layer will not occur in native chaparral and coastal sage scrub vegetation types. ▶ Ecological restoration treatments will not be implemented in vegetation types that are within their natural fire return interval (i.e., time since last burn is less than the average time listed as the fire return interval range in Table 3.6-1) unless the project proponent demonstrates with substantial evidence that the habitat function of chaparral and coastal sage scrub would be improved. ▶ A minimum of 35 percent relative cover of existing shrubs and associated native vegetation will be retained at existing densities in patches distributed in a mosaic pattern within the treated area or the shrub canopy will be thinned by no more than 20 percent from baseline density (i.e., if baseline shrub canopy density is 60 percent, post treatment shrub canopy density will be no less than 40 percent). A different percent relative cover can be retained if the project proponent demonstrates with substantial evidence that alternative treatment design measures would result in effects on the habitat function of chaparral and coastal sage scrub that are equal or more favorable than those expected to result from application of the above measures. Biological considerations that may inform a deviation from the minimum 35 percent relative cover retention include but are not limited to soil moisture requirements, increased soil temperatures, changes in light/shading, presence of sufficient seed plants and nurse plants, erosion potential, and site hydrology. ▶ If the stand within the treatment area consists of multiple age classes, patches representing a range of middle to old age classes will be retained to maintain and improve heterogeneity. These SPR requirements apply to all treatment activities and only the ecosystem restoration treatment type, including treatment maintenance.			
SPR BIO-6: Prevent Spread of Plant Pathogens When working in sensitive natural communities, riparian habitats, or oak woodlands that are at risk from plant pathogens (e.g., Ione chaparral, blue oak woodland), the project proponent will implement the following best management practices to prevent the spread of *Phytopthora* and other plant pathogens (e.g., pitch canker (*Fusarium*), goldspotted oak borer, shot hole borer, bark beetle): ▶ clean and sanitize vehicles, equipment, tools, footwear, and clothes before arriving at a treatment site and when leaving a contaminated site, or a site in a county where contamination is a risk; ▶ include training on *Phytopthora* diseases and other plant pathogens in the worker awareness training; ▶ minimize soil disturbance as much as possible by limiting the number of vehicles, avoiding off-road travel as much as possible, and limiting use of mechanized equipment; ▶ minimize movement of soil and plant material within the site, especially between areas with high and low risk of contamination;	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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▶ clean soil and debris from equipment and sanitize hand tools, buckets, gloves, and footwear when moving from high risk to low risk areas or between widely separated portions of a treatment area; and ▶ follow the procedures listed in Guidance for plant pathogen prevention when working at contaminated restoration sites or with rare plants and sensitive habitat (Working Group for *Phytoptheras* in Native Habitats 2016). This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
SPR BIO-7: Survey for Special-Status Plants If SPR BIO-1 determines that suitable habitat for special-status plant species is present and cannot be avoided, the project proponent will require a qualified RPF or botanist to conduct protocol-level surveys for special-status plant species with the potential to be affected by a treatment prior to initiation of the treatment. The survey will follow the methods in the current version of CDFW's "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities." Surveys to determine the presence or absence of special-status plant species will be conducted in suitable habitat that could be affected by the treatment and timed to coincide with the blooming or other appropriate phenological period of the target species (as determined by a qualified RPF or botanist), or all species in the same genus as the target species will be assumed to be special-status. If potentially occurring special-status plants are listed under CESA or ESA, protocol-level surveys to determine presence/absence of the listed species will be conducted in all circumstances, unless determined otherwise by CDFW or USFWS. For other special-status plants not listed under CESA or ESA, as defined in Section 3.6.1 of this Program EIR, surveys will not be required under the following circumstances: ▶ If protocol-level surveys, consisting of at least two survey visits (e.g., early blooming season and later blooming season) during a normal weather year, have been completed in the 5 years before implementation of the treatment project and no special-status plants were found, and no treatment activity has occurred following the protocol-level survey, treatment may proceed without additional plant surveys. ▶ If the target special-status plant species is an herbaceous annual, stump-sprouting, or geophyte species, the treatment may be carried out during the dormant season for that species or when the species has completed its annual lifecycle without conducting presence/absence surveys provided the treatment will not alter habitat or destroy seeds, stumps, or roots, rhizomes, bulbs and other underground parts in a way that would make it unsuitable for the target species to reestablish following treatment. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-7** ▶ If the limited operating period for annual and perennial geophyte species (i.e., non-ground-disturbing treatment activities conducted during the dormant season) is determined to be infeasible, then protocol-level surveys for these species will be conducted prior to implementation of treatments. ▶ Protocol-level surveys will be conducted for perennial species prior to implementation of treatments.	Prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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Invasive Plants and Wildlife			
SPR BIO-9: Prevent Spread of Invasive Plants, Noxious Weeds, and Invasive Wildlife The project proponent will take the following actions to prevent the spread of invasive plants, noxious weeds, and invasive wildlife (e.g., New Zealand mudsnail): ▶ clean clothing, footwear, and equipment used during treatments of soil, seeds, vegetative matter, other debris or seed-bearing material, or water (e.g., rivers, streams, creeks, lakes) before entering the treatment area or when leaving an area with infestations of invasive plants, noxious weeds, or invasive wildlife; ▶ for all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the treatment area from an area with infestations of invasive plants, noxious weeds, or invasive wildlife. Anti-fungal wash agents will be specified if the equipment has been exposed to any pathogen that could affect native species; ▶ inspect all heavy equipment, vehicles, tools, or other treatment-related materials for sand, mud, or other signs that weed seeds or propagules could be present prior to use in the treatment area. If the equipment is not clean, the qualified RPF or biological technician will deny entry to the work areas; ▶ stage equipment in areas free of invasive plant infestations unless there are no uninfested areas present within a reasonable proximity to the treatment area; ▶ identify significant infestations of invasive plant species (i.e., those rated as invasive by Cal-IPC or designated as noxious weeds by California Department of Food and Agriculture) during reconnaissance-level surveys and target them for removal during treatment activities. Treatment methods will be selected based on the invasive species present and may include herbicide application, manual or mechanical treatments, prescribed burning, and/or herbivory, and will be designed to maximize success in killing or removing the invasive plants and preventing reestablishment based on the life history characteristics of the invasive plant species present. Treatments will be focused on removing invasive plant species that cause ecological harm to native vegetation types, especially those that can alter fire cycles; ▶ treat invasive plant biomass onsite to eliminate seeds and propagules and prevent reestablishment or dispose of invasive plant biomass offsite at an appropriate waste collection facility (if not kept on site); transport invasive plant materials in a closed container or bag to prevent the spread of propagules during transport; and ▶ implement Fire and Fuel Management BMPs outlined in the "Preventing the Spread of Invasive Plants: Best Management Practices for Land Mangers" (Cal-IPC 2012, or current version). This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-9** ▶ All plant materials used for revegetation will exclude any species listed on the Cal-IPC Invasive Plant Inventory (Cal-IPC 2025, or current version) or designated as noxious weeds by the local Agricultural Commissioner's Office. ▶ Revegetation efforts will consider existing conditions, including existing vegetation type and burn severity, and will be designed to maintain or restore appropriate vegetation composition. In areas documented as native vegetation types according to the 2020 Santa Cruz and Santa Clara Fine Scale Vegetation Map (Tukman Geospatial and Aerial	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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Information Systems 2023) and the 2018 San Mateo County Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2022), only native plant species characteristic of that vegetation type, as described in the Manual of California Vegetation, online edition (CNPS 2025), will be used. Exceptions may occur where a mapped native vegetation type reflects past lack of management (e.g., Douglas fir encroachment) or artificial plantings (e.g., plantations), in which case alternative native vegetation aligned with desired conditions may be selected. For revegetation efforts within 100 feet of special-status plant occurrences, a qualified RPF or biologist will review and approve plant species or seed mixes to ensure they do not result in mortality or degradation of occupied habitat from competition, shading, or changes to soil moisture or chemistry. Where erosional risks to roads or structures require rapid stabilization, fast growing, nonnative but noninvasive species or seed mixes may be used. In areas mapped as developed, agriculture, or nonnative vegetation types (nonnative forest, herbaceous, or shrub; semi-natural alliances with a "SNA" state rarity rank), native species appropriate to the desired habitat type will be prioritized whenever feasible. However, when the use of local native species is not feasible, nonnative but noninvasive species may be used.			
Wildlife			
SPR BIO-10: Survey for Special-Status Wildlife and Nursery Sites If SPR BIO-1 determines that suitable habitat for special-status wildlife species or nurseries of any wildlife species is present and cannot be avoided, the project proponent will require a qualified RPF or biologist to conduct focused or protocol-level surveys for special-status wildlife species or nursery sites (e.g., bat maternity roosts, deer fawning areas, heron or egret rookeries, monarch overwintering sites) with potential to be directly or indirectly affected by a treatment activity. The survey area will be determined by a qualified RPF or biologist based on the species and habitats and any recommended buffer distances in agency protocols. The qualified RPF or biologist will determine if following an established protocol is required, and the project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate survey protocols. Unless otherwise specified in a protocol, the survey will be conducted no more than 14 days prior to the beginning of treatment activities. Focused or protocol surveys for a special-status species with potential to occur in the treatment area may not be required if presence of the species is assumed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-10** <u>Bay checkerspot butterfly</u> To avoid impacts on bay checkerspot butterfly, focused surveys for the species will be conducted before implementation of all treatment activities in habitat suitable for the species. If focused surveys for bay checkerspot butterfly are not conducted, presence of the butterfly may be assumed. Because the project area is within the range of the federally listed bay checkerspot butterfly, Mitigation Measure BIO-2e (bay checkerspot butterfly) would be implemented, regardless of the results of SPR BIO-10 surveys, although the implementation of Mitigation Measure BIO-2e would be informed by the results of the focused surveys if they occur.	No more than 14 days prior to treatment, unless otherwise specified in a protocol	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Crotch's bumble bee If avoidance of habitat pursuant to SPR BIO-1 is not feasible to avoid impacts on Crotch's bumble bee, a habitat assessment will be conducted by a qualified biologist or RPF. If habitat suitable for the species is present, focused surveys will be conducted by a biologist or qualified RPF within habitat potentially suitable for Crotch's bumble bee based on the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023) or more recent guidance, prior to implementation of all treatment activities, or presence of this species in potentially suitable habitat will be assumed, and Mitigation Measure BIO-2g will be implemented. Monarch butterfly If it is not feasible to avoid mechanical, manual, herbicide, or prescribed burning treatments in grasslands, shrub, and oak woodland habitat during the period when monarch may be breeding (March 15-October 31) pursuant to SPR BIO-1, focused surveys for milkweed host plants (*Asclepias* spp.) will be conducted prior to implementing treatment activities. If milkweed is detected during focused surveys, further survey for monarch butterfly eggs, larvae, and pupae may be conducted or presence of monarch may be assumed. If milkweed host plants are detected during focused surveys and monarch butterfly is detected or assumed present, Mitigation Measure BIO-2e will be implemented. California red-legged frog Prior to implementation of prescribed burning, mechanical, manual, and herbicide application activities, a qualified RPF or qualified biologist will conduct protocol-level surveys for California red-legged frog pursuant to the Revised Guidance on Site Assessments and Field Surveys for the California Red-Legged Frog (USFWS 2005) within habitat potentially suitable for the species, or presence of the species will be assumed and Mitigation Measure BIO-2a will be implemented. If protocol-level surveys are conducted and California red-legged frogs are not detected within the treatment areas, then no additional mitigation for the species will be required and Mitigation Measure BIO-2a will not be required. If California red-legged frog is detected or assumed present, Mitigation Measure BIO-2a will be implemented. California tiger salamander If avoidance is not feasible pursuant to SPR BIO-1, to avoid impacts to California tiger salamander, a qualified RPF or qualified biologist with the appropriate permits will conduct protocol-level surveys for California tiger salamander according to the *Interim Guidance of Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (CDFW 2003) within habitat potentially suitable for the species (i.e., oak woodland and grasslands up to 1.3 miles from aquatic breeding habitat) prior to mechanical treatments and pile burning activities year-round and for broadcast burning, manual tree and snag removal, or herbicide application (other than cut-stump and basal bark application) during the dispersal season for the species (November 1–April 30), or presence may be assumed. If California tiger salamander is detected during surveys or assumed present, Mitigation Measure BIO-2a will be implemented.			

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Foothill yellow-legged frog If avoidance of habitat is not feasible (pursuant to SPR BIO-1) for manual treatments, mechanical treatments, prescribed burning, and herbicide application (other than cut-stump and basal bark application) that occur within 200 feet of Class I and Class II watercourses that may habitat suitable for foothill yellow-legged frog as assessed and determined by a qualified RPF or biologist, focused visual encounter surveys for foothill yellow-legged frog will be conducted prior to treatment activities within the 200-foot buffer, or the presence of the species may be assumed. If foothill yellow-legged frogs are not detected within the treatment area during focused surveys, then no mitigation for the species would be required. If foothill yellow-legged frogs are identified during focused surveys, or presence is assumed, Mitigation Measure BIO-2a would be implemented. Southwestern pond turtle If avoidance of habitat is not feasible (pursuant to SPR BIO-1) to avoid impacts on southwestern pond turtle, a focused survey for southwestern pond turtles and nests will be conducted by a qualified biologist or RPF. If southwestern pond turtles or nests are detected during focused surveys, Mitigation Measure BIO-2b will be implemented. Special-Status amphibians and reptiles If avoidance of habitat is not feasible (pursuant to SPR BIO-1) to avoid impacts on special-status amphibians and reptiles, a focused survey for special-status amphibians and reptiles will be conducted by a qualified biologist or RPF. If special-status amphibians and reptiles are detected during focused surveys or if the species are assumed to be present, Mitigation Measure BIO-2b will be implemented. Bald eagle To avoid impacts on bald eagle the following focused surveys will be conducted: ▶ For all treatments implemented during the nesting season (December 1 through July 31) conduct surveys for nesting bald eagles within approximately 1.0 miles of lakes and reservoirs with fisheries sufficient to support bald eagle nesting. ▶ For all treatments implemented during the overwintering (non-nesting season) conduct surveys for communal roosting trees within 0.5 miles of lakes and reservoirs with fisheries sufficient to support bald eagles. ▶ If nesting or communally roosting bald eagles are detected during focused surveys, Mitigation Measure BIO-2a will be implemented. Burrowing owl ▶ If it is not feasible to avoid manual treatments, mechanical treatments, prescribed burning, and prescribed herbivory during the burrowing owl overwintering season (September 1–January 31) in habitats suitable for the species, then a survey shall be conducted to determine whether burrowing owls occupy the portions of the treatment area subject to manual treatments, mechanical treatments, ground or human disturbance associated with prescribed burning (e.g., control lines, staging areas) and prescribed herbivory (e.g., fence lines, pens, watering infrastructure, staging areas).			

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▶ Within the yearlong range of the species, if it is not feasible to avoid manual treatments, mechanical treatments, prescribed burning, prescribed herbivory, and herbicide application during the burrowing owl nesting season (February 1–August 31) in habitats suitable for the species, pursuant to SPR BIO-1, a minimum of four surveys shall be conducted to determine whether burrowing owls occupy the treatment area. ▶ Surveys will be conducted referring to Appendix D of the 2012 Staff Report on Burrowing Owl Mitigation prepared by the California Department of Fish and Game (now California Department of Fish and Wildlife) (CDFW 2012) or any subsequent updated guidance within 1,640 feet (0.3 miles) of treatment areas as access to adjacent property and visibility from accessible areas allows. If feasible, at least one survey should be conducted between February 15 and April 15, and the remaining surveys should be conducted between April 15 and July 15, at least 2 weeks apart. Because burrowing owls may recolonize a site after only a few days, one of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating treatment activities to verify that take of burrowing owl would not occur. Alternatively, following the first survey, any burrows that are potentially suitable for burrowing owl would be assumed to be occupied. If active nesting burrowing owl burrows are detected during protocol surveys or burrows are assumed to be occupied, Mitigation Measure BIO-2a will be implemented. Least Bell's vireo If it is not feasible to avoid all treatments during the nesting season for least Bell's vireo (February –August 31), as modified by a qualified RPF or biologist based on current conditions), pursuant to SPR BIO-1, protocol surveys for nests of least Bell's vireo will be conducted following the Least Bell's Vireo Survey Guidelines (USFWS 2001) within habitat suitable for the species prior to implementing treatment activities within 250 feet of that habitat during the nesting season. If nesting least Bell's vireos are detected during surveys, Mitigation Measures BIO-2a will be implemented. Tricolored blackbird If it is not feasible to avoid all treatments during the nesting season for tricolored blackbird (February –August 31), as modified by a qualified RPF or biologist based on current conditions), pursuant to SPR BIO-1, focused surveys (i.e., nest searches) for nests of tricolored blackbird will be conducted in habitat suitable for the species prior to implementing treatment activities within 250 feet of nesting habitat during the nesting bird season. If nesting tricolored blackbirds are detected during focused surveys, Mitigation Measures BIO-2a will be implemented. Other Special-Status Birds If it is not feasible to avoid all treatments during the nesting bird season (from December 1 through July 31 for golden eagle, January 1 through August 31 for white-tailed kite, and February 1 through August 31 for other special-status nesting birds, as modified by the qualified RPF or biologist), pursuant to SPR BIO-1, focused surveys (i.e., nest searches) for nests of special-status (i.e., grasshopper sparrow, golden eagle, short-eared owl, log-eared owl, Swainson's hawk, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, white-tailed kite, saltmarsh common yellowthroat, bald eagle, yellow breasted chat, loggerhead shrike, purple martin, and yellow warbler) will be conducted in habitat suitable for the species prior to implementing treatment activities during the nesting bird season. If nesting special-status birds are detected during focused surveys, Mitigation Measures BIO-2a or BIO-2b will be implemented depending on the species detected.			

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American badger To avoid impacts on American badger, focused den surveys in habitat determined to be suitable for denning by a qualified biologist or RPF will be conducted prior to implementing pile burning, installation of control lines and staging areas for prescribed burning, mechanical treatments, or the setup of infrastructure for prescribed herbivory activities year-round. Within the pupping season (February 15–July 1) surveys will be conducted prior to, manual treatments, as well as the other activities which require year-round survey. If American badger dens are detected during focused surveys, Mitigation Measure BIO-2b will be implemented. Mountain lion To avoid impacts on mountain lion, prior to implementing prescribed burning, manual tree and snag removal treatments, and mechanical treatments, nursery habitat suitable for the species will be identified by a qualified RPF or biologist through desktop analyses (e.g., review of land cover, slope, distance from development, coordination with local experts studying or tracking the species [if available], and field assessments). Potential mountain lion nursery habitat may include large natural cavities within rocky areas, downed trees, shrub thickets, or other areas with structures deemed appropriate for use by mountain lions based on size and other characteristics (e.g., proximity to human development, surrounding habitat). If nursery habitat is confirmed within the treatment area, use of the habitat will be assumed and Mitigation Measure BIO-2a will be applied. If nursery habitat is not identified within the treatment area, no additional measures will be required. Ringtail If it is not feasible to avoid manual and mechanical large tree and snag (i.e., greater than 12 inches DBH) removal or prescribed burning within habitat suitable for Northern California ringtail during the ringtail maternity season (pursuant to SPR BIO-1), focused surveys for ringtail will be conducted using trail cameras, track plates, or other non-invasive survey methods to determine whether ringtails are present within the treatment area. Surveys will be conducted by a qualified RPF or biologist with the appropriate permits as needed, or presence may be assumed. If ringtails are detected during focused surveys, or presence is assumed, Mitigation Measure BIO-2a will be implemented. San Francisco dusky-footed woodrat To avoid impacts on San Francisco dusky-footed woodrat, focused surveys for the species will be conducted by a qualified RPF, biologist, or biological technician within habitat suitable for the species year-round prior to implementation of traditional mechanical treatments; nest presence may be assumed for other treatment types including mechanical treatments using remote-controlled masticators. If San Francisco dusky-footed woodrat nests are detected during focused surveys or assumed to be present, Mitigation Measure BIO-2b will be implemented. San Joaquin kit fox To avoid impacts to San Joaquin kit fox, prior to implementation of pile burning and mechanical treatment activities year-round or any treatment activities during the pupping/natal season (February 1–September 30) within potentially suitable grassland, scrub, and oak savanna habitat, a habitat evaluation of the treatment area including one walking transect survey to identify potential dens following relevant portions of the *San Joaquin Kit Fox Survey Protocol for the Northern Range* (USFWS 1999) for San Joaquin kit fox would be conducted by a qualified RPF or			

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biologist prior to the start of treatment activities. If the habitat within the treatment area is suitable for the species and contains potentially occupied dens, Mitigation Measure BIO-2a will be implemented. Special-Status bats If it is not feasible to avoid prescribed burning, mechanical treatments, manual treatments, and herbicide application using power equipment within habitat suitable for special-status bat roosting during the bat maternity season (April 1 through August 31), or to avoid removal of potential roosts during the overwintering season (October 15- April 1) pursuant to SPR BIO-1, focused surveys for roosts will be conducted by a qualified RPF or biologist prior to implementing these treatment activities during the bat maternity and overwintering season. If special-status bat roosts are detected during focused surveys, Mitigation Measure BIO-2b will be implemented.			
SPR BIO-11: Install Wildlife-Friendly Fencing (Prescribed Herbivory) If temporary fencing is required for prescribed herbivory treatment, a wildlife-friendly fencing design will be used. The project proponent will require a qualified RPF or biologist to review and approve the design before installation to minimize the risk of wildlife entanglement. The fencing design will meet the following standards: ▶ Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale or snag a leaping animal; and, if feasible, keeping electric netting-type fencing electrified at all times or laid down while not in use. ▶ Charge temporary electric fencing with intermittent pulse energizers; continuous output fence chargers will not be permitted. ▶ Allow wildlife to jump over easily without injury by installing fencing that can flex as animals pass over it and installing the top wire low enough (no more than approximately 40 inches high on flat ground) to allow adult ungulates to jump over it. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. ▶ Be highly visible to birds and mammals by using high-visibility tape or wire, flagging, or other markers. This SPR applies only to prescribed herbivory and all treatment types, including treatment maintenance.	During prescribed herbivory treatment activities.	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR BIO-12: Protect Common Nesting Birds, Including Raptors The project proponent will schedule treatment activities to avoid the active nesting season of common native bird species, including raptors, that could be present within or adjacent to the treatment site, if feasible. Common native birds are species not otherwise treated as special status in the CalVTP Program EIR. The active nesting season will be defined by the qualified RPF or biologist. If active nesting season avoidance is not feasible, a qualified RPF or biologist will conduct a survey for common nesting birds, including raptors. Existing records (e.g., CNDDB, eBird database, State Wildlife Action Plan) should be reviewed in advance of the survey to identity the common nesting birds, including raptors, that are known to occur in the vicinity of the treatment site. The survey area will encompass reasonably accessible areas of the treatment site and the immediately surrounding vicinity viewable from the treatment site. The survey area will be determined by a qualified RPF or biologist, based on the potential species in the area, location of suitable nesting habitat, and type of treatment. For vegetation removal or project activities that would occur during the nesting season, the survey will be	Conduct a survey for common nesting birds (if needed) at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies (typically no more than approximately 14 days before treatment); if an active	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
conducted at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies. Typically, this timeframe would be up to 3 weeks before treatment. The survey will occur in a single survey period of sufficient duration to reasonably detect nesting birds, including raptors, typically one day for most treatment projects (depending on the size, configuration, and vegetation density in the treatment site), and conducted during the active time of day for target species, typically close to dawn and/or dusk. The survey may be conducted concurrently with other biological surveys, if they are required by other SPRs. Survey methods will be tailored by the qualified RPF or biologist to site and habitat conditions, typically involving walking throughout the survey area, visually searching for nests and birds exhibiting behavior that is typical of breeding (e.g., delivering food). If an active nest is observed (i.e., presence of eggs and/or chicks) or determined to likely be present based on nesting bird behavior, the project proponent will implement a feasible strategy to avoid disturbance of active nests, which may include, but is not limited to, one or more of the following: ▶ **Establish Buffer.** The project proponent will establish a temporary, species-appropriate buffer around the nest sufficient to reasonably expect that breeding would not be disrupted. Treatment activities will be implemented outside of the buffer. The buffer location will be determined by a qualified RPF or biologist. Factors to be considered for determining buffer location will include: presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, species sensitivity, and expected treatment activities. Nests of common birds within the buffer need not be monitored during treatment. However, buffers will be maintained until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. ▶ **Modify Treatment.** The project proponent will modify the treatment in the vicinity of an active nest to avoid disturbance of active nests (e.g., by implementing manual treatment methods, rather than mechanical treatment methods). Treatment modifications will be determined by the project proponent in coordination with the qualified RPF or biologist. ▶ **Defer Treatment.** The project proponent will defer the timing of treatment in the portion(s) of the treatment site that could disturb the active nest. If this avoidance strategy is implemented, treatment activity will not commence until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. Feasible actions will be taken by the project proponent to avoid loss of common native bird nests. The feasibility of implementing the avoidance strategies will be determined by the project proponent based on whether implementation of this SPR will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. Considerations may include limitations on the presence of environmental and atmospheric conditions necessary to execute treatment prescriptions (e.g., the limited seasonal windows during which prescribed burning can occur when vegetation moisture, weather, wind, and other physical conditions are suitable). If it is infeasible to avoid loss of common bird nests (not including raptor nests), the project proponent will document the reasons implementation of the avoidance strategies is infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those	nest is observed, implement avoidance strategies prior to and during treatment		

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). The following avoidance strategies may also be considered together with or in lieu of other actions for implementation by a project proponent to avoid disturbance to raptor nests: ▶ **Monitor Active Raptor Nest During Treatment**. A qualified RPF, biologist, or biological technician will monitor an active raptor nest during treatment activities to identify signs of agitation, nest defense, or other behaviors that signal disturbance of the active nest is likely (e.g., standing up from a brooding position, flying off the nest). If breeding raptors are showing signs of nest disturbance, one of the other avoidance strategies (establish buffer, modify treatment or defer treatment) will be implemented or a pause in the treatment activity will occur until the disturbance behavior ceases. ▶ **Retention of Raptor Nest Trees**. Trees with visible raptor nests, whether occupied or not, will be retained. This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
Geology, Soils, Paleontology, and Mineral Resource Standard Project Requirements			
SPR GEO-1: Suspend Disturbance during Heavy Precipitation The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance. **Proposed Revision to SPR GEO-1** A revision to the SPR is proposed such that mechanical treatments would be suspended if (1) it is raining, (2) soils are saturated, or (3) soils are wet enough to be compacted by mechanical treatment activities and to suspend herbicide application if the National Weather Service forecast is a "chance" (30 percent or more averaged over each hour) of rain within the next operational day's 12-hour period between 6:00 a.m. and 6:00 p.m. An excerpt of the original language of SPR GEO-1 is as follows: > The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4)	During mechanical and herbicide treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance. The SPR revision modifies this sentence to state the following: The project proponent will suspend prescribed herbivory and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours (from 12:00 am to 12:00 pm) and will suspend mechanical treatments when (1) it is raining, (2) soils are saturated, and/or, (3) soils are wet enough to be compacted by mechanical activities.			
SPR GEO-2: Limit High Ground Pressure Vehicles The project proponent will limit heavy equipment that could cause soil disturbance or compaction to be driven through treatment areas when soils are wet and saturated to avoid compaction and/or damage to soil structure. Saturated soil means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. If use of heavy equipment is required in saturated areas, other measures such as operating on organic debris, using low ground pressure vehicles, or operating on frozen soils/snow covered soils will be implemented to minimize soil compaction. Existing compacted road surfaces are exempted as they are already compacted from use. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	During mechanical treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR GEO-3: Stabilize Disturbed Soil Areas The project proponent will stabilize soil disturbed during mechanical, prescribed herbivory treatments, and prescribed burns that result in exposure of bare soil over 50 percent or more of the treatment area with mulch or equivalent immediately after treatment activities, to the maximum extent practicable, to minimize the potential for substantial sediment discharge. If mechanical, prescribed herbivory, or prescribed burn treatment activities could result in substantial sediment discharge from soil disturbed by machinery, animal hooves, or being bare, organic material from mastication or mulch will be incorporated onto at least 75 percent of the disturbed soil surface where the soil erosion hazard is moderate or high, and 50 percent of the disturbed soil surface where soil erosion hazard is low to help prevent erosion. Where slash mulch is used, it will be packed into the ground surface with heavy equipment so that it is sufficiently in contact with the soil surface. This SPR only applies to mechanical, prescribed herbivory, and prescribed burns that result in exposure of bare soil over 50 percent of the project area treatment activities and all treatment types, including treatment maintenance.	During mechanical and prescribed burn treatment activities that result in exposure of bare soil over 50 percent or more of the treatment area	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR GEO-4: Erosion Monitoring The project proponent will inspect treatment areas for the proper implementation of erosion control SPRs and mitigations prior to the rainy season. If erosion control measures are not properly implemented, they will be remediated prior to the first rainfall event per SPR GEO-3 and GEO-8. Additionally, the project proponent will inspect for evidence of erosion after the first large storm or rainfall event (i.e., ≥ 1.5 inches in 24 hours) as soon as is feasible after the event. Any area of erosion that will result in substantial sediment discharge will be remediated within 48 hours per the methods stated in SPRs GEO-3 and GEO-8. This SPR applies only to mechanical, prescribed herbivory, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Prior to and during mechanical and prescribed burning treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR GEO-5: Drain Stormwater via Water Breaks The project proponent will drain compacted and/or bare linear treatment areas capable of generating storm runoff via water breaks using the spacing and erosion control guidelines contained in Sections 914.6, 934.6, and 954.6(c) of the California Forest Practice Rules (February 2019 version). Where waterbreaks cannot effectively disperse surface runoff, including where waterbreaks cause surface run-off to be concentrated on downslopes, other erosion controls will be installed as needed to maintain site productivity by minimizing soil loss. This SPR applies only to mechanical, manual, and prescribed burn treatment activities and all treatment types, including treatment maintenance.	During mechanical, manual, and prescribed burning treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR GEO-6: Minimize Burn Pile Size The project proponent will not create burn piles that exceed 20 feet in length, width, or diameter, except when on landings, road surfaces, or on contour to minimize the spatial extent of soil damage. In addition, burn piles will not occupy more than 15 percent of the total treatment area (Busse et al. 2014). The project proponent will not locate burn piles in a Watercourse and Lake Protection Zone as defined in SPR HYD-4. This SPR applies to mechanical, manual, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	During mechanical, manual, and prescribed burning treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR GEO-7: Minimize Erosion To minimize erosion, the project proponent will: (1) Prohibit use of heavy equipment where any of the following conditions are present: (i) Slopes steeper than 65 percent. (ii) Slopes steeper than 50 percent where the erosion hazard rating is high or extreme. (iii) Slopes steeper than 50 percent that lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a watercourse or lake. (2) On slopes between 50 percent and 65 percent where the erosion hazard rating is moderate, and all slope percentages are for average slope steepness based on sample areas that are 20 acres, or less, heavy equipment will be limited to: (i) Existing tractor roads that do not require reconstruction, or (ii) New tractor roads flagged by the project proponent prior to the treatment activity. (3) Prescribed herbivory treatments will not be used in areas with over 50 percent slope. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR GEO-8: Steep Slopes The project proponent will require a Registered Professional Forester (RPF) or licensed geologist to evaluate treatment areas with slopes greater than 50 percent for unstable areas (areas with potential for landslide) and unstable soils (soil with moderate to high erosion hazard). If unstable areas or soils are identified within the treatment area, are unavoidable, and will be potentially directly or indirectly affected by the treatment, a licensed geologist (P.G. or C.E.G.) will determine the potential for landslide, erosion, of other issue related to unstable soils and identity measures (e.g., those in SPR GEO-7) that will be implemented by the project proponent such that substantial erosion or loss of topsoil would not occur. This SPR applies only to mechanical treatment activities and WUI fuel reduction, non-shaded fuel breaks, and ecological restoration treatment types, including treatment maintenance.	Prior to and during mechanical treatment on slopes greater than 50 percent	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Hazardous Material and Public Health and Safety Standard Project Requirements			
SPR HAZ-1: Maintain All Equipment The project proponent will maintain all diesel- and gasoline-powered equipment per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Proposed Revision to SPR HAZ-1** A revision to the SPR is proposed to promptly stabilize any equipment found leaking and fix it on-site or remove the leaking equipment from the treatment area, outside of the Watercourse and Lake Protection Zones (WLPZs). An excerpt of the original language of SPR HAZ-1 is as follows: Any equipment found leaking will be promptly removed. The SPR revision modifies the second to last sentence of the excerpt to state the following: Any equipment found leaking will be promptly stabilized and fixed onsite or removed.	Prior to and during all treatments.	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HAZ-2: Require Spark Arrestors The project proponent will require mechanized hand tools to have federal- or state-approved spark arrestors. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	During manual treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HAZ-3: Require Fire Extinguishers The project proponent will require tree cutting crews to carry one fire extinguisher per chainsaw. Each vehicle would be equipped with one long-handled shovel and one axe or Pulaski consistent with PRC Section 4428. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	During manual treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HAZ-4 Prohibit Smoking in Vegetated Areas The project proponent will require that smoking is only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter (PRC Section 4423.4). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HAZ-5: Spill Prevention and Response Plan The project proponent or licensed Pest Control Advisor (PCA) will prepare a Spill Prevention and Response Plan (SPRP) prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or other potential contaminants. The SPRP will include (but not be limited to): ▶ a map that delineates staging areas, and storage, loading, and mixing areas for herbicides; ▶ a list of items required in an onsite spill kit that will be maintained throughout the life of the activity;	Prepare SPRP prior to beginning any herbicide treatment activities; implement measures during herbicide treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ procedures for the proper storage, use, and disposal of any herbicides, adjuvants, or other chemicals used in vegetation treatment. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.			
SPR HAZ-6: Comply with Herbicide Application Regulations The project proponent will coordinate pesticide use with the applicable County Agricultural Commissioner(s), and all required licenses and permits will be obtained prior to herbicide application. The project proponent will prepare all herbicide applications to do the following: ▶ Be implemented consistent with recommendations prepared annually by a licensed PCA. ▶ Comply with all appropriate laws and regulations pertaining to the use of pesticides and safety standards for employees and the public, as governed by the EPA, DPR, and applicable local jurisdictions. ▶ Adhere to label directions for application rates and methods, storage, transportation, mixing, container disposal, and weather limitations to application such as wind speed, humidity, temperature, and precipitation. ▶ Be applied by an applicator appropriately licensed by the State. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Prior to and during herbicide treatments	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HAZ-7: Triple Rinse Herbicide Containers The project proponent will triple rinse all herbicide and adjuvant containers with clean water at an approved site, and dispose of rinsate by placing it in the batch tank for application per 3 CCR Section 6684. The project proponent will puncture used containers on the top and bottom to render them unusable, unless said containers are part of a manufacturer's container recycling program, in which case the manufacturer's instructions will be followed. Disposal of non-recyclable containers will be at legal dumpsites. Equipment will not be cleaned, and personnel will not be washed in a manner that would allow contaminated water to directly enter any body of water within the treatment area or adjacent watersheds. Disposal of all herbicides will follow label requirements and waste disposal regulations. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	During and following herbicide treatments	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HAZ-8: Minimize Herbicide Drift to Public Areas The project proponent will employ the following herbicide application parameters during herbicide application to minimize drift into public areas: ▶ application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ spray nozzles will be configured to produce the largest appropriate droplet size to minimize drift; ▶ low nozzle pressures (30-70 pounds per square inch) will be utilized to minimize drift; and ▶ spray nozzles will be kept within 24 inches of vegetation during spraying. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	During herbicide treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR HAZ-9: Notification of Herbicide Use in the Vicinity of Public Areas For herbicide applications occurring within or adjacent to public recreation areas, residential areas, schools, or any other public areas within 500 feet, the project proponent will post signs at each end of herbicide treatment areas and any intersecting trails notifying the public of the use of herbicides. The signs will include the signal word (i.e., Danger, Warning or Caution), product name, and manufacturer; active ingredient; EPA registration number; target pest; treatment location; date and time of application; restricted entry interval, if applicable per the label requirements; date which notification sign may be removed; and a contact person with a telephone number. Signs will be posted prior to the start of treatment and notification will remain in place for at least 72 hours after treatment ceases. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Prior to, during, and 72 hours after herbicide treatment activities occurring within or adjacent to public recreation areas, residential areas, schools, or any other public areas within 500 feet	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Hydrology and Water Quality Standard Project Requirements			
SPR HYD-1: Comply with Water Quality Regulations Project proponents must also conduct proposed vegetation treatments in conformance with appropriate RWQCB timber, vegetation and land disturbance related Waste Discharge Requirements (WDRs) and/or related Conditional Waivers of Waste Discharge Requirements (Waivers), and appropriate Basin Plan Prohibitions. Where these regulatory requirements differ, the most restrictive will apply. If applicable, this includes compliance with the conditions of general waste discharge requirements (WDR) and waste discharge requirement waivers for timber or silviculture activities where these waivers are designed to apply to non-commercial fuel reduction and forest health projects. In general, WDR and Waivers of waste discharge requirements for fuel reduction and forest health activities require that wastes, including but not limited to petroleum products, soil, silt, sand, clay, rock, felled trees, slash, sawdust, bark, ash, and pesticides must not be discharged to surface waters or placed where it may be carried into surface waters; and that Water Board staff must be allowed reasonable access to the property in order to determine compliance with the waiver conditions. The specifications for each WDR and Waiver vary by region. Regions 2 (San Francisco Bay), 4 (Los Angeles), 8 (Santa Ana), and 7 (Colorado River) are highly urban or minimally forested and do not offer WDRs or Waivers for fuel reduction or vegetation management activities. The current applicable WDRs and Waivers for timber and vegetation management activities are included in Appendix HYD-1. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR HYD-1** Vegetation treatment activities may result in discharges to waters of the state; therefore; compliance with Water Code sections 13260(a)(1) and 13264 are required. The project proponent will use the State Water Board's Vegetation Treatment General Order, which provides a mechanism for Water Code compliance for projects that prepare a CalVTP PSA or PSA/Addendum. The project will be automatically enrolled (through implementation of SPR AD-7) in the State Water Board's Vegetation Treatment General Order. The project's automatic enrollment satisfies the requirements of SPR HYD-1.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HYD-2: Avoid Construction of New Roads The project proponent will not construct or reconstruct (i.e., cutting or filling involving less than 50 cubic yards/0.25 linear road miles) any new roads (including temporary roads). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR HYD-3: Water Quality Protections for Prescribed Herbivory The project proponent will include the following water quality protections for all prescribed herbivory treatments: ▶ Environmentally sensitive areas such as waterbodies, wetlands, or riparian areas will be identified in the treatment prescription and excluded from prescribed herbivory project areas using temporary fencing or active herding. A buffer of approximately 50 feet will be maintained between sensitive and actively grazed areas. ▶ Water will be provided for grazing animals in the form of an on-site stock pond or a portable water source located outside of environmentally sensitive areas. ▶ Treatment prescriptions will be designed to protect soil stability. Grazing animals will be herded out of an area if accelerated soil erosion is observed. This SPR applies to prescribed herbivory treatment activities and all treatment types, including treatment maintenance.	Before and during prescribed herbivory treatments	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR HYD-4: Identify and Protect Watercourse and Lake Protection Zones The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). WLPZ's are classified based on the uses of the stream and the presence of aquatic life. Wider WLPZs are required for steep slopes.	Establish WLPZs during design of treatment project; implement WLPZ protections during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Procedures for Determining Watercourse and Lake Protection Zone (WLPZ) widths

Water Class	Class I	Class II	Class III	Class IV
Water Class Characteristics or Key Indicator Beneficial Use	1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area and/or 2) Fish always or seasonally present onsite, includes habitat to sustain fish migration and spawning.	1) Fish always or seasonally present offsite within 1000 feet downstream and/or 2) Aquatic habitat for nonfish aquatic species. 3) Excludes Class III waters that are tributary to Class I waters.	No aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after completion of timber operations.	Man-made watercourses, usually downstream, established domestic, agricultural, hydroelectric supply or other beneficial use.
WLPZ Width (ft) – Distance from top of bank to the edge of WLPZ				
< 30 % Slope	75	50	Sufficient to prevent the degradation of downstream beneficial uses of water. Determined on a site-specific basis.	
30-50 % Slope	100	75		
>50 % Slope	150	100		

Source: 14 CCR Section 916.5 [936.5, 956.5] (February 2019 version)

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
The following WLPZ protections will be applied for all treatments: ▶ Treatment activities with WLPZs will retain at least 75 percent surface cover and undisturbed area to act as a filter strip for raindrop energy dissipation and for wildlife habitat. If this percentage is reduced a qualified RPF will provide the project proponent with a site- and/or treatment activity-specific explanation for the percent surface cover reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced percent as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). This requirement is based on 14 CCR Section 916.4 [936.4, 956.4] Subsection (b)(6) (February 2019 version) and 14 CCR Section 916.5 (February 2019 version). ▶ Equipment, including tractors and vehicles, must not be driven in wet areas or WLPZs, except over existing roads or watercourse crossings where vehicle tires or tracks remain dry. ▶ Equipment used in vegetation removal operations will not be serviced in WLPZs, within wet meadows or other wet areas, or in locations that would allow grease, oil, or fuel to pass into lakes, watercourses, or wet areas. ▶ WLPZs will be kept free of slash, debris, and other material that harm the beneficial uses of water. Accidental deposits will be removed immediately. ▶ Burn piles will be located outside of WLPZs. ▶ No fire ignition (nor use of associated accelerants) will occur within WLPZs however low intensity backing fires may be allowed to enter or spread into WLPZs. ▶ Within Class I and Class II WLPZs, locations where project operations expose a continuous area of mineral soil 800 square feet or larger shall be treated for reduction of soil loss. Treatment shall occur prior to October 15th and disturbances that are created after October 15th shall be treated within 10 days. Stabilization measures shall be selected that will prevent significant movement of soil into water bodies and may include but are not limited to mulching, rip-rap, grass seeding, or chemical soil stabilizers. ▶ Where mineral soil has been exposed by project operations on approaches to watercourse crossings of Class I, II, or III within a WLPZ, the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into watercourses or lakes in amounts that would adversely affect the quality and beneficial uses of the watercourse. ▶ Where necessary to protect beneficial uses of water from project operations, protection measures such as seeding, mulching, or replanting shall be used to retain and improve the natural ability of the ground cover within the WLPZ to filter sediment, minimize soil erosion, and stabilize banks of watercourses and lakes. ▶ Equipment limitation zones (ELZs) will be designated adjacent to Class III and Class IV watercourses with minimum widths of 25 feet where side-slope is less than 30 percent and 50 feet where side-slope is 30 percent or greater. An RPF will describe the limitations of heavy equipment within the ELZ and, where appropriate, will include additional measures to protect the beneficial uses of water. This SPR applies to all treatment activities and treatment types, including treatment maintenance.		Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Proposed Revision to SPR HYD-4 A revision to the SPR is proposed to establish the WLPZs for only the watercourses within 300 feet of the manual, mechanical, prescribed pile burning, and herbicide treatments. An excerpt of the original language of SPR HYD-4 is as follows: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). The SPR revision modifies the SPR to state the following: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) within 300 feet of mechanical, manual, herbicide application, and prescribed pile burning treatment or staging areas on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version).			
SPR HYD-5: Protect Non-Target Vegetation and Special-status Species from Herbicides The project proponent will implement the following measures when applying herbicides: ▶ Locate herbicide mixing sites in areas devoid of vegetation and where there is no potential of a spill reaching non-target vegetation or a waterway. ▶ Use only herbicides labeled for use in aquatic environments when working in riparian habitats or other areas where there is a possibility the herbicide could come into direct contact with water. Only hand application of herbicides will be allowed in riparian habitats and only during low-flow periods or when seasonal streams are dry. ▶ No terrestrial or aquatic herbicides will be applied within WLPZs of Class I and II watercourses, if feasible. If this is not feasible, hand application of herbicides labeled for use in aquatic environments may be used within the WLPZ provided that the project proponent notifies the applicable regional water quality control board no fewer than 15 days prior to herbicide application. The feasibility of avoiding herbicide application within WLPZ of Class I and II watercourses will be determined by the project proponent and may be based on whether doing so will preclude achieving CalVTP program objectives, including, but not limited to, protection of vulnerable communities. The reasons for infeasibility will be documented in the PSA. ▶ No herbicides will be applied within a 50-foot buffer of ESA or CESA listed plant species or within 50 feet of dry vernal pools. ▶ For spray applications in and adjacent to habitats suitable for special-status species, use herbicides containing dye (registered for aquatic use by DPR, if warranted) to prevent overspray. ▶ Application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative). ▶ No herbicide will be applied during precipitation events or if precipitation is forecast 24 hours before or after project activities. This SPR applies to herbicide treatment activities and all treatment types, including treatment maintenance.	During herbicide treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR HYD-6: Protect Existing Drainage Systems If a treatment activity is adjacent to a roadway with stormwater drainage infrastructure, the existing stormwater drainage infrastructure will be marked prior to ground disturbing activities. If a drainage structure or infiltration system is inadvertently disturbed or modified during project activities, the project proponent will coordinate with owner of the system or feature to repair any damage and restore pre-project drainage conditions. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Mark existing stormwater drainage infrastructure prior to ground disturbing activities; if a drainage structure or infiltration system is inadvertently disturbed or modified during treatment, coordinate with owner to repair damage, and restore pre-project drainage conditions	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Noise Standard Project Requirements			
SPR NOI-1: Limit Heavy Equipment Use to Daytime Hours The project proponent will require that operation of heavy equipment associated with treatment activities (heavy off-road equipment, tools, and delivery of equipment and materials) will occur during daytime hours if such noise would be audible to receptors (e.g., residential land uses, schools, hospitals, places of worship). Cities and counties in the treatable landscape typically restrict construction-noise (which would apply to vegetation treatment noise) to particular daytime hours. If the project proponent is subject to local noise ordinance, it will adhere to those to the extent the project is subject to them. If the applicable jurisdiction does not have a noise ordinance or policy restricting the time-of-day when noise-generating activity can occur noise-generating vegetation treatment activity will be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday and federal holidays. If the project proponent is not subject to local ordinances (e.g., CAL FIRE), it will adhere to the restrictions stated above or may elect to adhere to the restrictions identified by the local ordinance encompassing the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR NOI-2: Equipment Maintenance The project proponent will require that all powered treatment equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered treatment equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. This SPR applies to all activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR NOI-3: Engine Shroud Closure The project proponent will require that engine shrouds be closed during equipment operation. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	During mechanical treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR NOI-4: Locate Staging Areas Away from Noise-Sensitive Land Uses The project proponent will locate treatment activities, equipment, and equipment staging areas away from nearby noise-sensitive land uses (e.g., residential land uses, schools, hospitals, places of worship), to the extent feasible, to minimize noise exposure. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR NOI-5: Restrict Equipment Idle Time The project proponent will require that all motorized equipment be shut down when not in use. Idling of equipment and haul trucks will be limited to 5 minutes. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
SPR NOI-6: Notify Nearby Off-Site Noise-Sensitive Receptors For treatment activities utilizing heavy equipment, the project proponent will notify noise-sensitive receptors (e.g., residential land uses, schools, hospitals, places of worship) located within 1,500 feet of the treatment activity. Notification will include anticipated dates and hours during which treatment activities are anticipated to occur and contact information, including a daytime telephone number, of the project representative. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) will also be included in the notification. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Prior to mechanical treatment activities within 1,500 feet of noise-sensitive receptors	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Recreation Standard Project Requirements			
SPR REC-1: Notify Recreational Users of Temporary Closures If a treatment activity would require temporary closure of a public recreation area or facility, the project proponent will coordinate with the owner/manager of that recreation area or facility. If temporary closure of a recreation area or facility is required, the project proponent will work with the owner/manager to post notifications of the closure at least 2 weeks prior to the commencement of the treatment activities. Additionally, notification of the treatment activity will be provided to the Administrative Officer (or equivalent official responsible for distribution of public information) of the county(ies) in which the affected recreation area or facility is located. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	If a temporary closure of a public recreation area or facility is required, post notifications at least 14 days prior to treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Transportation Standard Project Requirements			
SPR TRAN-1: Implement Traffic Control during Treatments Prior to initiating vegetation treatment activities the project proponent will work with the agency(ies) with jurisdiction over affected roadways to determine if a Traffic Management Plan (TMP) is needed. A TMP will be needed if traffic generated by the project would result in obstructions, hazards, or delays exceeding applicable jurisdictional standards along access routes for individual vegetation treatments. If needed, a TMP will be prepared to provide measures to reduce potential traffic obstructions, hazards, and service level degradation along affected roadway facilities. The scope of the TMP will depend on the type, intensity, and duration of the	Prepare TMP prior to treatment and implement during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
specific treatment activities under the CalVTP. Measures included in the TMP could include (but are not be limited to) construction signage to provide motorists with notification and information when approaching or traveling along the affected roadway facilities, flaggers for lane closures to provide temporary traffic control along affected roadway facilities, treatment schedule restrictions to avoid seasons or time periods of peak vehicle traffic, haul-trip, delivery, and/or commute time restrictions that would be implemented to avoid peak traffic days and times along affected roadway facilities. If the TMP identifies impacts on transportation facilities outside of the jurisdiction of the project proponent, the TMP will be submitted to the agency with jurisdiction over the affected roadways prior to commencement of vegetation treatment projects. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Smoke generated during prescribed burn operations could potentially affect driver visibility and traffic operations along nearby roadways. Direct smoke impacts to roadway visibility and indirect impacts related to driver distraction will be considered during the planning phase of burning operations. Smoke impacts and smoke management practices specific to traffic operations during prescribed fire operations will be identified and addressed within the TMP. The TMP will include measures to monitor smoke dispersion onto public roadways, and traffic control operations will be initiated in the event burning operations could affect traffic safety along any roadways. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.			
Public Services and Utilities Standard Project Requirements			
SPR UTIL-1: Solid Organic Waste Disposition Plan For projects requiring the disposal of material outside of the treatment area, the project proponent will prepare an Organic Waste Disposition Plan prior to initiating treatment activities. The Solid Organic Waste Disposition Plan will include the amount (e.g., tons) of solid organic waste to be managed onsite (i.e., scattering of wood materials, generating unburned piles, and pile burning) and transported offsite for processing (i.e., biomass power plant, wood product processing facility, composting). If the project proponent intends to transport solid organic waste offsite, the Solid Organic Waste Disposition Plan will clearly identify the location and capacity of the intended processing facility, consistent with local and state regulations to demonstrate that adequate capacity exists to accept the treated materials. This SPR applies only to mechanical and manual treatment activities and all treatment types, including treatment maintenance.	Prepare an Organic Waste Disposition Plan prior to mechanical or manual treatment activities; implement plan during mechanical or manual treatment activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Aesthetics			
Mitigation Measure AES-3: Conduct Visual Reconnaissance for Non-Shaded Fuel Breaks and Relocate or Feather and Screen Publicly Visible Non-Shaded Fuel Breaks The project proponent will conduct a visual reconnaissance of the treatment area prior to implementing non-shaded fuel breaks to observe the surrounding landscape and determine if public viewing locations, including scenic vistas, public trails, and state scenic highways, have views of the proposed treatment area. If none are identified, the non-shaded fuel break may be implemented without additional visual mitigation. If the project proponent identifies public viewing points, including heavily used scenic vistas, public trails, recreation areas, and state scenic highways with lengthy views (i.e., longer than a few seconds) of a proposed non-shaded fuel break treatment area, the project proponent will, prior to implementation, attempt to identify any feasible change in location of the fuel break to reduce its visibility from public viewpoints. If no feasible location changes exist that would reduce impacts to public viewers and achieve the intended wildfire risk reduction objectives of the proposed non-shaded fuel break, the project proponent will implement, where feasible, a shaded fuel break rather than a non-shaded fuel break, if the shaded fuel break would achieve the intended wildfire risk reduction objectives. With the shaded fuel break, the project proponent will thin and feather adjacent vegetation to break up the linear edges of the fuel break and strategically preserve vegetation at the edge of the fuel break, as feasible, to help screen public views and minimize the contrast between the fuel break and surrounding vegetation.	Conduct visual reconnaissance prior to implementing non-shaded fuel breaks; if public viewing points identified, attempt to relocate, or implement a shaded fuel break, if feasible	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Air Quality			
Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques Where feasible, project proponents will implement emission reduction techniques to reduce exhaust emissions from off-road equipment. It is acknowledged that due to cost, availability, and the limits of current technology, there may be circumstances where implementation of certain emission reduction techniques will not feasible. The project proponent will document the emission reduction techniques that will be applied and will explain the reasons other techniques that could reduce emissions are infeasible. Techniques for reducing emissions may include, but are not limited to, the following: ▶ Diesel-powered off-road equipment used in construction will meet EPA's Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models can be used if a Tier 4 version of the equipment type is not yet produced by manufacturers. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. Prior to implementation of treatment activities, the project proponent will demonstrate the ability to supply the compliant equipment. A copy of each unit's certified tier specification or model year specification and operating permit (if applicable) will be available upon request at the time of mobilization of each unit of equipment.	During treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Use renewable diesel fuel in diesel-powered construction equipment. Renewable diesel fuel must meet the following criteria: ▪ meet California's Low Carbon Fuel Standards and be certified by CARB Executive Officer; ▪ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables; ▪ contain no fatty acids or functionalized fatty acid esters; and ▪ have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines. ▶ Electric- and gasoline-powered equipment will be substituted for diesel-powered equipment. ▶ Workers will be encouraged to carpool to work sites, and/or use public transportation for their commutes. Off-road equipment, diesel trucks, and generators will be equipped with Best Available Control Technology for emission reductions of NO_X and PM.			
Archaeological, Historical, and Tribal Cultural Resources			
Mitigation Measure CUL-2: Protect Inadvertent Discoveries of Unique Archaeological Resources or Subsurface Historical Resources If any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during ground-disturbing activities, all ground-disturbing activity within 100 feet of the resources will be halted and a qualified archaeologist will assess the significance of the find. The qualified archaeologist will work with the project proponent to develop a primary records report that will comply with applicable state or local agency procedures. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan will be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find constitutes a unique archaeological resource, subsurface historical resource, or tribal cultural resource), the archaeologist will work with the project proponent to develop appropriate procedures to protect the integrity of the resource. Procedures could include preservation in place (which is the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or recovery of scientifically consequential information from and about the resource. Any find will be recorded standard DPR Primary Record forms (Form DPR 523) will be submitted to the appropriate regional information center.	During ground-disturbing activities	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Biological Resources			
Mitigation Measure BIO-1a: Avoid Loss of Special-Status Plants Listed under ESA or CESA If listed plants are determined to be present through application of SPR BIO-1 and SPR BIO-7, the project proponent will avoid and protect these species by establishing a no-disturbance buffer around the area occupied by listed plants and marking the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway), exceptions to this requirement are listed later in this measure.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
The no-disturbance buffers will generally be a minimum of 50 feet from listed plants, but the size and shape of the buffer zone may be adjusted if a qualified RPF or botanist determines that a smaller buffer will be sufficient to avoid killing or damaging listed plants or that a larger buffer is necessary to sufficiently protect plants from the treatment activity. The appropriate buffer size will be determined based on plant phenology at the time of treatment (e.g., whether the plants are in a dormant, vegetative, or flowering state), the individual species' vulnerability to the treatment method being used, and environmental conditions and terrain. For example, paint-on or wicking application of herbicides to invasive plants may be implemented within 50 feet of listed plant species without posing a risk, especially if the listed plants are dormant at the time of application. Consideration of factors such as site hydrology, changes in light, edge effects, and potential introduction of invasive plants and noxious weeds may inform the determination of buffer width. If a no-disturbance buffer is reduced below 50 feet from a listed plant, a qualified RPF or botanist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced buffer as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report) with a science-based justification for the deviation. No fire ignition (and associated use of accelerants) will occur within 50 feet of listed plants. For species listed under ESA or CESA, if the project proponent cannot avoid loss by implementing no-disturbance buffers, the project proponent will implement Mitigation Measure BIO-1c. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or botanist, in consultation with CDFW and USFWS, as appropriate depending on species status and location, that the listed plants would benefit from treatment in the occupied habitat area even though some of the listed plants may be lost during treatment activities. For a treatment to be considered beneficial to listed special-status plants, the qualified RPF or botanist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to listed plants, no compensatory mitigation for loss of individuals will be required.			
Mitigation Measure BIO-1b: Avoid Loss of Special-Status Plants Not Listed Under ESA or CESA If non-listed special-status plant species (i.e., species not listed under ESA or CESA, but meeting the definition of special-status as stated in Section 3.6.1 of the Program EIR) are determined to be present through application of SPR BIO-1 and SPR BIO-7, the project proponent will implement the following measures to avoid loss of individuals and maintain habitat function of occupied habitat: ▶ Physically avoid the area occupied by the special-status plants by establishing a no-disturbance buffer around the area occupied by species and marking the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The no-disturbance buffers will generally be a minimum of 50 feet from special-status plants, but the size and shape of the buffer zone may be adjusted if a	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
qualified RPF or botanist determines that a smaller buffer will be sufficient to avoid loss of or damaging to special-status plants or that a larger buffer is necessary to sufficiently protect plants from the treatment activity. The appropriate size and shape of the buffer zone will be determined by a qualified RPF or botanist and will depend on plant phenology at the time of treatment (e.g., whether the plants are in a dormant, vegetative, or flowering state), the individual species' vulnerability to the treatment method being used, and environmental conditions and terrain. Consideration of factors such as site hydrology, changes in light, edge effects, and potential introduction of invasive plants and noxious weeds may inform an appropriate buffer size and shape. ▶ Treatments may be conducted within this buffer if the potentially affected special-status plant species is a geophytic, stump-sprouting, or annual species, and the treatment can be conducted outside of the growing season (e.g., after it has completed its annual life cycle) or during the dormant season using only treatment activities that would not damage the stump, root system or other underground parts of special-status plants or destroy the seedbank. ▶ Treatments will be designed to maintain the function of special-status plant habitat. For example, for a fuel break proposed in treatment areas occupied by special-status plants, if the removal of shade cover would degrade the special-status plant habitat despite the requirement to physically or seasonally avoid the special-status plant itself, habitat function would be diminished and the treatment would need to be modified or precluded from implementation. ▶ No fire ignition (and associated use of accelerants) will occur within the special-status plant buffer. A qualified RPF or botanist with knowledge of the special-status plant species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment would not maintain habitat function of the special-status plant habitat (i.e., the habitat would be rendered unsuitable) or because the loss of special-status plants would substantially reduce the number or restrict the range of a special-status plant species. If the project proponent determines the impact on special-status plants would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status plants or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-1c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or botanist that the special-status plants would benefit from treatment in the occupied habitat area even though some of the non-listed special-status plants may be killed during treatment activities. For a treatment to be considered beneficial to non-listed special-status plants, the qualified RPF or botanist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status plants, no compensatory mitigation will be required.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-1c: Compensate for Unavoidable Loss of Special-Status Plants If significant impacts on listed or non-listed special-status plants cannot feasibly be avoided as specified under the circumstances described under Mitigation Measures BIO-1a and 1b, the project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant impacts that require compensatory mitigation and describes the compensatory mitigation strategy being implemented and how unavoidable losses of special-status plants will be compensated. The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. If the special-status plant taxa are listed under ESA or CESA, the plan will be submitted to CDFW and/or USFWS (as appropriate) for review and comment. The first priority for compensatory mitigation will be preserving and enhancing existing populations outside of the treatment area in perpetuity, or if that is not an option because existing populations that can be preserved in perpetuity are not available, one of the following mitigation options will be implemented by the project proponent instead: ▶ creating populations on mitigation sites outside of the treatment area through seed collection and dispersal (annual species) or transplantation (perennial species); ▶ purchasing mitigation credits from a CDFW- or USFWS-approved conservation or mitigation bank in sufficient quantities to offset the loss of occupied habitat; and ▶ if the affected special-status plants are not listed under ESA or CESA, compensatory mitigation may include restoring or enhancing degraded habitats so that they are made suitable to support special-status plant species in the future. If relocation efforts are part of the Compensatory Mitigation Plan, the plan will include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, success criteria, and remedial action responsibilities should the initial effort fail to meet long-term monitoring requirements. The following performance standards will be applied for relocation: ▶ the extent of occupied area will be substantially similar to the affected occupied habitat and will be suitable for self-producing populations. Re-located/re-established populations will be considered suitable for self-producing when: ▶ habitat conditions allow for plants to reestablish annually for a minimum of 5 years with no human intervention, such as supplemental seeding; and ▶ reestablished habitats contain an occupied area comparable to existing occupied habitat areas in similar habitat types in the region. If preservation of existing populations or creation of new populations is part of the mitigation plan, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands and actions (e.g., the number and type of credits, location of mitigation bank or easement, restoration or enhancement actions), parties responsible for the long-term management of the land, and the legal and funding mechanisms (e.g.,	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory plant populations will be preserved in perpetuity. If mitigation includes dedication of conservation easements, purchase of mitigation credits, or other offsite conservation measures, the details of these measures will be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, funding assurances, and success criteria such as those listed above and other details, as appropriate to target the preservation of long term viable populations. If mitigation includes restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. If the loss of occupied habitat cannot be offset (e.g., if preservation of existing populations or creation of new populations through relocation efforts are not available for a certain species), and as a result treatment activities would substantially reduce the number or restrict the range of listed plant species, then the treatment will not qualify as within the scope of this Program EIR. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit for state-listed plants), if these requirements are equally or more effective than the mitigation identified above.			
Mitigation Measure BIO-2a: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Listed Wildlife Species and California Fully Protected Species (All Treatment Activities) If California Fully Protected Species or species listed under ESA or CESA are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> The project proponent will implement one of the following two measures to avoid mortality, injury, or disturbance of individuals: 1. Treatment will not be implemented within the occupied habitat. Any treatment activities outside occupied habitat will be a sufficient distance from the occupied habitat such that mortality, injury, or disturbance of the species will not occur, as determined by a qualified RPF or biologist using the most current and commonly-accepted science and considering published agency guidance; OR 2. Treatment will be implemented outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, CDFW and/or USFWS/NOAA Fisheries	Prior to, during, and after treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
will be consulted to determine if there is a period of time within which treatment could occur that would avoid mortality, injury, or disturbance of the species. ▶ For species listed under ESA or CESA, if the project proponent cannot avoid mortality, injury or disturbance by implementing one of the two options listed above, the project proponent will implement Mitigation Measure BIO-2c. Injury or mortality of California Fully Protected Species is prohibited pursuant to Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code and will be avoided. Maintain Habitat Function ▶ The project proponent will design treatment activities to maintain the habitat function, by implementing the following: ▶ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; dens; tree snags; large raptor nests [including inactive nests]; downed woody debris; food sources). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science. ▶ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that listed or fully protected wildlife with specific requirements for high canopy cover (e.g., Humboldt marten, fisher, spotted owl, coastal California gnatcatcher, riparian woodrat) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted [e.g., 50 percent for coastal California gnatcatcher]) such that habitat function is maintained. A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. Because this measure pertains to species listed under CESA or ESA or fully protected species, the qualified RPF or biologist will consult with CDFW and/or USFWS/NOAA Fisheries regarding the determination that habitat function is maintained. If the lead agency determines after consultation that the treatment will not maintain habitat function for the special-status species, the project proponent will implement Mitigation Measure BIO-2c. **Project-Specific Guidance to Implement Mitigation Measure BIO-2a** California Red-Legged Frog If California red-legged frog is assumed present or detected during protocol-level surveys (pursuant to SPR BIO-10), the following measures will be implemented: ▶ Pretreatment surveys and biological monitoring. Pretreatment visual surveys will be performed daily by a qualified RPF, biologist, biological technician, or trained designee prior to implementation of prescribed			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
burning, mechanical treatments, and manual treatments within 300 feet of Class I or Class II streams and within or adjacent to other sensitive habitat areas (e.g., wet intermittent streams, wet seeps) during the dispersal season (October 1–April 1) or within 24 hours following a rain event greater than one-quarter inch. Surveys and monitoring will be performed year-around prior to any activities within 30 feet of Class I or Class II streams and within or adjacent to other sensitive habitat areas (e.g., wet Class III streams, wet seeps). ▶ If a California red-legged frog is found during pretreatment surveys or enters the project site during treatment activities, all work will stop within a no-disturbance buffer of 100 feet around the individual unless it is determined by the qualified RPF or biologist that a different-sized buffer is appropriate to avoid disturbance, injury, or mortality. Treatment activities will cease within the buffer until the animal leaves on its own and the occurrence will be reported to the qualified biologist and USFWS. ▶ If California red-legged frog is found during pretreatment surveys or enters the project site during treatment activities, the specific habitat features used by the frog when detected will be evaluated by a qualified RPF or biologist for habitat retention, if habitat retention will meet the project goals. ▶ If operators need to move or treat large woody debris greater than 12 inches in diameter, that piece of woody debris (if located within 300 feet of a Class I or Class II water) will be evaluated for California red-legged frog by a qualified biologist, qualified professional, RPF, RPF-supervised designee, or a contractor who has been through the environmental awareness training. ▶ All mechanized equipment will shut down for 24 hours following any precipitation event of 0.20 inches to less than 1 inch, 48 hours following any precipitation event 1 inch to less than 2 inches, and 72 hours following any precipitation event greater or equal to 2 inches. Manual treatments, mechanical treatments where the machinery is operated on established roads and masticator heads are kept 12 inches from the ground, and stationary chipper operations from compacted surfaces may continue. ▶ No mechanized operations will occur year-round (including track chippers unless on an existing road) in a Watercourse and Lake Protection Zone (WLPZ) of a Class I or Class II watercourse, within 30 feet of a Class III watercourse, or adjacent to other potential sensitive habitat areas (e.g., wet seeps). Only manual treatments may occur in these areas. If manual treatments are proposed, a qualified RPF or biologist must conduct a pretreatment survey in the area no more than 7 days prior to operations. ▶ No heavy equipment shall be fueled within 65 feet of any watercourse. <u>California tiger salamander</u> If the treatment area includes California tiger salamander suitable upland habitat (as identified by a qualified RPF or biologist and defined in SPR BIO-1) and the species is assumed present or confirmed present based on the results of SPR BIO-10 surveys, the project proponent will implement the following measures: ▶ Pretreatment visual surveys will be performed daily by a qualified RPF, qualified biologist, or biological technician during the dispersal season (November 1–April 30) for manual tree and snag removal, mechanical treatments, prescribed burning, or herbicide application other than cut-stump and basal bark application within upland habitat suitable for the species.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ If a California tiger salamander is found during pretreatment surveys or enters the project site during treatment activities, all work will stop within a no-disturbance buffer of 100 feet around the individual unless it is determined by the qualified RPF or biologist that a different-sized buffer is appropriate to avoid disturbance, injury, or mortality. Treatment activities will cease within the buffer until the animal leaves on its own, the occurrence will be reported to the qualified RPF or biologist, and both CDFW and USFWS will be notified. ▶ Surveys for mammal burrows potentially suitable for use by California tiger salamander will be conducted by a qualified biologist or qualified RPF in upland habitat determined to be suitable for California tiger salamander prior to mechanical treatments conducted off of compacted surfaces or pile burning during any time of year. ▶ Mechanized equipment that may cause burrow collapse (tracked and other heavy equipment) will be driven on compacted surfaces or greater than 50 feet away from mammal burrows determined to be suitable for use by California tiger salamander by a qualified biologist or qualified RPF ▶ Burn piles will not be placed within 50 feet of mammal burrows within upland habitat suitable for California tiger salamander, as determined by a qualified biologist or qualified RPF. <u>Foothill yellow-legged frog</u> ▶ If focused surveys pursuant to SPR BIO-10 detect foothill yellow-legged frogs within the treatment area, or presence is assumed based on suitable habitat within the treatment area, daily inspections will be required. ▶ Daily inspection of the day's treatment area within suitable habitat will be performed by the qualified biologist, qualified RPF, biological technician, or trained designee. The training for designees will include identification of foothill yellow-legged frog, procedures to follow for daily inspection of appropriate habitat features immediately before treatment occurs, and proper procedures to implement if a frog is present (e.g., establish a no-disturbance buffer zone of a size that will appropriately avoid foothill yellow-legged frog where treatment will not occur until the frog has left the area, halt activities if a foothill yellow-legged frog is observed during treatment, allow foothill yellow-legged frogs to move out of the treatment area on their own accord, notify CDFW if foothill yellow-legged frogs are observed). <u>Bald eagle</u> ▶ If active bald eagle nests are detected during focused surveys, a no-disturbance buffer of at least 0.5 miles will be established for ground and aerial treatment activities. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer (0.5 miles of horizontal distance or 2,640 feet AGL). No treatment activities will occur within this buffer until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. The buffer may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. ▶ If active bald eagle communal roosts are detected during focused surveys, a vertical and horizontal no-disturbance buffer of 1,000 feet for helicopter and drone operations will be implemented. ▶ Trees where communal roosts are detected during focused surveys will be retained.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Burrowing owl ▶ If an active burrowing owl burrow or a potentially active burrow that is assumed to be occupied is detected in the overwintering season (September 1–January 31) during SPR BIO-10 surveys, a no-disturbance nest buffer of 250 feet will be placed around the burrow. No mechanical or manual treatments, or ground or human disturbance associated with prescribed burning (e.g., control lines, staging areas) and prescribed herbivory (e.g., fence lines, watering infrastructure, staging areas) would occur within this buffer until all burrowing owls have left the burrow (i.e., surveys indicate that no owls have used the burrow for 7 consecutive days) as determined by a qualified biologist or RPF. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, and expected treatment activities in coordination with CDFW. ▶ Within the year-round range of the species (in the far eastern portion of the WSCLRP area), if an active burrowing owl burrow is detected in the nesting season (February 1–August 31) during SPR BIO-10 surveys, a no-disturbance nest buffer of 1,640 feet will be established around active burrowing owl burrows. If the same burrow is active during the overwintering season (September 1–January 31), a no-disturbance nest buffer of 250 feet will be placed around the burrow during the overwintering season. No mechanical or manual treatments, or ground or human disturbance associated with prescribed burning (e.g., control lines, staging areas) and prescribed herbivory (e.g., fence lines, watering infrastructure, staging areas) would occur within this buffer until all burrowing owls have left the burrow (i.e., surveys indicate that no owls have used the burrow for 7 consecutive days) as determined by a qualified biologist or RPF. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above-ground, baseline levels of noise and human activity, and expected treatment activities in coordination with CDFW. California condor ▶ Project activities will be temporarily halted if any California condors are observed within the project area prior to the start of work. California condors will be allowed to depart on their own before project activities resume. California condors that arrive in the project area or approach work crews while work is on-going will be hazed (additional details regarding hazing are described under SPR BIO-2). Work crews will inform the project biologist should any California condor-related work stoppages take place. ▶ Garbage removal will be required in all contracts. Work crews involved in all project activities will remove all trash associated with this project and ensure that it is disposed of properly. ▶ All personnel involved in implementing the project will be briefed on the importance of not leaving hazardous materials exposed and daily removal of all garbage fragments to maintain condor health. ▶ Work crews will store all project materials, tools, hardware, equipment, and loose items in a manner that will prevent their removal or ingestion by California condors and other wildlife. ▶ Work crews will place all materials that are liquid, granular, or powder in sealed leak-proof containers and store in a manner that prevents access by California condors and other wildlife. ▶ Work crews will keep all parked vehicles and equipment free of leaks.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Least Bell's vireo To avoid impacts to least Bell's vireo, if protocol surveys for nests of least Bell's vireo detect an active nest, a no-disturbance buffer for ground and aerial treatment activities of at least 250 feet will be established around the active nest. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer, 250 feet above ground level (AGL). No treatment activities will occur within these buffers until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. These buffers may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. Tricolored blackbird To avoid impacts tricolored blackbird, if protocol surveys detect an active nest, a no-disturbance buffer for ground and aerial treatments activities of at least 250 feet will be established around the active nest. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer, 250 feet AGL. No treatment activities will occur within these buffers until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. These buffers may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. Other Special-Status Birds If active special-status bird nests are detected during focused surveys, a no-disturbance buffer for ground and aerial treatments activities of at least 1 mile will be established around active nests for golden eagle, 0.5 miles for bald eagle nests and Swainson's hawk nests, and 0.25 miles for white-tailed kite nests. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer (e.g., for golden eagle, 1 mile of horizontal distance or 5,280 feet AGL). No treatment activities will occur within these buffers until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. These buffers may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. Mountain lion ▶ Within 14 days prior to the start of and manual tree and snag removal treatments, mechanical treatments, or prescribed burning, a qualified RPF or biologist will inspect suitable nursery habitat (as determined pursuant to SPR BIO-10) in the part of the treatment area scheduled to be treated during that 14-day period for mountain lion or signs of mountain lion nurseries. The qualified RPF or biologist will also use publicly available data on recent mountain lion sightings, or survey for signs of mountain lion (e.g., tracks, scat, prey items such as a fresh kill) in the vicinity of potential nursery habitat to help determine whether the area may contain an active mountain lion nursery. If no mountain lion or sign of a nursery is observed, treatment activities may begin. If signs of a mountain lion nursery are observed, further investigation will be required to determine if a mountain lion nursery is present (see below). ▶ If signs of a mountain lion nursery are found during review of publicly available data or during surveys, further investigation will be required to determine if a mountain lion nursery is present. No treatment will occur in the area while further investigation is occurring. Survey methods will include the use of trail cameras, listening for calling kittens and/or other noninvasive methods, as well as coordination with local experts tracking the			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
species (if available). Surveys using these noninvasive methods will be conducted for five days and five nights to determine whether a nursery may be present. ▶ If a nursery is known to occur in the area or further signs of a nursery are detected based on the surveys described above (e.g., lactating adult females or cubs on camera, repeated detections of an adult female in the area, growls or calls from kittens), no-disturbance buffer of at least 2,000 feet (Wilmers et al. 2013) will be applied for 10 weeks. The duration of the buffer may be shortened by the qualified biologist or RPF based on evidence (e.g., trail camera images) that kittens are old enough to move out of harm's way independently of the female. Treatment activities will not occur within this buffer during this time to avoid disturbance, injury, or mortality of mountain lion nurseries. <u>Northern California Ringtail</u> ▶ To avoid mortality or injury to ringtail the following will be implemented when manual and mechanical large snag (i.e., greater than 12 inches DBH) removal or broadcast burning are implemented during the maternity season (April 15–June 30). ▶ Within 14 days prior to the start of manual and mechanical tree and snag removal or broadcast burning conducted during the ringtail maternity season, a qualified RPF or biologist will conduct a den search in the treatment area to be treated during that 14-day period. The qualified RPF or biologist will search for den structures, such as hollow logs, snags, rock piles, and large trees and snags (i.e., greater than 12 inches DBH) with appropriate cavities (i.e., holes larger than 3 inches in diameter, with cavities extending approximately 12 inches down from the cavity hole). If found, the qualified biologist or RPF will inspect the cavity using a cell phone with a flash or other tools (e.g., borescopes) to determine whether ringtails are present, unless cavities are not safely accessible. Structures (e.g., large trees) with appropriate den habitat, whether verified as occupied or not, will be marked (e.g., with flagging), for avoidance during the maternity season. ▶ Any potential den structures, where the biologist or qualified RPF is not able to determine if the structure is occupied or not, due to safety or access issues, will be retained until the end of the ringtail maternity season (June 30). ▶ If active ringtail dens are discovered during a den survey or during treatment activities, a no-disturbance buffer of 0.25 mile will be implemented around the den, and manual and mechanical tree and snag removal or broadcast burning that may result in the destruction or disturbance of the den and associated foraging habitat as determined by a qualified biologist or RPF will not proceed within the buffer until at least the end of the ringtail maternity season (June 30). The qualified RPF or biologist will confirm that the den is unoccupied before treatment activities resume. If an active den is discovered, CDFW will be notified of the den and buffer location. CDFW will be provided an opportunity to visit the site and provide technical information on the size and shape of the den buffer. <u>San Joaquin kit fox</u> ▶ If the habitat within the treatment area is determined suitable for the species and contains potentially occupied dens (per SPR BIO-10), to avoid mortality, injury, or substantial disturbance to San Joaquin kit fox,			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
the following will be implemented during pile burning or mechanical treatments year-round and for all treatment activities implemented during the pupping/natal season (February 1–September 30). ▶ A spotlight survey following the procedures in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS 1999) will be conducted for 10 nights within a 15-day period prior to project implementation for the treatment area and habitat within a 1.0-mile buffer of the treatment area, or the habitat will be assumed to be occupied. If unidentified canids are detected during spotlighting surveys, camera and scent stations will be implemented to identify potential San Joaquin kit fox following the procedures in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS 1999), or the habitat will be assumed to be occupied. ▶ If San Joaquin kit fox are found during walking transects, spotlighting, camera, or scent stations, or if the habitat is assumed to be occupied, all potential dens will be buffered by a minimum of 250 feet (Santa Clara County et al. 2012); pile burning and mechanical treatments will not be conducted within this buffer year-round; and all treatment activities will be avoided within this buffer during the pupping/natal season (February 1–September 30). ▶ If San Joaquin kit fox are found within the project area, the occurrence will be reported to CDFW and USFWS.			
Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities) If other special-status wildlife species (i.e., species not listed under CESA or ESA or California Fully Protected, but meeting the definition of special status as stated in Section 3.6.1 of the Program EIR) are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid or minimize adverse effects to the species by implementing the following. Avoid Mortality, Injury, or Disturbance of Individuals The project proponent will implement the following to avoid mortality, injury, or disturbance of individuals: ▶ For all treatment activities except prescribed burning, the project proponent will establish a no-disturbance buffer around occupied sites (e.g., nests, dens, roosts, middens, burrows, nurseries). Buffer size will be determined by a qualified RPF or biologist using the most current, commonly accepted science and will consider published agency guidance; however, buffers will generally be a minimum of 100 feet, unless site conditions indicate a smaller buffer would be sufficient for protection or a larger buffer would be needed. Factors to be considered in determining buffer size will include, but not be limited to, the species' tolerance to disturbance; the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; baseline levels of noise and human activity; and treatment activity. Buffer size may be adjusted if the qualified RPF or biologist determines that such an adjustment would not be likely to adversely affect (i.e., cause mortality, injury, or disturbance to) the species within the nest, den, burrow, or other occupied site. If a no-disturbance buffer is reduced below 100 feet from an occupied site, a qualified RPF or biologist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during	Prior to, during, and after treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
treatment implementation, if there is any deviation (e.g., further reduction) from the reduced buffer as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). ▪ No-disturbance buffers will be marked with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). No activity will occur within the buffer areas until the qualified RPF or biologist has determined that the young have fledged or dispersed; the nest, den, or other occurrence is no longer active; or reducing the buffer would not likely result in disturbance, mortality, or injury. A qualified RPF, biologist, or biological technician will be required to monitor the effectiveness of the no-disturbance buffer around the nest, den, burrow, or other occurrence during treatment. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in mortality, injury or disturbance to special-status species. ▪ For prescribed burning, the project proponent will implement the treatment outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, the qualified RPF or biologist will determine the period of time within which prescribed burning could occur that will avoid or minimize mortality, injury, or disturbance of the species. The project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate limited operating periods. Maintain Habitat Function ▶ For all treatment activities, the project proponent will design treatment activities to maintain the habitat function by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; tree snags; large raptor nests [including inactive nests]; downed woody debris). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science. ▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that special-status wildlife with specific requirements for high canopy cover (e.g., northern goshawk, Sierra Nevada snowshoe hare) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted) such that the habitat function is maintained.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding habitat function. A qualified RPF or biologist with knowledge of the special-status wildlife species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status wildlife species' habitat or because the loss of special-status wildlife would substantially reduce the number or restrict the range of a special-status wildlife species. If the project proponent determines the impact on special-status wildlife would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status wildlife or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the non-listed special-status wildlife would benefit from treatment in the occupied habitat area even though some of the non-listed special-status wildlife may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to non-listed special-status wildlife, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status wildlife, no compensatory mitigation will be required. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding the determination that a non-listed special-status species would benefit from the treatment. **Project-Specific Guidance to Implement Mitigation Measure BIO-2b** <u>Southwestern pond turtle</u> ▶ If southwestern pond turtles are detected during SPR BIO-10 focused surveys, biological monitoring by a qualified RPF, biologist, biological technician, or trainee during prescribed burning, mechanical treatments, manual tree and snag removal, and herbicide application other than cut-stump and basal bark application activities within or adjacent to sensitive habitat areas will be implemented to avoid injury to or mortality of individual southwestern pond turtle. ▶ If the qualified RPF or biologist detects a southwestern pond turtle during treatments, a no-disturbance buffer of 100 feet, or published agency distance, will be implemented around the individual unless it is determined by a qualified RPF, biologist, or RPF supervised designee that a different sized buffer is appropriate to avoid injury or mortality. Treatment activities will cease within the buffer until the animal has left the area or has been moved out of harm's way and to other nearby habitat suitable for the species by the qualified RPF or biologist.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Special-Status amphibians and reptiles ▶ If special-status reptiles or amphibians (i.e., California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard) are detected during SPR BIO-10 focused surveys, or if California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard is assumed to be present, biological monitoring by a qualified RPF, biologist, biological technician, or trainee during prescribed burning, mechanical treatments, manual tree and snag removal activities, and herbicide application treatments within or adjacent to sensitive habitat areas will be implemented to avoid injury to or mortality of individual special-status reptiles or amphibians. If the qualified RPF or biologist detects a special-status reptile or amphibian during treatments, a no-disturbance buffer of 100 feet, or published agency distance, will be implemented around the individual unless it is determined by a qualified RPF, biologist, or RPF supervised designee that a different sized buffer is appropriate to avoid injury or mortality. Treatment activities will cease within the buffer until the animal has left the area or has been moved out of harm's way and to other nearby habitat for the species by the qualified RPF or biologist. Other Special-Status Birds ▶ If an active grasshopper sparrow, short-eared owl, log-eared owl, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, saltmarsh common yellowthroat, yellow breasted chat, loggerhead shrike, purple martin, or yellow warbler nest is detected during SPR BIO-10 focused surveys, a no-disturbance buffer of at least 100 feet will be established around the nest. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer (i.e., 100 feet horizontal distance or 100 feet AGL). No treatment activities will occur within this buffer until the chicks have fledged as determined by a qualified RPF or biologist. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, and expected treatment activities. American Badger ▶ If an active American badger den is detected within treatment areas during SPR BIO-10 focused surveys, a no-disturbance buffer of 100 feet would be established around active maternity dens, and installation of control lines and staging areas for prescribed burning, pile burning, mechanical treatment, manual treatment, and the setup of infrastructure for prescribed herbivory activities would not occur within this buffer during the pupping season (February 15–July 1). If an active American badger den is detected within treatment areas outside of the pupping season, where mechanical treatments, pile burning, installation of control lines and staging areas for prescribed burning, or the setup of infrastructure for prescribed herbivory activities are to be conducted, a buffer of 50 feet will be placed around the den. San Francisco dusky-footed woodrat ▶ A no-disturbance buffer of approximately 10 feet in diameter will be established around San Francisco dusky-footed woodrat nests or clusters of nests, and no manual treatments, mechanical treatments, or pile burning will be conducted within that buffer if feasible. The buffer may be estimated by field crews for mechanical treatments using remote-controlled masticators, manual treatments, and pile burning. For traditional			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
mechanical treatments, a reasonable effort shall be made to electronically mark or physically flag the buffer; marking and/or flagging of nests may be reduced where there is a safety issue in accessing the nest. An electronic map will be provided to field crews and used for reference during traditional mechanical treatments. When visibility of a nest is limited, as determined by a qualified RPF or biologist during survey pursuant to SPR BIO-10, high-visibility flagging or other high visibility physical markers may be used to supplement electronic demarcation or visual estimation of the no-disturbance buffer. The buffer distances may be adjusted as needed by a qualified RPF or biologist to avoid impacts if needed. ▶ If San Francisco dusky-footed woodrat nests are located within prescribed burning treatment areas, or if presence of nests is assumed pursuant to SPR BIO-10, broadcast burning will not occur during the season when the majority of woodrat young are present in the nest (April through mid-July) to avoid loss of young woodrats, unless control lines can be established around the nest. ▶ In areas of existing woodrat habitat where pile burning would occur, pile burning will take place as soon as feasible following placement of the pile to reduce the risk of woodrats occupying the debris piles. Prior to burning, debris piles should be disturbed to ensure any woodrats inside of the piles have the opportunity to escape. <u>Special-Status Bats</u> If a special-status bat roost is detected during SPR BIO-10 focused surveys: ▶ A no-disturbance buffer of 250 feet will be established around the roost during the bat maternity season (April 1–August 31), and prescribed burning, mechanical treatments, and manual treatments and herbicide application using power equipment will not occur within this buffer until the roost is no longer being used as determined by a qualified RPF or biologist. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, and expected treatment activities. ▶ During the overwintering season (October 15 – April 1) structures (e.g., trees and snags) containing roosts will be retained unless the tree or snag is hazardous and removal is required for heath and safety.			
Mitigation Measure BIO-2c: Compensate for Mortality, Injury, or Disturbance and Loss of Habitat Function for Special-Status Wildlife if Applicable (All Treatment Activities) If the provisions of Mitigation Measure BIO-2a, BIO-2b, BIO-2d, BIO-2e, BIO-2f, or BIO-2g cannot be implemented and the project proponent determines that additional mitigation is necessary to reduce significant impacts, the project proponent will compensate for such impacts to species or habitat by acquiring and/or protecting land that provides (or will provide in the case of restoration) habitat function for affected species that is at least equivalent to the habitat function removed or degraded as a result of the treatment. Compensation may include: 1. Preserving existing habitat outside of the treatment area in perpetuity; this may entail purchasing mitigation credits and/or lands from a CDFW- or USFWS-approved entity in sufficient quantity to offset the residual significant impacts, generally at a ratio of 1:1 for habitat; and	Prior to, during, and after treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
2. Restoring or enhancing existing habitat within the treatment area or outside of the treatment area (including decommissioning roads, adding perching structures, removing existing perching structures, or removing existing movement barriers or other existing features that are adversely affecting the species). The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanisms for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. Review requirements are as follows: ▶ The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. ▶ For species listed under ESA or CESA or a California Fully Protected Species, the project proponent will submit the mitigation plan to CDFW and/or USFWS/NOAA Fisheries for review and comment. ▶ For other special-status wildlife species the project proponent may consult with CDFW and/or USFWS regarding the availability and applicability of compensatory mitigation and other related technical information. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified above.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-2e: Design Treatment to Retain Special-Status Butterfly Host Plants (All Treatment Activities) If federally listed butterflies are identified as occurring or having potential to occur during review and surveys for SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, then the following measures will be implemented: ▶ Treatment areas within the range of these species will be surveyed for the host plant for each species (Table 3.6-34). ▶ Host plants for federally listed butterflies within the occupied habitat will be marked with high-visibility flagging, fencing, or stakes, and no treatment activities will occur within 10 feet of these plants. ▶ Because prescribed herbivory could result in the indiscriminate removal of the host plants for federally listed butterflies, this treatment type will not be used within occupied habitat of any federally listed butterfly species, unless it is known that the host plant is unpalatable to the herbivore. ▶ Treatment areas that are not occupied but are within the range of the federally listed butterfly will be divided into as many treatment units as feasible such that the entirety of the habitat is not treated within the same year. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in areas that are not occupied but are within the range of the federally listed butterfly, such that the entirety of the habitat is not burned or removed and untreated portions of suitable habitat are retained. If the project proponent cannot implement the measures above to avoid mortality, injury, or disturbance of federally listed butterflies or degradation of occupied habitat (host plants) such that its function would not be maintained, the project proponent will implement Mitigation Measure BIO-2c. **CESA and ESA Listed Species.** A qualified RPF or biologist will determine if, after implementation of any feasible impact avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed butterflies or degradation of occupied habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Table 3.6-34 Special-status Butterflies and Associated Host Plants

Butterfly Species	Host Plants
bay checkerspot butterfly	dwarf plantain (*Plantago virginica*), purple owl's clover (*Castilleja exserta*)
Behren's silverspot butterfly	blue violet (*Viola adunca*)
callippe silverspot butterfly	California golden violet (*Viola pedunculata*)
Carson wandering skipper	salt grass (*Distichlis spicata*)
El Segundo blue butterfly	seacliff buckwheat (*Eriogonum parvifolium*)
Hermes copper butterfly	spiny redberry (*Rhamnus crocea*)
Kern primrose sphinx moth	plains evening-primrose (*Camissonia contorta*), field primrose (*Camissonia campestris*)
Laguna Mountains skipper	Cleveland's horkelia (*Horkelia clevelandii*), sticky cinquefoil (*Drymocallis glandulosa*)
Lange's metalmark butterfly	naked-stemmed buckwheat (*Eriogonum nudum*)
lotis blue butterfly	seaside bird's foot trefoil (*Hosackia gracilis*)
Mission blue butterfly	lupine (*Lupinus* spp.)
Myrtle's silverspot butterfly	blue violet
Oregon silverspot butterfly	blue violet
Palos Verdes blue butterfly	Santa Barbara milkvetch (*Astragalus trichopodus*), common deerweed (*Acmispon glaber*)
San Bruno elfin butterfly	broadleaf stonecrop (*Sedum spathulifolium*), manzanita (*Arctostaphylos* spp.), huckleberry (*Vaccinuum* spp.)
Smith's blue butterfly	seacliff buckwheat, seaside buckwheat (*Eriogonum latifolium*)
Quino checkerspot butterfly	dwarf plantain, purple owl's clover

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Other Special-status Species. A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA, because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status butterflies would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status butterflies or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status butterfly species would benefit from treatment in the occupied habitat area even though some may be killed, injured or disturbed during treatment activities. For a treatment to be considered beneficial to special-status butterfly species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources). If it is determined that treatment activities would be beneficial to special-status butterflies, no compensatory mitigation will be required. **Project-Specific Guidance to Implement Mitigation Measure BIO-2e** The following measures apply to habitat for bay checkerspot butterfly: ▶ Bay checkerspot butterfly host plants include dwarf plantain (*Plantago erecta),* purple owl's-clover *(Castilleja densiflorus,* formerly *Orthocarpus densiflorus)* and exserted paintbrush (*Castilleja exserta,* formerly *Orthocarpus purpurscens).* The measures described above have been tailored to the proposed treatments for monarch butterfly and are as follows: ▶ If host plants for monarch butterfly are detected, and monarch eggs, larvae, and pupae are detected during focused surveys pursuant to SPR BIO-10 or assumed to be present, host plants will be marked with high-visibility flagging, fencing, or stakes, and no treatment activities (other than prescribed herbivory) will occur within 10 feet of these plants if feasible (unless, pursuant to SPR BIO-1, activities occur outside of the period March 15-October 31, when impacts to eggs, larvae, and pupae can be avoided). If monarch butterfly is detected during focused surveys pursuant to SPR BIO-10, or presence is assumed, treatments will be conducted in a patchy pattern to the extent feasible in grasslands, shrublands, and oak woodlands, such that the entirety of the habitat is not burned or removed and untreated portions of suitable habitat and floral resources are retained.		Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities) If special-status bumble bees are identified as occurring during review and surveys under SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, or if suitable habitat for special-status bumble bees is identified during review and surveys under SPR BIO-1 (e.g., wet meadow, forest meadow, riparian, grassland, or coastal scrub habitat containing sufficient floral resources within the range of the species), then the project proponent will implement the following measures, as feasible: ▶ Prescribed burning within occupied or suitable habitat for special-status bumble bees will occur from October through February to avoid the bumble bee flight season. ▶ Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year; the objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in occupied or suitable habitat, such that the entirety of the habitat is not burned or removed and untreated portions of occupied or suitable habitat are retained (e.g., fire breaks will be aligned to allow for areas of unburned floral resources for special-status bumble bees within the treatment area). ▶ Herbicides will not be applied to flowering native plants within occupied or suitable habitat to the extent feasible during the flight season (March through September). **CESA and ESA Listed Species.** A qualified RPF or biologist will determine if, after implementation of feasible avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance to the species, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed bumble bees (in the event the Candidate listing is confirmed) or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c. **Other Special-status Species.** A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status bumble bees would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status bumble bees or degradation of occupied (or assumed to be occupied) habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status bumble bee species would benefit from treatment in the occupied (or assumed to be occupied) habitat area even though some of the non-listed special-status bumble bees may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to special-status bumble bee species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status bumble bees, no compensatory mitigation will be required. **Project-Specific Guidance to Implement Mitigation Measure BIO-2g** To avoid impacts on Crotch's bumble bee, the following measures will be implemented when implementation of surveys under SPR BIO-10 results in identification of habitat suitable for the species and the species is detected or presence of the species is assumed: ▶ If Crotch's bumble bees are detected during focused surveys, a no-disturbance buffer of at least 50 feet will be established around any identified nest colonies, and no pile burning or mechanical treatment activities will occur within this buffer until the nesting colony is no longer occupied as determined by a qualified RPF or biologist. Buffer size may be reduced or adjusted if recommended by a qualified biologist in consultation with CDFW. ▶ If surveys for nest colonies are not conducted and presence is assumed, pile burning and mechanical treatment will not occur during the colony flight season (April through August) (CDFW 2023). Herbicides will not be applied to flowering native plants within occupied or suitable habitat during the colony flight season (April through August), and herbicide application will not target native flowering plants while blooming. Herbicide application will be conducted with ground-level application only (i.e., paint-on stems, backpack hand-applicator, hypo-hatchet tree injection, or hand placement of pellets). No aerial spray of herbicides will occur. ▶ Prescribed burning and biomass disposal will be designed to avoid nesting bumble bees and bumble bee floral resources. ▶ Chips will not fully block existing rodent burrows, which may provide habitat for bumble bees. ▶ Broadcast burning in habitat suitable for sensitive bumble bees will be restricted to the winter season prior to emergence of bumble bee floral resources. Generally, prescribed burning will be limited to September 1–March 31 (outside of the colony flight season). If conditions in a given year vary and the timing of floral resource emergence is altered by unusual conditions (e.g., heavy rains, extended cold season), the prescribed burning window may be altered with coordination from a qualified bumble bee biologist. Variation from the September 1–March 31 broadcast burning window will be documented in the post-project implementation report.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year. The scale will be determined by a qualified biologist or RPF. The objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area.			
Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands The project proponent will implement the following measures when working in treatment areas that contain sensitive natural communities identified during surveys conducted pursuant to SPR BIO-3: ▶ Reference the *Manual of California Vegetation*, Appendix 2, Table A2, *Fire Characteristics* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/) or other best available information to determine the natural fire regime of the specific sensitive natural community type (i.e., alliance) present. The condition class and fire return interval departure of the vegetation alliances present will also be determined. ▶ Design treatments in sensitive natural communities and oak woodlands to restore the natural fire regime and return vegetation composition and structure to their natural condition to maintain or improve habitat function of the affected sensitive natural community. Treatments will be designed to replicate the fire regime attributes for the affected sensitive natural community or oak woodland type including seasonality, fire return interval, fire size, spatial complexity, fireline intensity, severity, and fire type as described in *Fire in California's Ecosystems* (Van Wagtendonk et al. 2018) and the *Manual of California Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/). Treatments will not be implemented in sensitive natural communities that are within their natural fire return interval (i.e., time since last burn is less than the average time required for that vegetation type to recover from fire) or within Condition Class 1. ▶ To the extent feasible, no fuel breaks will be created in sensitive natural communities with rarity ranks of S1 (critically imperiled) and S2 (imperiled). ▶ To the extent feasible, fuel breaks will not remove more than 20 percent of the native vegetation relative cover from a stand of sensitive natural community vegetation in sensitive natural communities with a rarity rank of S3 (vulnerable) or in oak woodlands. In forest and woodland sensitive natural communities with a rarity rank of S3, and in oak woodlands, only shaded fuel breaks will be installed, and they will not be installed in more than 20 percent of the stand of sensitive natural community or oak woodland vegetation (i.e., if the sensitive natural community covers 100 acres, no more than 20 acres will be converted to create the fuel break). ▶ Use prescribed burning as the primary treatment activity in sensitive natural communities that are fire dependent (e.g., closed-cone forest and woodland alliances, chaparral alliances characterized by fire-stimulated, obligate seeders), to the extent feasible and appropriate based on the fire regime attributes as described in *Fire in California's Ecosystems* (Van Wagtendonk et al. 2018) and the *Manual of California*	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Vegetation (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/). ▶ Time prescribed herbivory to occur when non-target vegetation is not susceptible to damage (e.g. non-target vegetation is dormant or has completed its reproductive cycle for the year). For example, use herbivores to control invasive plants growing in sensitive habitats or sensitive natural communities when sensitive vegetation is dormant but invasive plants are growing. Timing of herbivory to avoid non-target vegetation will be determined by a qualified botanist, RPF, or biologist based on the specific vegetation alliance being treated, the life forms and life conditions of its characteristic plant species, and the sensitivity of the non-target vegetation to the effects of herbivory. The feasibility of implementing the avoidance measures will be determined by the project proponent based on whether implementation of this mitigation measure will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. If the avoidance measures are determined by the project proponent to be infeasible, the project proponent will document the reasons implementation of the avoidance strategies are infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). A qualified RPF or botanist with knowledge of the affected sensitive natural community will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat functions of the sensitive natural community or oak woodland. If the project proponent determines the impact on sensitive natural communities or oak woodlands would be less than significant, no further mitigation will be required. If the project proponent determines that the loss or degradation of sensitive natural communities or oak woodlands would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-3b will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or botanist that the sensitive natural community or oak woodland would benefit from treatment in the occupied habitat area even though some loss may occur during treatment activities. For a treatment to be considered beneficial to a sensitive natural community or oak woodland, the qualified RPF or botanist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the community (or similar community) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to sensitive natural communities or oak woodlands, no compensatory mitigation will be required.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-3b: Compensate for Loss of Sensitive Natural Communities and Oak Woodlands If significant impacts on sensitive natural communities or oak woodlands cannot feasibly be avoided or reduced as specified under Mitigation Measure BIO-3a, the project proponent will implement the following actions: ▶ Compensate for unavoidable losses of sensitive natural community and oak woodland acreage and function by: ▪ restoring sensitive natural community or oak woodland functions and acreage within the treatment area; ▪ restoring degraded sensitive natural communities or oak woodlands outside of the treatment area at a sufficient ratio to offset the loss of acreage and habitat function; or ▪ preserving existing sensitive natural communities or oak woodlands of equal or better value to the sensitive natural community lost through a conservation easement at a sufficient ratio to offset the loss of acreage and habitat function. ▶ The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects on sensitive natural communities or oak woodlands that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanism for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored or enhanced habitat. The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Mitigation Measure BIO-3c: Compensate for Unavoidable Loss of Riparian Habitat If, after implementation of SPR BIO-4, impacts to riparian habitat remain significant under CEQA, the project proponent will implement the following: ▶ Compensate for unavoidable losses of riparian habitat acreage and function by: ▪ restoring riparian habitat functions and acreage within the treatment area; ▪ restoring degraded riparian habitat outside of the treatment area;	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ purchasing riparian habitat credits at a CDFW-approved mitigation bank; or ▪ preserving existing riparian habitat of equal or better value to the riparian habitat lost through a conservation easement at a sufficient ratio to offset the loss of riparian habitat function and value. ▶ The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects on riparian habitat that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing riparian habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanism for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory plant populations will be preserved in perpetuity. 2. For restoring or enhancing riparian habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored or enhanced habitat. The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., Lake and Streambed Alteration Agreement), if these requirements are equally or more effective than the mitigation identified above.			
Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands Impacts to wetlands will be avoided using the following measures: ▶ The qualified RPF or biologist will delineate the boundaries of federally protected wetlands according to methods established in the USACE wetlands delineation manual (Environmental Laboratory 1987) and the appropriate regional supplement for the ecoregion in which the treatment is being implemented. ▶ The qualified RPF or biologist will delineate the boundaries of wetlands that may not meet the definition of waters of the United States, but would qualify as waters of the state, according to the state wetland procedures (California Water Boards 2019 or current procedures). ▶ A qualified RPF or biologist will establish a buffer around wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer will be a minimum width of 25 feet but may be larger if deemed necessary. The appropriate size and shape of the buffer zone will be determined in coordination with the qualified RPF or biologist and will depend on the type of wetland present (e.g., seasonal wetland, wet meadow, freshwater marsh, vernal pool),	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
the timing of treatment (e.g., wet or dry time of year), whether any special-status species may occupy the wetland and the species' vulnerability to the treatment activities, environmental conditions and terrain, and the treatment activity being implemented. ▶ A qualified RPF or biological technician will periodically inspect the materials demarcating the buffer to confirm that they are intact and visible, and wetland impacts are being avoided. ▶ Within this buffer, herbicide application is prohibited. ▶ Within this buffer, soil disturbance is prohibited. Accordingly, the following activities are not allowed within the buffer zone: mechanical treatments, prescribed herbivory, equipment and vehicle access or staging. ▶ Only prescribed (broadcast) burning may be implemented in wetland habitats if it is determined by a qualified RPF or biologist that: ▪ No special-status species are present in the wetland habitat ▪ The wetland habitat function would be maintained. ▪ The prescribed burn is within the normal fire return interval for the wetland vegetation types present ▪ Fire containment lines and pile burning are prohibited within the buffer No fire ignition (and associated use of accelerants) will occur within the wetland buffer			
Mitigation Measure BIO-5: Retain Nursery Habitat and Implement Buffers to Avoid Nursery Sites The project proponent will implement the following measures while working in treatment areas that contain nursery sites identified in surveys conducted pursuant to SPR BIO-10: ▶ **Retain Known Nursery Sites**. A qualified RPF or biologist will identify the important habitat features of the wildlife nursery and, prior to treatment activities, will mark these features for avoidance and retention during treatment. **Establish Avoidance Buffers.** The project proponent will establish a no-disturbance buffer around the nursery site if activities are required while the nursery site is active/occupied. The appropriate size and shape of the buffer will be determined by a qualified RPF or biologist, based on potential effects of project-related habitat disturbance, noise, visual disturbance, and other factors. No treatment activity will commence within the buffer area until a qualified RPF or biologist confirms that the nursery site is no longer active/occupied. Monitoring of the effectiveness of the no-disturbance buffer around the nursery site by a qualified RPF, biologist, or biological technician during and after treatment activities will be required. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in potential adverse effects to special-status species.	Prior to and during treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Greenhouse Gas Emissions			
Mitigation Measure GHG-2: Implement GHG Emission Reduction Techniques During Prescribed Burns When planning for and conducting a prescribed burn, project proponents implementing a prescribed burn will incorporate feasible methods for reducing GHG emissions, including the following, which are identified in the *National Wildfire Coordinating Group Smoke Management Guide for Prescribed Fire* (NWCG 2018): ▶ reduce the total area burned by isolating and leaving large fuels (e.g., large logs, snags) unburned; ▶ reduce the total area burned through mosaic burning; ▶ burn when fuels have a higher fuel moisture content; ▶ reduce fuel loading by removing fuels before ignition. Methods to remove fuels include mechanical treatments, manual treatments, prescribed herbivory, and biomass utilization; and ▶ schedule burns before new fuels appear. As the science evolves, other feasible methods or technologies to sequester carbon could be incorporated, such as conservation burning, a technique for burning woody material that reduces the production of smoke particulates and carbon released into the atmosphere and generates more biochar. Biochar is produced from the material left over after the burn and spread with compost to increase soil organic matter and soil carbon sequestration. Technologies to reduce greenhouse gas emissions may also include portable units that perform gasification to produce electricity or pyrolysis that produces biooil that can be used as liquid fuel and/or syngas that can be used to generate electricity. The project proponent will document in the Burn Plan required pursuant to SPR AQ-3 which methods for reducing GHG emissions can feasibly be integrated into the treatment design.	Prior to and during prescribed burning treatment	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party
Hazardous Materials, Public Health and Safety			
Mitigation Measure HAZ-3: Identify and Avoid Known Hazardous Waste Sites Prior to the start of vegetation treatment activities requiring soil disturbance (i.e., mechanical treatments) or prescribed burning, CAL FIRE and other project proponents will make reasonable efforts to check with the landowner or other entity with jurisdiction (e.g., California Department of Parks and Recreation) to determine if there are any sites known to have previously used, stored, or disposed of hazardous materials. If it is determined that hazardous materials sites could be located within the boundary of a treatment site, the project proponent will conduct a DTSC EnviroStor web search (https://www.envirostor.dtsc.ca.gov/public/) and consult DTSC's Cortese List to identify any known contamination sites within the project site. If a proposed mechanical treatment or prescribed burn is located on a site included on the DTSC Cortese List as containing potential soil contamination that has not been cleaned up and deemed closed by DTSC, the area will be marked and no prescribed burning or soil disturbing treatment activities will occur within 100 feet of the site boundaries. If it is determined through coordination with landowners or after review of the Cortese List that no potential or known contamination is located on a project site, the project may proceed as planned.	During PSA preparation **Database searches are complete; see PSA/Addendum for results**	Santa Clara County Firesafe Council or Qualified Responsible Party	Santa Clara County Firesafe Council or Qualified Responsible Party

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Attachment B

Biological Resources for the West Santa Clara Landscape Resiliency Project

Special-Status Plant Species Known to Occur in the Vicinity of the Project Area and Their Potential for Occurrence in the Project Area

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
San Mateo thorn-mint *Acanthomintha duttonii*	FE	SE	1B.1	No	Chaparral, valley and foothill grassland. Uncommon serpentinite vertisol clays; in relatively open areas. 170–990 ft in elevation. Blooms April–June. Annual.	May occur. There are portions of the project area near Santa Teresa Hills that contain serpentinite vertisol soils; however, these areas are largely developed and landscaped, and would be unlikely to be treated. There are other portions of the project area in this region where serpentine soils are mapped adjacent to vertisol clays, and it is possible that these areas contain serpentine versitol clay substrates suitable for this species.
Franciscan onion *Allium peninsulare* var. *franciscanum*	—	—	1B.2	No	Ultramafic. Cismontane woodland, valley and foothill grassland. Clay soils; sometimes on serpentine or on volcanics. Dry hillsides. 20–1,150 ft in elevation. Blooms May–June. Geophyte.	May occur. There is a historical occurrence of this species mapped in the project area along Page Mill Road by Stanford University; however, the exact location is unknown, and this area is largely developed (CNDDB 2025a). Dry hillside habitat is present throughout this general region that may provide habitat suitable for this species.
Bent-flowered fiddleneck *Amsinckia lunaris*	—	—	1B.2	No	Cismontane woodland, valley and foothill grassland, coastal bluff scrub. 10–2,610 ft in elevation. Blooms March–June. Annual.	Known to occur. There is a known occurrence of this species in the project area near Lexington Reservoir (CNDDB 2025a). Other woodland and grassland habitat throughout the project area may provide habitat suitable for this species.
Anderson's manzanita *Arctostaphylos andersonii*	—	—	1B.2	No	Broadleaved upland forest, chaparral, north coast coniferous forest. Open sites, redwood forest. 200–2,500 ft in elevation. Blooms November–May. Perennial.	Known to occur. There are many known occurrences of this species in the southeastern portion of the project area near Mount Madonna County Park, Sveadal, and along Summit Road (CNDDB 2025a). Other chaparral and open areas in redwood forest habitat in the project area may provide habitat suitable for this species.
Schreiber's manzanita *Arctostaphylos glutinosa*	—	—	1B.2	No	Closed-cone coniferous forest, chaparral. Mudstone or diatomaceous shale outcrops; often with *Pinus attenuata*. 560–2,250 ft in elevation. Blooms March–April. Perennial.	Not expected to occur. The project area is outside of the geographical range of this species.
Hooker's manzanita *Arctostaphylos hookeri* ssp. *hookeri*	—	—	1B.2	No	Chaparral, coastal scrub, closed-cone coniferous forest, cismontane woodland. Sandy soils, sandy shales, sandstone outcrops. 200–1,760 ft in elevation. Blooms January–June. Perennial.	Not expected to occur. The project area is outside of the geographical range of this species.
Ohlone manzanita *Arctostaphylos ohloneana*	—	—	1B.1	No	Coastal scrub, closed cone coniferous forests. Monterey shale. 1,480–1,740 ft in elevation. Blooms February–March. Perennial.	Not expected to occur. The project area is outside of the geographical range of this species.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Pajaro manzanita *Arctostaphylos pajaroensis*	—	—	1B.1	No	Chaparral. Sandy soils. 100–510 ft in elevation. Blooms December–March. Perennial.	Not expected to occur. The project area is outside of the geographical range of this species.
Kings Mountain manzanita *Arctostaphylos regismontana*	—	—	1B.2	No	Broadleaved upland forest, chaparral, north coast coniferous forest. Granitic or sandstone outcrops. 790–2,320 ft in elevation. Blooms December–April. Perennial.	May occur. Sandstone substrate in the southeastern portion of the project area may provide habitat suitable for this species.
Bonny Doon manzanita *Arctostaphylos silvicola*	—	—	1B.2	No	Chaparral, closed-cone coniferous forest, lower montane coniferous forest. Only known from Zayante (inland marine) sands in Santa Cruz County. 490–1,710 ft in elevation. Blooms January–March. Perennial.	May occur. This species is known from Zayante soils, which are not mapped in the project area. However, there are multiple observations of this species in the vicinity of the project area near Lexington Reservoir and Loma Prieta (iNaturalist 2025; Calflora 2025).
Marsh sandwort *Arenaria paludicola*	FE	SE	1B.1	No	Wetland. Marshes and swamps. Growing up through dense mats of *Typha*, *Juncus*, *Scirpus*, etc. in freshwater marsh. Sandy soil. 10–560 ft in elevation. Blooms May–August. Perennial.	Not expected to occur. This species typically occurs closer to the coast.
Humboldt County milk-vetch *Astragalus agnicidus*	—	SE	1B.1	No	Broadleafed upland forest, north coast coniferous forest. Disturbed openings in partially timbered forest lands; also along ridgelines; south aspects. 530–2,200 ft in elevation. Blooms April–September. Perennial.	May occur. This species was historically known only from Humboldt and Mendocino Counties; however, a population was documented in Bonny Doon following the 2020 CZU Fire. Given its persistent seed bank and adaptation to post-fire conditions, this species may occur elsewhere in the Santa Cruz Mountains, including the project area, and could emerge in new sites after disturbance events (Neubauer and Lyons 2023). Furthermore, recent iNaturalist records indicate additional occurrences closer to the project area (iNaturalist 2025).
Coastal marsh milk-vetch *Astragalus pycnostachyus* var. *pycnostachyus*	—	—	1B.2	No	Wetland. Mesic sites in coastal dunes or along streams or coastal salt marshes. 0–510 ft in elevation. Blooms April–October. Perennial.	Not expected to occur. The project area does not contain coastal dune, coastal salt marsh, or other mesic coastal habitat suitable for this species.
Alkali milk-vetch *Astragalus tener* var. *tener*	—	—	1B.2	No	Wetland. Low ground, alkali flats, and flooded lands; in annual grassland or in playas or vernal pools. 0–550 ft in elevation. Blooms March–June. Annual.	May occur. Vernal pool habitat near Boronda Lake and grasslands throughout the project area may contain alkaline soils suitable for this species.
Brittlescale *Atriplex depressa*	—	—	1B.2	No	Usually in alkali scalds or alkaline clay in meadows or annual grassland; rarely associated with riparian, marshes, or vernal pools. 10–1,070 ft in elevation. Blooms April–October. Annual.	Not expected to occur. This species is primarily known from the Central Valley and areas closer to San Francisco Bay.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Lesser saltscale *Atriplex minuscula*	—	—	1B.1	No	Alkali playa. Chenopod scrub, playas, valley and foothill grassland. In alkali sink and grassland in sandy, alkaline soils. 0–740 ft in elevation. Blooms May–October. Annual.	Not expected to occur. This species is primarily known from the Central Valley and areas closer to San Francisco Bay.
Big-scale balsamroot *Balsamorhiza macrolepis*	—	—	1B.2	No	Ultramafic. Chaparral, valley and foothill grassland, cismontane woodland. Sometimes on serpentine. 120–4,810 ft in elevation. Blooms March–June. Perennial.	May occur. The project area contains chaparral, grassland, and woodland habitat, as well as serpentine soils, potentially suitable for this species.
Santa Cruz Mountains pussypaws *Calyptridium parryi* var. *hesseae*	—	—	1B.1	No	Chaparral, cismontane woodland. Sandy or gravelly openings. 990–5,040 ft in elevation. Blooms May–August. Annual.	May occur. The project area contains chaparral and woodland habitat with sandy and gravelly substrate potentially suitable for this species. There is a known occurrence of this species from the vicinity of Loma Prieta, although the exact location is unknown (CNDDB 2025a).
Swamp harebell *Campanula californica*	—	—	1B.2	No	Wetland. Bogs and fens, closed-cone coniferous forest, coastal prairie, meadows and seeps, freshwater marsh, north coast coniferous forest. Bogs and marshes in a variety of habitats; uncommon where it occurs. 10–1,330 ft in elevation. Blooms June–October. Geophyte.	Not expected to occur. This species is known from habitats closer to the coast; the project area is likely too far inland for this species.
Bristly sedge *Carex comosa*	—	—	2B.1	No	Marshes and swamps, lake margins, and wet places in coastal prairie and valley and foothill grassland. 20–5,320 ft in elevation. Blooms May–September. Geophyte.	May occur. Wetland and lake margin habitat throughout the project area may provide habitat suitable for this species.
Deceiving sedge *Carex saliniformis*	—	—	1B.2	No	Mesic sites in coastal prairie, coastal scrub, meadows, seeps, and coastal salt marshes and swamps. 10–760 ft in elevation. Blooms June. Geophyte.	Not expected to occur. The project area does not contain coastal prairie, coastal scrub, coastal salt marsh, or other mesic coastal habitat suitable for this species.
Tiburon paintbrush *Castilleja affinis* var. *neglecta*	FE	ST	1B.2	Yes	Ultramafic. Valley and foothill grassland. Rocky serpentine sites. 400–1,310 ft in elevation. Blooms April–June. Perennial.	May occur. The project area contains rocky serpentine habitat suitable for this species.
Pink creamsacs *Castilleja rubicundula* var. *rubicundula*	—	—	1B.2	No	Openings in chaparral, cismontane woodland, or grasslands. On serpentine. 70–3,000 ft in elevation. Blooms April–June. Annual.	Known to occur. There are two occurrences in the project area near Sargent and Chesbro Reservoir (CNDDB 2025a). The project area contains other serpentine habitat suitable for this species.
Coyote ceanothus *Ceanothus ferrisiae*	FE	—	1B.1	Yes	Serpentine sites in chaparral, valley and foothill grassland, and coastal scrub. 490–1,510 ft in elevation. Blooms January–May. Perennial.	Known to occur. There are two occurrences in the project area near Morgan Hill and Sveadal (CNDDB 2025a). The project area contains other serpentine habitat suitable for this species.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Congdon's tarplant *Centromadia parryi* ssp. *congdonii*	—	—	1B.1	No	Valley and foothill grassland. Alkaline soils, sometimes described as heavy white clay. 0–760 ft in elevation. Blooms May–October. Annual.	May occur. Grasslands in the project area may contain alkali soils suitable for this species.
Dwarf soaproot *Chlorogalum pomeridianum* var. *minus*	—	—	1B.2	No	Serpentine chaparral. 1,000–3,280 ft in elevation. Blooms May–August. Geophyte.	May occur. The project area contains chaparral habitat with serpentine substrate suitable for this species.
Point Reyes salty bird's-beak *Chloropyron maritimum* ssp. *palustre*	—	—	1B.2	No	Coastal salt marsh with *Salicornia*, *Distichlis*, *Jaumea*, *Spartina*, etc. 0–380 ft in elevation. Blooms June–October. Annual.	Not expected to occur. The project area does not contain coastal salt marsh habitat suitable for this species.
Ben Lomond spineflower *Chorizanthe pungens* var. *hartwegiana*	FE	—	1B.1	No	Lower montane coniferous forest. Zayante coarse sands in maritime ponderosa pine sandhills. 350–1,560 ft in elevation. Blooms April–July. Annual.	Not expected to occur. The project area does not contain Zayante sand substrate suitable for this species.
Monterey spineflower *Chorizanthe pungens* var. *pungens*	FT	—	1B.2	No	Sandy soils in coastal dunes or more inland within chaparral, cismontane woodland, or valley and foothill grassland. 0–560 ft in elevation. Blooms April–June. Annual.	May occur. The project area contains chaparral, woodland, and grassland habitat with sandy substrate suitable for this species. A possible occurrence of this species was documented on iNaturalist in the project area near Mount Madonna, although the record is inconclusive as reviewers provided differing identifications within the genus *Chorizanthe (*iNaturalist 2025*).*
Scotts Valley spineflower *Chorizanthe robusta* var. *hartwegii*	FE	—	1B.1	No	Meadows, valley and foothill grassland. In grasslands with mudstone and sandstone outcrops. 350–810 ft in elevation. Blooms April–July. Annual.	May occur. The project area contains grassland habitat with sandstone and mudstone substrate that may have outcrops suitable for this species.
Robust spineflower *Chorizanthe robusta* var. *robusta*	FE	—	1B.1	No	Cismontane woodland, coastal dunes, coastal scrub, chaparral. Sandy terraces and bluffs or in loose sand. 30–810 ft in elevation. Blooms April–September. Annual.	Not expected to occur. The project area does not contain sandy terrace or bluff habitat suitable for this species.
Mt. Hamilton thistle *Cirsium fontinale* var. *campylon*	—	—	1B.2	Yes	Cismontane woodland, chaparral, valley and foothill grassland. In seasonal and perennial drainages on serpentine. 330–2,920 ft in elevation. Blooms April–October. Perennial.	Known to occur. There are multiple occurrences of this species throughout the project area east of Los Gatos (CNDDB 2025a). Serpentine substrate is present throughout many parts of the project area, and drainages in these areas provides habitat suitable for this species.
Fountain thistle *Cirsium fontinale* var. *fontinale*	FE	SE	1B.1	No	Serpentine seeps and grassland. 150–610 ft in elevation. Blooms May–October. Perennial.	Serpentine grasslands near Los Altos Hills may contain seep habitat suitable for this species.
Lost thistle *Cirsium praeteriens*	—	—	1A	No	Little information exists on this plant, habitat is unknown. 0–330 ft in elevation. Blooms June–July. Perennial.	Not expected to occur. This species has not been observed since 1901 and is thought to be extinct.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Round-headed collinsia *Collinsia corymbosa*	—	—	1B.2	No	Coastal dunes. 40–100 ft in elevation. Blooms April–June. Annual.	Not expected to occur. The project area does not contain coastal dune habitat suitable for this species.
San Francisco collinsia *Collinsia multicolor*	—	—	1B.2	No	Closed-cone coniferous forest, coast live oak woodland, coastal scrub. Sometimes on serpentine. 100–820 ft in elevation. Blooms March–May. Annual.	May occur. This species was observed in Almaden Quicksilver County Park sometime between 1982 and 2001, but the exact location is unknown (CNDDB 2025a). The project area contains closed-cone pine forest, coast live oak woodland, and coastal sage scrub habitat potentially suitable for this species.
Seaside bird's-beak *Cordylanthus rigidus* ssp. *littoralis*	—	SE	1B.1	No	Closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub, coastal dunes. Sandy, often disturbed sites, usually within chaparral or coastal scrub. 100–1,710 ft in elevation. Blooms April–October. Annual.	Not expected to occur. This species is found in habitats with more coastal influence.
Tear drop moss *Dacryophyllum falcifolium*	—	—	1B.3	No	North Coast coniferous forest. Limestone substrates and rock outcrops. 170–900 ft in elevation. Perennial.	Not expected to occur. This species is found in habitats with more coastal influence.
Hall's tarplant *Deinandra halliana*	—	—	1B.2	No	Cismontane woodland, chenopod scrub, valley and foothill grassland. Reported from a variety of substrates including clay, sand, and alkaline soils. 510–2,990 ft in elevation. Blooms April–May. Annual.	May occur. Grassland and woodlands in the project area may provide habitat suitable for this species.
Hospital Canyon larkspur *Delphinium californicum* ssp. *interius*	—	—	1B.2	No	In wet, boggy meadows, openings in chaparral, cismontane woodland, coastal scrub, and in canyons. 640–3,600 ft in elevation. Blooms April–June. Perennial.	May occur. The project area contains chaparral, woodland, coastal scrub, and canyon habitat suitable for this species.
Western leatherwood *Dirca occidentalis*	—	—	1B.2	No	On brushy slopes, mesic sites; mostly in mixed evergreen and foothill woodland communities. 80–1,400 ft in elevation. Blooms January–March. Perennial.	Known to occur. There are multiple occurrences of this species throughout the project area (CNDDB 2025a). The project area contains brushy slopes and mesic habitat suitable for this species.
Santa Clara Valley dudleya *Dudleya abramsii* ssp. *setchellii*	FE	—	1B.1	Yes	Ultramafic. Valley and foothill grassland, cismontane woodland. On rocky serpentine outcrops and on rocks within grassland or woodland. 200–1,500 ft in elevation. Blooms April–October. Perennial.	Known to occur. There are many occurrences of this species in the project area east of Los Gatos (CNDDB 2025a). Rocky, serpentine substrate suitable for this species is present throughout this portion of the project area.
Eastwood's goldenbush *Ericameria fasciculata*	—	—	1B.1	No	Closed-cone coniferous forest, chaparral (maritime), coastal scrub, coastal dunes. In sandy openings. 100–900 ft in elevation. Blooms July–October. Perennial.	Not expected to occur. This species is found in habitats with more coastal influence.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Pinnacles buckwheat *Eriogonum nortonii*	—	—	1B.3	No	Chaparral, valley and foothill grassland. Sandy soils; often on recent burns. 990–3,200 ft in elevation. Blooms May–August. Annual.	May occur. This species is not known from the Santa Cruz Mountains, but chaparral and grassland habitat in the easternmost portion of the project area may provide habitat suitable for this species.
Ben Lomond buckwheat *Eriogonum nudum* var. *decurrens*	—	—	1B.1	No	Chaparral, cismontane woodland, lower montane coniferous forest. Ponderosa pine sandhills in Santa Cruz County. 170–2,630 ft in elevation. Blooms June–October. Perennial.	Not expected to occur. The project area does not contain sandhills habitat suitable for this species.
San Mateo woolly sunflower *Eriophyllum latilobum*	FE	SE	1B.1	No	Cismontane woodland, coastal scrub, lower montane coniferous forest. Often on roadcuts; found on serpentine. 100–2,000 ft in elevation. Blooms May–June. Perennial.	May occur. The project area contains woodland, coastal scrub, and roadcuts with serpentine substrate suitable for this species.
Hoover's button-celery *Eryngium aristulatum* var. *hooveri*	—	—	1B.1	No	Alkaline depressions, vernal pools, roadside ditches and other wet places near the coast. 10–170 ft in elevation. Blooms July. Annual/Perennial.	May occur. Vernal pool habitat near Boronda Lake and roadside ditch and other wet habitat throughout the project area may provide habitat suitable for this species.
Jepson's coyote-thistle *Eryngium jepsonii*	—	—	1B.2	No	Vernal pools, valley and foothill grassland. 10–990 ft in elevation. Blooms April–August. Perennial.	May occur. The Santa Cruz and Santa Clara fine scale vegetation data identifies vernal pool habitat near Boronda Lake, which may provide habitat suitable for this species.
Sand-loving wallflower *Erysimum ammophilum*	—	—	1B.2	No	Maritime chaparral, coastal dunes, coastal scrub. Sandy openings. 0–200 ft in elevation. Blooms February–June. Perennial.	Not expected to occur. This species is only found along the coast.
Santa Cruz wallflower *Erysimum teretifolium*	FE	SE	1B.1	No	Lower montane coniferous forest, chaparral. On Zayante coarse sand. 590–1,690 ft in elevation. Blooms March–July. Perennial.	Not expected to occur. The project area does not contain Zayante soils suitable for this species.
San Joaquin spearscale *Extriplex joaquinana*	—	—	1B.2	No	In seasonal alkali wetlands, grasslands, or alkali sink scrub with *Distichlis spicata*, *Frankenia*, etc. 10–2,740 ft in elevation. Blooms April–October. Annual.	May occur. Grasslands and wetlands in the project area may contain alkaline soils suitable for this species.
Minute pocket moss *Fissidens pauperculus*	—	—	1B.2	No	Redwoods. Moss growing on damp soil along the coast. In dry streambeds and on stream banks. 40–3,360 ft in elevation. Perennial.	May occur. The project area contains streams in redwood forest habitat suitable for this species.
Fragrant fritillary *Fritillaria liliacea*	—	—	1B.2	Yes	Coastal scrub, valley and foothill grassland, coastal prairie, cismontane woodland. Often on serpentine; various soils reported though usually on clay, in grassland. 10–1,310 ft in elevation. Blooms February–April. Geophyte.	Known to occur. There are multiple occurrences of this species near Almaden Quicksilver County Park and Calero Reservoir County Park (CNDDB 2025a). Serpentine grassland and woodland habitat suitable for this species is present throughout this area.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Monterey gilia *Gilia tenuiflora* ssp. *arenaria*	FE	ST	1B.2	No	Coastal dunes. Sandy openings in bare, wind-sheltered areas. Often near dune summit or in the hind dunes; some records from Pleistocene inland dunes. 20–810 ft in elevation. Blooms April–June. Annual.	Not expected to occur. The project area does not contain coastal dune habitat suitable for this species.
Toren's grimmia *Grimmia torenii*	—	—	1B.3	No	Cismontane woodland, lower montane coniferous forest, chaparral. Rocky openings, boulder and rock walls. On carbonate, sandstone, and volcanic rocks. 1,070–3,810 ft in elevation. Perennial.	May occur. The project area contains sandstone and volcanic substrate that may contain rocky habitat suitable for this species.
Vaginulate grimmia *Grimmia vaginulata*	—	—	1B.1	No	Limestone. Chaparral. Openings; rocky, boulder and rock walls, carbonate. 2,250–3,730 ft in elevation. Perennial.	May occur. The project area contains Eocene formations that may contain limestone or other carbonate substrate suitable for this species.
Short-leaved evax *Hesperevax sparsiflora* var. *brevifolia*	—	—	1B.2	No	Coastal bluff scrub, coastal dunes, coastal prairie. Sandy bluffs and flats. 0–710 ft in elevation. Blooms March–June. Annual.	Not expected to occur. The project area does not contain coastal bluff scrub, coastal dune, and coastal prairie habitat suitable for this species.
Santa Cruz cypress *Hesperocyparis abramsiana* var. *abramsiana*	FT	SE	1B.2	No	Chaparral, closed-cone coniferous forest, lower montane coniferous forest. Restricted to the Santa Cruz Mountains, on sandstone and granitic-derived soils; often with Pinus attenuata and redwoods. 990–3,560 ft in elevation. Perennial.	May occur. The project area contains chaparral and closed-cone coniferous forest habitat suitable for this species and also contains associate species, including redwood and *Pinus attenuata* stands.
Butano Ridge cypress *Hesperocyparis abramsiana* var. *butanoensis*	FT	SE	1B.2	No	Closed-cone coniferous forest, lower montane coniferous forest, chaparral. Sandstone. 1,310–1,610 ft in elevation. Blooms October. Perennial.	Not expected to occur. This species is only known from the vicinity of Butano Ridge.
Marin western flax *Hesperolinon congestum*	FT	ST	1B.1	No	In serpentine barrens and in serpentine grassland and chaparral. 200–1,220 ft in elevation. Blooms April–July. Annual.	May occur. The project area contains chaparral and grassland habitat with serpentine substrate suitable for this species.
Loma Prieta hoita *Hoita strobilina*	—	—	1B.1	Yes	Ultramafic. Chaparral, cismontane woodland, riparian woodland. Serpentine; mesic sites. 200–3,200 ft in elevation. Blooms May–July. Perennial.	Known to occur. There are many occurrences of this species throughout the project area (CNDDB 2025a).
Santa Cruz tarplant *Holocarpha macradenia*	FT	SE	1B.1	No	Coastal prairie, coastal scrub, valley and foothill grassland. Light, sandy soil or sandy clay; often with nonnatives. 40–720 ft in elevation. Blooms June–October. Annual.	May occur. The project area contains grasslands with sandy substrate suitable for this species.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Kellogg's horkelia *Horkelia cuneata* var. *sericea*	—	—	1B.1	No	Closed-cone coniferous forest, coastal scrub, coastal dunes, chaparral. Old dunes, coastal sandhills; openings. 20–710 ft in elevation. Blooms April–September. Perennial.	Not expected to occur. This species is typically found closer to the coast, and the project area does not contain old dune or sandhill habitat suitable for this species.
Point Reyes horkelia *Horkelia marinensis*	—	—	1B.2	No	Coastal dunes, coastal prairie, coastal scrub. Sandy flats and dunes near coast; in grassland or scrub plant communities. 10–2,550 ft in elevation. Blooms May–September. Perennial.	Not expected to occur. This species is typically found closer to the coast.
Contra Costa goldfields *Lasthenia conjugens*	FE	—	1B.1	No	Valley and foothill grassland, vernal pools, alkaline playas, cismontane woodland. Vernal pools, swales, low depressions, in open grassy areas. 10–1,480 ft in elevation. Blooms March–June. Annual.	May occur. Vernal pool habitat near Boronda Lake and grassland and open woodland habitat in the lower elevation portions of the project area may provide habitat suitable for this species.
Legenere *Legenere limosa*	—	—	1B.1	No	Vernal pools, wetland. In beds of vernal pools. 10–2,890 ft in elevation. Blooms April–June. Annual.	May occur. The Santa Cruz and Santa Clara fine scale vegetation data identifies vernal pool habitat near Boronda Lake, which may provide habitat suitable for this species.
Mt. Hamilton coreopsis *Leptosyne hamiltonii*	—	—	1B.2	No	Cismontane woodland. On steep shale talus with open southwestern exposure. 1,740–4,270 ft in elevation. Blooms March–May. Annual.	Not expected to occur. This species is only known from the Mount Hamilton range; therefore, the project area is outside of geographical range of this species.
Crystal Springs lessingia *Lessingia arachnoidea*	—	—	1B.2	No	Coastal sage scrub, valley and foothill grassland, cismontane woodland. Grassy slopes on serpentine; sometimes on roadsides. 300–660 ft in elevation. Blooms July–October. Annual.	May occur. Lower elevations of the project area with serpentine grassland and adjacent serpentine roadsides may provide habitat suitable for this species.
Smooth lessingia *Lessingia micradenia* var. *glabrata*	—	—	1B.2	Yes	Ultramafic. Chaparral, cismontane woodland. Serpentine; often on roadsides. 400–1,380 ft in elevation. Blooms July–November. Annual.	Known to occur. There are many occurrences of this species throughout the eastern portion of the project area, east of Los Gatos (CNDDB 2025a). Chaparral and woodland habitat with serpentine substrate is present throughout much of the project area and provides habitat suitable for this species.
Mt. Hamilton lomatium *Lomatium observatorium*	—	—	1B.2	No	Cismontane woodland. Open to partially shaded openings in Pinus coulteri-oak woodland. Sedimentary Franciscan rocks and volcanics. 1,790–4,010 ft in elevation. Blooms March–May. Perennial.	Not expected to occur. This species is only known from the Mount Hamilton range; therefore, the project area is outside of the geographical range of this species.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Indian Valley bushmallow *Malacothamnus aboriginum*	—	—	1B.2	No	Cismontane woodland, chaparral. Granitic outcrops and sandy bare soil, often in disturbed soils. 490–3,710 ft in elevation. Blooms April–October. Perennial.	May occur. This species is primarily known from the Gabilan Range (CNDDB 2025a); however, there are historical observations near Los Gatos (CCH2 Portal 2025). The project area contains granitic and sandy substrates that may provide habitat suitable for this species.
Arcuate bushmallow *Malacothamnus arcuatus* var. *arcuatus*	—	—	1B.2	No	Chaparral, cismontane woodland. Gravelly alluvium. 10–2,410 ft in elevation. Blooms April–July. Perennial.	Known to occur. There are multiple occurrences of this species throughout the project area (CNDDB 2025).
Hall's bushmallow *Malacothamnus hallii*	—	—	1B.2	No	Chaparral, coastal scrub. Some populations on serpentine. 40–2,410 ft in elevation. Blooms May–September. Perennial.	Known to occur. There are multiple occurrences of this species in the project area in the vicinity of Calero Reservoir (CNDDB 2025a). The project area contains many areas of chaparral and coastal scrub habitat suitable for this species.
Marsh microseris *Microseris paludosa*	—	—	1B.2	No	Closed-cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland. 20–990 ft in elevation. Blooms April–June. Perennial.	May occur. Closed-cone coniferous forest, woodland, coastal scrub, and grassland habitat throughout the lower elevation areas of the project area may provide habitat suitable for this species.
Northern curly-leaved monardella *Monardella sinuata* ssp. *nigrescens*	—	—	1B.2	No	Coastal dunes, coastal scrub, chaparral, lower montane coniferous forest. Sandy soils. 0–990 ft in elevation. Blooms May–July. Annual.	Known to occur. There are multiple occurrences throughout the project area (iNaturalist 2025). The project area contains coastal scrub, chaparral, and conifer forest with sandy soils suitable for this species.
Woodland woollythreads *Monolopia gracilens*	—	—	1B.2	No	Ultramafic. Chaparral, valley and foothill grassland, cismontane woodland, broadleafed upland forest, north coast coniferous forest. Grassy sites, in openings; sandy to rocky soils. Often seen on serpentine after burns but has a weak affinity to serpentine. 330–3,940 ft in elevation. Blooms March–July. Annual.	Known to occur. There are multiple occurrences of this species throughout the project area (CNDDB 2025a). The project area contains grassy openings with sandy and rocky substrates suitable for this species.
Prostrate vernal pool navarretia *Navarretia prostrata*	—	—	1B.2	No	Wetland. Coastal scrub, valley and foothill grassland, vernal pools, meadows and seeps. Alkaline soils in grassland, or in vernal pools. Mesic, alkaline sites. 10–4,050 ft in elevation. Blooms April–July. Annual.	May occur. Vernal pool habitat near Boronda Lake and grasslands throughout the project area may contain mesic alkaline soils suitable for this species.
Kellman's bristle moss *Orthotrichum kellmanii*	—	—	1B.2	No	Sandstone outcrops with high calcium concentrations from eroded boulders out of non-calcareous sandstone bedrock. Rock outcrops in small openings within dense chaparral with overstory of scattered *Pinus attenuata*. 1,130–2,250 ft in elevation. Blooms January–February. Perennial.	May occur. The project area contains dense chaparral habitat with scattered *Pinus attenuata* and sandstone substrate suitable for this species.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Dudley's lousewort *Pedicularis dudleyi*	—	SR	1B.2	No	Deep shady woods of older coast redwood forests; also in maritime chaparral. 200–2,960 ft in elevation. Blooms April–June. Perennial.	May occur. The project area contains deep shady redwood habitat suitable for this species.
Santa Cruz Mountains beardtongue *Penstemon rattanii* var. *kleei*	—	—	1B.2	No	Chaparral, lower montane coniferous forest, north coast coniferous forest. Sandy shale slopes; sometimes in the transition between forest and chaparral. 1,310–3,610 ft in elevation. Blooms May–June. Perennial.	Known to occur. There are a couple occurrences of this species near Loma Prieta and Mount Madonna (CNDDB 2025a). Other portions of the project area contain forest and chaparral habitat potentially suitable for this species.
White-rayed pentachaeta *Pentachaeta bellidiflora*	FE	SE	1B.1	No	Valley and foothill grassland, cismontane woodland. Open dry rocky slopes and grassy areas, often on soils derived from serpentine bedrock. 120–2,000 ft in elevation. Blooms March–May. Annual.	May occur. The project area contains open dry rocky slope and grassland habitat suitable for this species.
Mt. Diablo phacelia *Phacelia phacelioides*	—	—	1B.2	No	Ultramafic. Chaparral, cismontane woodland. Adjacent to trails, on rock outcrops and talus slopes; sometimes on serpentine. 1,990–4,420 ft in elevation. Blooms April–May. Annual.	Not expected to occur. The project area is outside of the geographic range of this species.
White-flowered rein orchid *Piperia candida*	—	—	1B.2	No	North coast coniferous forest, lower montane coniferous forest, broadleafed upland forest. Occasionally on serpentine. Forest duff, mossy banks, rock outcrops, and muskeg. 150–5,300 ft in elevation. Blooms May–September. Perennial.	May occur. The project area contains forest habitat with forest duff, mossy banks, and rock outcrops suitable for this species.
Yadon's rein orchid *Piperia yadonii*	FE	—	1B.1	No	Closed-cone coniferous forest, chaparral, coastal bluff scrub. On sandstone and sandy soil, but poorly drained and often dry. 40–1,660 ft in elevation. Blooms May–August. Perennial.	May occur. This species is primarily known from south of Watsonville; however, the southeastern portion of the project area contains closed-cone coniferous forest and chaparral habitat with sandy soil potentially suitable for this species.
Choris' popcornflower *Plagiobothrys chorisianus* var. *chorisianus*	—	—	1B.2	No	Chaparral, coastal scrub, coastal prairie. Mesic sites. 50–530 ft in elevation. Blooms March–June. Annual.	May occur. The project area contains chaparral and coastal scrub habitat potentially suitable for this species.
San Francisco popcornflower *Plagiobothrys diffusus*	—	SE	1B.1	No	Valley and foothill grassland, coastal prairie. Historically from grassy slopes with marine influence. 150–1,180 ft in elevation. Blooms March–June. Annual.	Not expected to occur. This species is generally associated with coastal habitats, whereas the project area is situated on the northeastern flank of the Santa Cruz Mountains rather than the west-facing, ocean-influenced slopes. Portions of the project area nearest to the coast are characterized primarily by redwood forest, woodland, and chaparral communities, rather than marine-influenced grassland slopes.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Hairless popcornflower *Plagiobothrys glaber*	—	—	1A	No	Salt marsh, vernal pool, wetlands, alkaline meadows and seeps, coastal salt marshes and swamps. 20–590 ft in elevation. Blooms March–May. Annual.	Not expected to occur. This species is presumed extinct.
Scotts Valley polygonum *Polygonum hickmanii*	FE	SE	1B.1	No	Valley and foothill grassland. Purisima sandstone or mudstone with a thin soil layer; vernally moist due to runoff. 690–760 ft in elevation. Blooms May–August. Annual.	May occur. In CNDDB, this species is only known near Scott's Valley; however, there are multiple occurrences recorded in iNaturalist in the project area (iNaturalist 2025a). The Purisima formation is right on the edge of the project area, so there may be substrate suitable for this species.
California alkali grass *Puccinellia simplex*	—	—	1B.2	No	Meadows and seeps, chenopod scrub, valley and foothill grasslands, vernal pools. Alkaline, vernally mesic. Sinks, flats, and lake margins. 10–3,000 ft in elevation. Blooms March–May. Annual.	Known to occur. There is one occurrence of this species near Sargent (CNDDB 2025a). The project area contains lake margin and grassland habitat that may contain alkaline substrate suitable for this species.
Chaparral harebell *Ravenella exigua*	—	—	1B.2	No	Chaparral. Rocky, usually serpentine. 900-4,100 ft in elevation. Blooms May–June. Annual.	Not expected to occur. The project area is outside of the geographic range of this species.
Pine rose *Rosa pinetorum*	—	—	1B.2	No	Closed-cone coniferous forest, cismontane woodland. 20–3,580 ft in elevation. Blooms May–July. Perennial.	May occur. The project area contains closed-cone coniferous forest and woodland habitat potentially suitable for this species.
Sanford's arrowhead *Sagittaria sanfordii*	—	—	1B.2	No	In standing or slow-moving freshwater ponds, marshes, and ditches. 0–2,140 ft in elevation. Blooms May–October. Geophyte.	May occur. The project area contains pond and ditch habitat potentially suitable for this species.
Rock sanicle *Sanicula saxatilis*	—	SR	1B.2	No	Bedrock outcrops and talus slopes in chaparral or oak woodland habitat. 2,200–4,100 ft in elevation. Blooms April–May. Perennial.	May occur. The project area contains chaparral and oak woodland habitat that may have rock outcrop habitat suitable for this species.
Chaparral ragwort *Senecio aphanactis*	—	—	2B.2	No	Chaparral, cismontane woodland, coastal scrub. Drying alkaline flats. 70–2,810 ft in elevation. Blooms January–April. Annual.	May occur. There is a historic occurrence of this species in the vicinity of the project area near Palo Alto Foothills Park, although the exact location is unknown (CNDDB 2025a). The project area contains chaparral, woodland, and coastal scrub habitat that may contain alkaline substrate suitable for this species.
San Francisco campion *Silene verecunda* ssp. *verecunda*	—	—	1B.2	No	Ultramafic. Coastal scrub, valley and foothill grassland, coastal bluff scrub, chaparral, coastal prairie. Often on mudstone or shale; one site on serpentine. 100–2,120 ft in elevation. Blooms March–June. Perennial.	Not expected to occur. This species is primarily known from areas closer to the coast.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Santa Cruz microseris *Stebbinsoseris decipiens*	—	—	1B.2	No	Ultramafic. Broadleafed upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, valley and foothill grassland. Open areas in loose or disturbed soil, usually derived from sandstone, shale or serpentine, on seaward slopes. 40–1,640 ft in elevation. Blooms April–May. Annual.	Not expected to occur. This species is primarily known from areas closer to the coast.
Metcalf Canyon jewelflower *Streptanthus albidus* ssp. *albidus*	FE	—	1B.1	Yes	Ultramafic. Valley and foothill grassland. Relatively open areas in dry grassy meadows on serpentine soils; also on serpentine balds. 150–2,630 ft in elevation. Blooms April–July. Annual.	Known to occur. There are multiple occurrences of this species in the project area near Tulare Hill (CNDDB 2025a). Other portions of the project area closer to the valley floor contain serpentine grasslands suitable for this species.
Most beautiful jewelflower *Streptanthus albidus* ssp. *peramoenus*	—	—	1B.2	Yes	Ultramafic. Chaparral, valley and foothill grassland, cismontane woodland. Serpentine outcrops, on ridges and slopes. 310–3,280 ft in elevation. Blooms April–September. Annual.	Known to occur. There are many occurrences of this species in the eastern portion of the project area, east of Los Gatos (CNDDB 2025a). Serpentine grassland, chaparral and woodland habitat is present throughout the project area that is suitable for this species.
Mt. Hamilton jewelflower *Streptanthus callistus*	—	—	1B.3	No	Chaparral, cismontane woodland. Open talus slopes on shale with gray pine and/or black oak. 1,970–2,590 ft in elevation. Blooms April–May. Annual.	Not expected to occur. This species is only known from the Mount Hamilton range; therefore, the project area is outside of the geographical range of this species.
Northern slender pondweed *Stuckenia filiformis* ssp. *alpina*	—	—	2B.2	No	Wetland. Marshes and swamps. Shallow, clear water of lakes and drainage channels. 990–7,060 ft in elevation. Blooms May–July. Geophyte.	May occur. The project area contains lake and drainage habitat suitable for this species.
California seablite *Suaeda californica*	FE	—	1B.1	No	Margins of coastal salt marshes. 0–20 ft in elevation. Blooms July–October. Perennial.	Not expected to occur. The project area does not contain coastal salt marsh habitat suitable for this species.
Two-fork clover *Trifolium amoenum*	FE	—	1B.1	No	Valley and foothill grassland, coastal bluff scrub. Sometimes on serpentine soil, open sunny sites, swales. Most recently cited on roadside and eroding cliff face. 20–1,020 ft in elevation. Blooms April–June. Annual.	May occur. The project area contains grassland habitat potentially suitable for this species.
Santa Cruz clover *Trifolium buckwestiorum*	—	—	1B.1	No	Coastal prairie, broadleafed upland forest, cismontane woodland, moist grassland. Gravelly margins. 350–2,000 ft in elevation. Blooms April–October. Annual.	May occur. The project area contains open woodland and grassland habitat potentially suitable for this species.
Saline clover *Trifolium hydrophilum*	—	—	1B.2	No	Marshes and swamps, valley and foothill grassland, vernal pools. Mesic, alkaline sites. 0–990 ft in elevation. Blooms April–June. Annual.	Known to occur. There is a known occurrence in the project area near Sargent (CNDDB 2025a). Vernal pools near Boronda Lake and grassland and wetland habitat elsewhere in the project area may provide habitat suitable for this species.

Species	Listing Status[1] Federal	Listing Status[1] State	CRPR	SCVHP[2]	Habitat	Potential for Occurrence[3]
Pacific Grove clover *Trifolium polyodon*	—	SR	1B.1	No	Wetland. Closed-cone coniferous forest, meadows and seeps, coastal prairie, valley and foothill grassland. Along small springs and seeps in grassy openings. 20–400 ft in elevation. Blooms April–June. Annual.	May occur. The project area contains closed-cone coniferous forest and grassland habitat that may contain spring and seep habitat suitable for this species.

Notes: ft = feet/foot; CRPR = California Rare Plant Rank; CEQA = California Environmental Quality Act; ESA = Endangered Species Act; NPPA = Native Plant Protection Act.

1 Legal Status Definitions

Federal:

FE Federally Listed as Endangered (legally protected by ESA)

FT Federally Listed as Threatened (legally protected by ESA)

State:

SE State Listed as Endangered (legally protected by CESA)

ST State Listed as Threatened (legally protected by CESA)

SR State Listed as Rare (legally protected by NPPA)

California Rare Plant Ranks (CRPR):

1A Plant species that are presumed extirpated or extinct because they have not been seen or collected in the wild in California for many years. A plant is extinct if it no longer occurs anywhere. A plant that is extirpated from California has been eliminated from California but may still occur elsewhere in its range.

1B Plant species considered rare or endangered in California and elsewhere (protected under CEQA, but not legally protected under ESA or CESA).

2B Plant species considered rare or endangered in California but more common elsewhere (protected under CEQA, but not legally protected under ESA or CESA).

CRPR Threat Ranks:

0.1 Seriously threatened in California (over 80% of occurrences threatened; high degree and immediacy of threat)

0.2 Moderately threatened in California (20-80% occurrences threatened; moderate degree and immediacy of threat)

0.3 Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

2 SCVHP: Covered species under the Santa Clara Valley Habitat Plan (Santa Clara 2014).

3 Potential for Occurrence Definitions

Not expected to occur: Species is unlikely to be present because of poor habitat quality, lack of suitable habitat features, or restricted current distribution of the species.

May occur: Suitable habitat is available and there have been nearby recorded occurrences of the species.

Known to occur: The species has been observed within the treatment areas.

Sources: Calflora 2025; CCH2 Portal 2025; CNDDB 2025a; CNPS 2025; iNaturalist 2025; Neubauer and Lyons 2023; USFWS 2025b.

Special-Status Wildlife Species Known to Occur in the Vicinity of the Project Area and Their Potential for Occurrence in the Project Area

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Invertebrates					
Crotch's bumble bee *Bombus crotchii*	—	SC	No	Found primarily in California: mediterranean, Pacific coast, western desert, Great Valley, and adjacent foothills through most of southwestern California. Habitat includes open grassland and scrub. Nests underground.	Known to occur. The species has been documented to occur within the project area (CNDDB 2025a), and nesting and overwintering habitat is present in multiple portions of the project area.
Western bumble bee *Bombus occidentalis*	—	SC	No	Once common throughout much of its range, in California, this species is currently largely restricted to high elevation sites in the Sierra Nevada and the northern California coast. Habitat includes open grassy areas, chaparral, scrub, and meadows. Requires suitable nesting sites for the colonies, availability of nectar and pollen from floral resources throughout the duration of the colony period (spring, summer, and fall), and suitable overwintering sites for the queens.	Not expected to occur. Although the project is within the historical range of the species, the current range is limited to the mountains of northern California, the southern Cascades, and central and northern Sierra Nevada (CDFW 2023).
Vernal pool fairy shrimp *Branchinecta lynchi*	FT	—	No	Valley and foothill grassland, vernal pool, wetland. Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	Not expected to occur. Vernal pools are present within the project area in the vicinity of Boronda Lake. These pools could provide habitat for this species; however, the species has not been documented to occur north of Salinas or west of the Livermore Valley (USFWS 2024a), and therefore, the project area is likely outside of the range of this species.
Ohlone tiger beetle *Cicindela ohlone*	FE	—	No	Coastal prairie. Remnant native grasslands with California oatgrass and purple needlegrass in Santa Cruz County. Substrate is poorly-drained clay or sandy clay soil over bedrock of Santa Cruz mudstone.	Not expected to occur. The project area is outside of the range of this species, which is limited to grasslands within 7 miles of the city of Santa Cruz and does not extend east of Scotts Valley (USFWS 2024b).
Monarch *Danaus plexippus*	FP	—	No	Habitat requirements include host plants for larvae (primarily milkweeds [Asclepias spp.]); adult nectar sources (i.e., flowering plants); and sites for roosting, thermoregulation, mating, hibernation, and predator escape. Additionally, monarch butterfly requires conditions and resources for initiating and completing migration both to and from winter roosting areas. Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.	Known to occur. The project area is too far from the coast and bay to provide overwintering habitat; however, the species has been documented to forage and breed in the project area (Western Monarch Milkweed Mapper 2025).

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Smith's blue butterfly *Euphilotes enoptes smithi*	FE	—	No	Coastal dunes, coastal scrub. Most commonly associated with coastal dunes and coastal sage scrub plant communities in Monterey and Santa Cruz counties. Host plants: *Eriogonum latifolium* and *Eriogonum parvifolium* are utilized as both larval and adult foodplants.	Not expected to occur. The project area is outside of the range and habitat of this species, which is limited to coastal dunes and coastal scrub in portions of Monterey and Santa Cruz Counties.
Bay checkerspot butterfly *Euphydryas editha bayensis*	FT	—	Yes	Coastal dunes, valley and foothill grassland. Restricted to native grasslands on outcrops of serpentine soil in the vicinity of San Francisco Bay. *Plantago erecta* is the primary host plant; *Castilleja densiflorus (previously Orthocarpus densiflorus)* and C. exserta (previously Orthocarpus *purpurscens* are secondary host plants.	Known to occur. The species is documented to occur in portions of the project area (e.g., Santa Teresa Hills, Coyote Valley, Hayes Valley) (CNDDB 2025a). May be present on other serpentine grasslands within the project area.
Vernal pool tadpole shrimp *Lepidurus packardi*	FE	—	No	V pool, wetlands. Inhabits vernal pools and swales in the Sacramento Valley containing clear to highly turbid water. Pools commonly found in grass bottomed swales of unplowed grasslands. Some pools are mud-bottomed and highly turbid.	Not expected to occur. Vernal pools are present within the project area in the vicinity of Boronda Lake. Although the species has been documented to occur in southern Alameda County and San Benito County (USFWS 2024a), the species is absent from Santa Clara County; therefore, the project area is likely outside of the current range of this species.
Mount Hermon June beetle *Polyphylla barbata*	FE	—	No	Interior dunes. Known only from sand hills in vicinity of Mt. Hermon, Santa Cruz County.	Not expected to occur. The project area is located outside of the Zayante Sand Hills Ecosystem, which is of limited distribution within Santa Cruz County (Santa Cruz County 2011), and therefore outside the range of this species.
Myrtle's silverspot butterfly *Speyeria zerene myrtleae*	FE	—	No	Coastal dunes. Restricted to the foggy, coastal dunes/hills of the Point Reyes peninsula; extirpated from coastal San Mateo County. Larval foodplant thought to be *Viola adunca*.	Not expected to occur. The project area is located outside of the current range of this species.
Zayante band-winged grasshopper *Trimerotropis infantilis*	FE	—	No	Chaparral, interior dunes. Isolated sandstone deposits in the Santa Cruz Mountains (the Zayante Sand Hills ecosystem) Mostly on sand parkland habitat but also in areas with well-developed ground cover and in sparse chaparral with grass.	Not expected to occur. The project area is located outside of the Zayante Sand Hills Ecosystem, which is of limited distribution within Santa Cruz County (Santa Cruz County 2011), and therefore outside the range of this species.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Fish					
Green sturgeon - southern Distinct Population Segment (DPS) *Acipenser medirostris*	FT	SSC	No	Aquatic, estuary, marine bay, Sacramento/San Joaquin flowing waters. Spawns in the Sacramento, Feather and Yuba Rivers. Presence in upper Stanislaus and San Joaquin Rivers may indicate spawning. Non-spawning adults occupy marine/estuarine waters. Delta Estuary is important for rearing juveniles. Spawning occurs primarily in cool (11–15 C) sections of mainstem rivers in deep pools (25–30 feet) with substrate containing small to medium sized sand, gravel, cobble, or boulder.	Not expected to occur. The project area is outside of the documented range of this species (CNDDB 2025b).
Pacific Lamprey *Entosphenus tridentatus*	—	SSC	No	This anadromous species spawns in freshwater streams, where it spends several years before migrating to the ocean as juveniles.	May occur. Los Trancos Creek, Coyote Creek, and other streams within the northern portion project area as well as portions of the Pajaro River and waters within Pajaro River basin may support this species below barriers that limit anadromy (CNDDB 2025c).
Tidewater goby *Eucyclogobius newberryi*	FE	SSC	No	Klamath/north coast flowing waters, Sacramento/San Joaquin flowing waters, south coast flowing waters. Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, needs fairly still but not stagnant water and high oxygen levels.	Not expected to occur. The project area does not contain nor is it adjacent to brackish water habitat for this species.
Southern coastal roach *Hesperoleucus venustus subditus*	—	SSC	No	Found in the drainages of Tomales Bay and northern San Francisco Bay in the north, and drainages of Monterey Bay in the south.	May occur. The project area includes portions of the Pajaro River and waters within Pajaro River basin and may support this species. The northern portion of the project area is outside of the current range of the subspecies described in Baumstieger and Moyle (2019). Although California roach has been documented in Los Gatos Creek and Saratoga Creek (Smith 2013), there are no records of southern coastal roach in these waters.
Monterey hitch *Lavinia exilicauda harengus*	—	SSC	No	Lowland clear-water pools or small reservoirs, especially in low-gradient sites in the Pajaro River basin and the Salinas River system. Require streams with permanent water and large pools during the summer, especially those with underwater cover (i.e., fallen trees) or vegetation overhanging water. This species does not have a specific sensitive period. It may be found in its habitat year-round.	May occur. The southern portion of the project area includes portions of the Pajaro River and waters within Pajaro River basin that may support this species.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Coho salmon - central California coast Evolutionary Significant Unit (ESU) *Oncorhynchus kisutch*	FE	SE	No	Federal listing = pops between Punta Gorda and San Lorenzo River. State listing includes populations south of Punta Gorda. Require beds of loose, silt-free, coarse gravel for spawning. Also need cover, cool water, and sufficient dissolved oxygen.	Not expected to occur. Coho were present historically in Coyote Creek prior to the construction of Anderson Dam. The species is no longer thought to be present in the creek above the confluence with Upper Penitencia Creek (Leidy et al. 2005). Coho has also been absent from the Pajaro River and its tributaries since the late 1960s (The Habitat Restoration Group 1997).
Steelhead - central California coast DPS *Oncorhynchus mykiss irideus*	FT	—	No	Sacramento/San Joaquin flowing waters. From Russian River, south to Soquel Creek and to, but not including, Pajaro River. Also San Francisco and San Pablo Bay basins.	May occur. Los Trancos Creek, Coyote Creek, and other streams within the project area that are downstream of the limit of anadromy provide habitat for this DPS.
Steelhead - south-central California coast DPS *Oncorhynchus mykiss irideus*	FT	—	No	Sacramento/San Joaquin flowing waters. South coast flowing waters. Federal listing refers to runs in coastal basins from the Pajaro River south to, but not including, the Santa Maria River.	May occur. The southern portion of the project area includes portions of the Pajaro River and waters within Pajaro River basin that may support this species.
Longfin smelt San Francisco Bay-Delta DPS *Spirinchus thaleichthys*	FE	ST SSC	No	Estuary. Euryhaline, nektonic and anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column. Prefer salinities of 15-30 ppt, but can be found in completely freshwater to almost pure seawater.	Not expected to occur. The project area does not contain nor is it adjacent to estuary habitat for this species.
Amphibians					
California tiger salamander - central California DPS *Ambystoma californiense*	FT	ST	Yes	Lives in vacant or mammal-occupied burrows throughout most of the year; in grassland, savanna, or open woodland habitats. Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.	Known to occur. The species has been documented in grasslands along the eastern and lower elevation portions of the project area (CNDDB 2025a).
Santa Cruz long-toed salamander *Ambystoma macrodactylum croceum*	FE	SE, FP	No	Freshwater marsh, marsh and swamp, and other wetlands. Wet meadows near sea level in a few restricted locales in Santa Cruz and Monterey Counties. Aquatic larvae prefer shallow (less than 12 inches) water, using clumps of vegetation or debris for cover. Adults use mammal burrows.	Not expected. The range of the species does not extend into the project area (USFWS 2025a).
Santa Cruz black salamander *Aneides niger*	—	SSC	No	Mixed deciduous and coniferous woodlands and coastal grasslands in San Mateo, Santa Cruz, and Santa Clara counties. Adults found under rocks, talus, and damp woody debris.	Known to occur. The species is documented to occur throughout the project area at all elevations, from Stevens Creek to the Pajaro River CNDDB 2025a).

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
California giant salamander *Dicamptodon ensatus*	—	SSC	No	Meadow and seep, north coast coniferous forest, and riparian forest. Known from wet coastal forests near streams and seeps from Mendocino County south to Monterey County and east to Napa County. Aquatic larvae found in cold, clear streams, occasionally in lakes and ponds. Adults known from wet forests under rocks and logs near streams and lakes.	Known to occur. The species is documented to occur throughout the project area within riparian and conifer forests from Stevens Creek to Mount Madonna County Park (CNDDB 2025a; iNaturalist 2025).
Foothill yellow-legged frog (Central Coast DPS) *Rana boylii*	FT	SE	Yes	San Francisco Peninsula and Diablo Range south of San Francisco Bay Estuary, and south through the Santa Cruz and Gabilan Mountains east of the Salinas River in the southern inner Coast Ranges. Partly shaded shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying and at least 15 weeks to attain metamorphosis.	Known to occur. This species has been documented to occur along and south of Los Gatos Creek and has occurred historically in the Stevens Creek Watershed (CNDDB 2025a)
California red-legged frog *Rana draytonii*	FT	SSC	Yes	Artificial flowing waters, artificial standing waters, freshwater marsh, marsh and swamp, riparian forest, riparian scrub, riparian woodland, Sacramento/San Joaquin flowing waters, Sacramento/San Joaquin standing waters, south coast flowing waters. Lowlands and foothills in or near permanent sources of deep water with dense, shrubby, or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.	Known to occur. The species has been documented to occur throughout the project area from Los Trancos Creek to the Pajaro River and east to Coyote Creek (CNDDB 2025a).
Western spadefoot *Spea hammondii*	FP	SSC	No	Cismontane woodland, coastal scrub, valley and foothill grassland, vernal pool, and wetlands. Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Not likely to occur. The range of the species in the region does not extend north of the Pajaro River (CNDDB 2025d).
Red-bellied newt *Taricha rivularis*	—	SSC	No	Broadleaved upland forest, north coast coniferous forest, redwood, riparian forest, and riparian woodland. Coastal drainages from Humboldt County south to Sonoma County, inland to Lake County. Isolated population of uncertain origin in Santa Clara County. Lives in terrestrial habitats, juveniles generally underground, adults active at surface in moist environments. Will migrate over 1 km to breed, typically in streams with moderate flow and clean, rocky substrate.	Known to occur. The species has been documented to occur within the Stevens Creek watershed and other areas north of Los Gatos Creek (CNDDB 2025a); it is not likely to occur south of Los Gatos Creek.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Reptiles					
Southwestern pond turtle *Actinemys pallida*	FP	SSC	Yes	Ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6,000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to approximately 0.3 miles (0.5 km) from water for egg-laying.	Known to occur. Documented throughout the project area from Los Trancos Creek to the Pajaro River and east to Coyote Creek (CNDDB 2025a).
Northern California legless lizard *Anniella pulchra*	—	SSC	No	Chaparral, coastal dunes, coastal scrub. Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. Prefers soils with a high moisture content.	Known to occur. The species has been documented in Helyer County Park. It may be present in other portions of the project area where habitat is present (e.g., sandy soils).
San Joaquin coachwhip *Masticophis flagellum ruddocki*	—	SSC	No	Chenopod scrub, valley and foothill grassland. Open, dry habitats with little or no tree cover. Found in valley grassland and saltbush scrub in the San Joaquin Valley. Needs mammal burrows for refuge and oviposition sites.	Not expected to occur. Helyer County Park is within the documented range of the species (CNDDB 2025e); however, open grassland and scrub habitat is not present in this location. The portions of the project area along Coyote Creek that may have habitat marginally suitable for the species are within 0.25 miles of the documented range of the species but are separated from the range by US Route 101, which is likely a barrier to dispersal. In addition, grassland habitat in the southernmost portion of the project area is near the range of the species, but separated from the range by the Pajaro River.
Alameda whipsnake *Masticophis lateralis euryxanthus*	FT	ST	No	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. Typically found in chaparral and scrub habitats but will also use adjacent grassland, oak savanna and woodland habitats. Mostly south-facing slopes and ravines, with rock outcrops, deep crevices or abundant rodent burrows, where shrubs form a vegetative mosaic with oak trees and grasses.	Not expected to occur. The project area is outside of the documented range of the species (USFWS 2020a).
Coast horned lizard *Phrynosoma blainvillii*	—	SSC	No	Chaparral, cismontane woodland, coastal bluff scrub, coastal scrub, desert wash, pinyon and juniper woodlands, riparian scrub, riparian woodland, valley and foothill grassland. Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of native ants and other insects.	Known to occur. The species has been documented within the portion of the project area north of Los Gatos Creek. Habitat for the species is present throughout other portions of the project area, and the species may occur anywhere habitat is present.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
San Francisco gartersnake *Thamnophis sirtalis tetrataenia*	FE	SE FP	No	Artificial standing waters, marsh and swamp, Sacramento/San Joaquin standing waters, wetland. Vicinity of freshwater marshes, ponds and slow-moving streams in San Mateo County and extreme northern Santa Cruz County. Prefers dense cover and water depths of at least one foot. Upland areas near water are also very important.	Not expected to occur. The range of the species extends south to near the Town of Woodside, just north of Los Trancos Creek. The species is also documented to occur within Russian Ridge Open Space Preserve (USFWS 2020b). These locations are outside and north of the project area. Although the species is known to occur near the project area, the northwestern portion of the project area is within a zone of hybridization between San Francisco gartersnake (*Thamnophis sirtalis tetrataenia*) and red-sided gartersnake (*Thamnophis sirtalis infernalis*), both subspecies of the common gartersnake (USFWS 2020b). Because the project falls within the area of hybridization, San Francisco gartersnakes are not expected to occur within the project area.
Birds					
Tricolored blackbird *Agelaius tricolor*	—	ST, SSC	Yes	Freshwater marsh, swamp, other wetlands. Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few kilometers of the colony.	Known to occur. The species has been documented to occur within Caldero County Park and along Coyote Creek. The species may occur in other areas of the project where aquatic and foraging habitat occur.
Grasshopper sparrow *Ammodramus savannarum*	—	SSC	No	Valley and foothill grassland. Dense grasslands on rolling hills, lowland plains, in valleys and on hillsides on lower mountain slopes. Favors native grasslands with a mix of grasses, forbs and scattered shrubs. Loosely colonial when nesting.	Known to occur. The species has been documented at the northernmost portion of the project area, Santa Teresa Hills, and Caldero County Park (iNaturalist 2025). Grassland habitat for the species is also present in other portions of the project area.
Golden eagle *Aquila chrysaetos*	—	FP	No	Broadleaved upland forest, cismontane woodland, coastal prairie, Great Basin grassland, Great Basin scrub, lower montane coniferous forest, pinyon and juniper woodlands, upper montane coniferous forest, and valley and foothill grassland. Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	Known to occur. The species has been documented in the project area, and the more remote portions of the project area may provide nesting habitat for the species (CNDDB 2025a).
Short-eared owl *Asio flammeus*	—	SSC	No	Found in swamp lands, both fresh and salt; lowland meadows; irrigated alfalfa fields. Tule patches/tall grass needed for nesting/daytime seclusion. Nests on dry ground in depression concealed in vegetation.	May occur. Habitat potentially suitable for this species may be present within the project area along Coyote Creek and at Caldero Reservoir.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Long-eared owl *Asio otus*	—	SSC	No	Cismontane woodland, Great Basin scrub, riparian forest, riparian woodland, and upper montane coniferous forest. Riparian bottomlands with tall willows and cottonwoods; also, belts of live oak paralleling stream courses. Require adjacent open land with mice and the presence of old nests of crows, hawks, or magpies for breeding.	May occur. Habitat potentially suitable for this species may be present within the project area along Coyote Creek, Pajaro River, and other riparian corridors.
Burrowing owl *Athene cunicularia*	—	SC, SSC	Yes	Coastal prairie, coastal scrub, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Sonoran Desert scrub, and valley and foothill grassland. Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Subterranean nester, dependent on burrowing mammals, most notably, the California ground squirrel.	Known to occur. The species has been documented in the Coyote Valley, and Caldero County Park (iNaturalist 2025). Grassland habitat for the species is also present in other portions of the project area. Grasslands in most of the project area are within the winter range of the species, and only the most eastern portions of the project area are within the yearlong range where nesting may occur (CNDDB 2025f).
Marbled murrelet *Brachyramphus marmoratus*	FT	SE	No	Lower montane coniferous forest, old growth redwood forest. Feeds near shore; nests inland along coast from Eureka to Oregon border and from Half Moon Bay to Santa Cruz. Nests in old-growth redwood-dominated forests, up to six miles inland, often in Douglas fir.	Not expected to occur. The species is documented to occur within the project region, and the project is within Zone 6 of the species recovery plan, although documented occurrences are limited to San Mateo County and northwestern Santa Cruz County (CNDDB 2025a) outside of the project area on the west side of the crest of the Santa Cruz Mountains and north of Santa Cruz. Although recent fires in the region may have caused shifts in occupancy and range, it is not likely that the portions of the project area east of the crest of the Santa Cruz Mountains or in the southernmost portion of the project area (e.g., Mount Madonna County Park) have been populated by these changes due to additional mature forest stands closer to habitat lost in the fires. Individual redwood and Douglas-fir trees in the project area may be large enough for nesting; however, the project is outside of the known nesting range within the Santa Cruz Mountains as defined in Paton and Ralph (1990) and Halbert and Singer (2017). Therefore, the project area is not likely to be used by marbled murrelet for nesting.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Barrow's goldeneye *Bucephala islandica*	—	SSC	No	Breeds in high central and northern Sierra Nevada mountains, near wooded mountain lakes or large streams. Nest in tree cavities, such as a deserted nest-hole of a pileated woodpecker or flicker; also use nest boxes.	May occur. The species may be present wintering and foraging at larger reservoirs in project area, but the project area is outside of the breeding range of the species.
Swainson's hawk *Buteo swainsoni*	—	ST	No	Great Basin grassland, riparian forest, riparian woodland, valley and foothill grassland. Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.	Known to occur. The species has been documented to nest within the Coyote Creek area (CNDDB 2025a) and may occur in similar locations in the eastern portions of the project area.
Vaux's swift *Chaetura vauxi*	—	SSC	No	Lower montane coniferous forest, north coast coniferous forest, old growth redwood forest. Redwood, Douglas fir, and other coniferous forests. Nests in large hollow trees and snags. Often nests in flocks. Forages over most terrains and habitats but shows a preference for foraging over rivers and lakes.	Known to occur. The species has been reported in the project area (iNaturalist 2025), and habitat for the species occurs in higher elevation portions of the project area where conifer forests are present.
Western snowy plover *Charadrius nivosus nivosus*	FT	SSC	No	Sandy beaches, salt pond levees, and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	Not expected to occur. Habitat for this species is not present within the project area.
Northern harrier *Circus hudsonius*	—	SSC	No	Coastal salt and freshwater marsh. Nest and forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.	Known to occur. The species has been documented to occur in the vicinity of Caldero Reservoir and in the Los Trancos watershed. Habitat for the species is likely present in other portions of the project area.
Western yellow-billed cuckoo *Coccyzus americanus occidentalis*	FT	SE	No	Riparian forest. Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	Not expected to occur. Although the riparian corridor along the Pajaro River is potentially suitable, the species has not been documented to occur within the region (CNDDB 2025a; iNaturalist 2025), and the project area is outside of the range of the species.
Olive-sided flycatcher *Contopus cooperi*	—	SSC	No	Lower montane coniferous forest, redwood, upper montane coniferous forest. Nesting habitats are mixed conifer, montane hardwood-conifer, Douglas fir, redwood, red fir and lodgepole pine. Most numerous in montane conifer forests where tall trees overlook canyons, meadows, lakes, or other open terrain.	Known to occur. The species has been reported in the project area (iNaturalist 2025), and habitat for the species occurs in portions of the project area where conifer forests are present.
Yellow rail *Coturnicops noveboracensis*	—	SSC	No	Breeds in freshwater marsh, meadow and seep. Summer resident in eastern Sierra Nevada in Mono County. Overwinters in Fresh-water and brackish water marshlands along the coast and bay..	Not expected to occur. The project area is outside of the breeding range of the species. The species overwinters in fresh and brackish water marshes along the coast. However, the project area is too far from the bay or coastline to be overwintering habitat.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Black swift *Cypseloides niger*	—	SSC	No	Coastal belt of Santa Cruz and Monterey Counties; central and southern Sierra Nevada; San Bernardino and San Jacinto Mountains. Breeds in small colonies on cliffs behind or adjacent to waterfalls in deep canyons and sea-bluffs above the surf; forages widely	May occur. Some of the larger streams in the project area may contain waterfalls that provide nesting habitat for the species.
White-tailed kite *Elanus leucurus*	—	FP	No	Cismontane woodland, marsh and swamp, riparian woodland, valley and foothill grassland, and wetlands. Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Known to occur. The species has been reported in oak woodland and grassland habitats throughout the project area (iNaturalist 2025), and juvenile white-tailed kites were observed in Arastradero Preserve during SPR BIO-1 surveys.
Common loon *Gavia immer*	—	SSC	No	Great Basin standing waters. Nesting locations at certain large lakes and reservoirs in interior of state, primarily in northeastern plateau region. Bodies of water regularly frequented are extensive, relatively deep, and produce quantities of large fish.	May occur in larger reservoirs in the project area, but the project area is outside of the breeding range of the species.
Saltmarsh common yellowthroat *Geothlypis trichas sinuosa*	BCC	SSC	No	Marsh and swamp. Resident of the San Francisco Bay region, in fresh and salt water marshes. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nesting.	May occur. Marsh habitat the may be suitable for this species, which occurs around Caldero Reservoir, along Coyote Creek, and other locations within the project area.
California condor *Gymnogyps californianus*	FE	SE FP	No	Chaparral, valley and foothill grassland. Require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. Forages up to 100 miles from roost/nest.	May occur. The species has been documented in the eastern portion of Santa Clara County near Anderson Lake and along State Route 152. The species is not likely to nest in the project area due to an absence of suitable nesting sites, but may forage in more open locations.
Bald eagle *Haliaeetus leucocephalus*	—	SE FP	No	Lower montane coniferous forest, old growth. Ocean shore, lake margins, and rivers for both nesting and wintering. Most nests within 1 mile of water. Nests in large, old-growth, or dominant live tree with open branches, especially ponderosa pine. Roosts communally in winter.	Known to occur. The species has been reported to overwinter and nest within the project area (iNaturalist 2025), and nesting habitat is present in the project area near larger lakes and reservoirs.
Yellow-breasted chat *Icteria virens*	—	SSC	No	Riparian forest, riparian scrub, riparian woodland. Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian habitat, consisting of willow, blackberry, wild grape; forages and nests within 10 feet of ground.	Known to occur. The species has been documented near Chesbro Reservoir, and habitat for the species is present along many streams throughout the project area.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Loggerhead shrike *Lanius ludovicianus*	—	SSC	No	Broadleaved upland forest, desert wash, Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodlands, riparian woodland, Sonoran desert scrub. Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oases, scrub and washes. Prefers open country for hunting, with perches for scanning, and dense shrubs for nesting.	Known to occur. The species as been documented in Coyote Valley Open Space Preserve, and habitat for the species occurs in the more open portions of the project area.
California black rail *Laterallus jamaicensis coturniculus*	—	ST FP	No	Brackish marsh, freshwater marsh, marsh and swamp, salt marsh. Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.	Not expected to occur. The project area is outside of the range of this species (CNDDB 2025g).
Alameda song sparrow *Melospiza melodia pusillula*	—	SSC	No	Resident of salt marshes bordering south arm of San Francisco Bay. Inhabits pickleweed (*Salicornia* spp.) marshes; nests low in Grindelia plants (high enough to escape high tides) and in pickleweed.	Not expected to occur. The species is unlikely to be present in the project area because the project area lacks the salt marsh pickleweed habitat needed for this species.
American white pelican *Pelecanus erythrorhynchos*	—	SSC	No	Colonial nester on large interior lakes. Nests on large lakes, providing safe roosting and breeding places in the form of well-sequestered islets.	May occur. Larger reservoirs within the project area may provide foraging habitat for this species. However, the project area is outside of the breeding range of the species (CNDDB 2025h).
Purple martin *Progne subis*	—	SSC	No	Broadleaved upland forest, lower montane coniferous forest. Inhabits woodlands, low elevation coniferous forest of Douglas fir, ponderosa pine, and Monterey pine. Nests in old woodpecker cavities mostly, also in human-made structures. Nest is often located in tall, isolated tree/snag.	Known to occur. The species is documented to occur within the project area in the vicinity of Mount Umunhum (CNDDB 2025a). Large trees and snags within the project area provide nesting habitat for this species.
California Ridgway's rail *Rallus obsoletus obsoletus*	FE	SE FP	No	Salt-water and brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Associated with abundant growths of pickleweed, but feeds away from cover on invertebrates from mud-bottomed sloughs.	Not expected to occur. This species is unlikely to be present in the project area because the project area lacks the salt and brackish marsh habitat needed for this species.
Bank swallow *Riparia riparia*	—	ST	No	Riparian scrub, riparian woodland. Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks or cliffs with fine-textured or sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	Not expected to occur. The project area is outside of the documented range of this species (CNDDB 2025i), and the banks of streams and the Pajaro River in the project area are not likely to provide the substrate needed for nesting.
Black skimmer *Rynchops niger*	BCC	SSC	No	Alkali playa, sand shore. Nests on gravel bars, low islets, and sandy beaches, in unvegetated sites. Nesting colonies usually less than 200 pairs.	Not expected to occur. This species is unlikely to be present in the project area because the project area lacks the sandy shore and alkali playa habitat needed for this species. No impact is anticipated.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Yellow warbler *Setophaga petechia*	—	SSC	No	Riparian forest, riparian scrub, riparian woodland. Riparian plant associations near water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including cottonwoods, sycamores, ash, and alders.	Known to occur. The species has been documented in riparian corridors in multiple locations throughout the project area (iNaturalist 2025).
California least tern *Sternula antillarum browni*	FE	SE FP	No	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, landfills, or paved areas.	Not expected to occur. This species is unlikely to be present in the project area because the project area lacks the sand shore and alkali playa habitat needed for this species.
Least Bell's vireo *Vireo bellii pusillus*	FE	SE	Yes	Riparian forest, riparian scrub, riparian woodland. Summer resident of southern California in low riparian habitats or in dry river bottoms; below 2,000 feet. Nests placed along margins of shrubs or on twigs projecting into pathways, usually willow, coyote brush, mesquite.	May occur. Mature riparian areas with multiple layered canopies and riparian shrubs that provide habitat for the species occur along portions of lower elevation creeks and streams within the project area.
Mammals					
Pallid bat *Antrozous pallidus*	—	SSC	No	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting. Tree roosting has also been documented in large conifer snags, inside basal hollows of redwoods and giant sequoias, and bole cavities in oaks. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	May occur. The species has been documented in the project region (CNDDB 2025a). Cavities in large trees and snags within the project area may be suitable roosts for pallid bat.
Northern California ringtail *Bassariscus astutus raptor*	—	FP	—	Riparian habitats, forest habitats, and shrub habitats in lower to middle elevations.	May occur. Habitats potentially suitable for ringtail are present within riparian areas, chaparral, and forested areas near streams and drainages in the project area.
Townsend's big-eared bat *Corynorhinus townsendii*	—	SSC	No	Throughout California in a wide variety of habitats. Most common in mesic sites. Requires large cavities for roosting, which may include abandoned buildings and mines, caves, and basal cavities of trees. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	May occur. Townsend's big-eared bat has been documented in the project region and historically within the Los Gatos Creek drainage (CNDDB 2025a). Cavities in large redwood trees, crevices in rock outcrops, and abandoned structures within the project area may provide roosts for Townsend's big-eared bat.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
Western mastiff bat *Eumops perotis californicus*	—	SSC	No	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. Found in a variety of habitats, from desert scrub to chaparral to oak woodland and into the ponderosa pine belt and high elevation meadows of mixed conifer forests. The distribution of this species is likely geomorphically determined, with the species being present only where there are significant rock features offering roosting habitat.	May occur. Rock features potentially suitable for roosting by western mastiff bat are present in portions of the project area.
Western red bat *Lasiurus frantzii*	—	SSC	No	Cismontane woodland, lower montane coniferous forest, riparian forest, riparian woodland. Roosts primarily in trees, 2–40 feet above ground, from sea level up through mixed conifer forests. Prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging.	May occur. Broadleaved and conifer forests and riparian corridors within the project area provide habitat for this species.
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	—	SSC	No	. Forest habitats of moderate canopy and moderate to dense understory. May prefer chaparral and redwood habitats. Constructs nests of shredded grass, leaves and other material. May be limited by availability of nest-building materials.	Known to occur. The species has been documented during previous treatment activities within the project area as well as during SPR BIO-1 surveys. Forested, chaparral, and oak woodland habitats within the project area are suitable for this species.
Mountain lion *Puma concolor*	—	SC	No	Mountain lions inhabit a wide range of ecosystems, including mountainous regions, forests, deserts, and wetlands. Mountain lions establish and defend large territories and can travel large distances in search of prey or mates. In April of 2020, the California Fish and Game Commission found that listing of the Central Coast and Southern California Evolutionarily Significant Units may be warranted, and designated mountain lion within these ESUs as a candidate species.	Known to occur. The species has been documented to occur in multiple locations throughout the project area (iNaturalist 2025). The more remote portions of the project area that are undisturbed by human activities may support denning and nursery habitat.
Salt-marsh harvest mouse *Reithrodontomys raviventris*	FE	SE FP	No	Only in the saline emergent wetlands of San Francisco Bay and its tributaries. Pickleweed is primary habitat, but may occur in other marsh vegetation types and in adjacent upland areas. Does not burrow, builds loosely organized nests. Requires higher areas for flood escape.	Not expected to occur. The project area does not contain nor is it adjacent to salt marsh habitat for this species.
Salt-marsh wandering shrew *Sorex vagrans halicoetes*	—	SSC	No	Salt marshes of the south arm of San Francisco Bay. Medium high marsh 6-8 feet above sea level where abundant driftwood is scattered among pickleweed (Salicornia spp.).	Not expected to occur. The project area does not contain nor is it adjacent to salt marsh habitat for this species.

Species	Federal Status[1]	State Status[1]	SCVHP[1]	Habitat and Distribution	Potential for Occurrence[2]
American badger *Taxidea taxus*	—	SSC	No	American badgers are mostly found in treeless areas including prairies, grass-dominated meadows and fields within forested habitats, and shrub-steppe communities. Most abundant in drier open stages of most vegetation types, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	Known to occur. The species has been documented to occur in grassland habitats throughout the project area (CNDDB 2025a).
San Joaquin kit fox *Vulpes macrotis mutica*	FE	ST	Yes	Chenopod scrub, valley and foothill grassland. Annual grasslands or grassy open stages with scattered shrubby vegetation. Need loose-textured sandy soils for burrowing, and suitable prey base.	May occur. The portion of the project area within the Coyote Valley and surrounding hills is within the range of the species and predicted suitable habitat (CNDDB 2025j), which includes grasslands, oak savannah, and open shrubland with sandy soils for burrowing.

Notes: CNDDB = California Natural Diversity Database; CEQA = California Environmental Quality Act.

1 Legal Status Definitions

Federal:

FE Federally Listed as Endangered (legally protected)
FT Federally Listed as Threatened (legally protected)
FD Federally Delisted
FP Proposed for Listing under the federal Endangered Species Act

State:

FP Fully Protected (legally protected)
SSC Species of Special Concern (no formal protection other than CEQA consideration)
SE State Listed as Endangered (legally protected)
ST State Listed as Threatened (legally protected)
SC State Candidate for listing (legally protected)
SD State Delisted

SCVHP: Covered species under the Santa Clara Valley Habitat Plan (Santa Clara County et al. 2012).

2 Potential for Occurrence Definitions

Not expected to occur: Species is unlikely to be present because of poor habitat quality, lack of suitable habitat features, or restricted current distribution of the species.
May occur: Suitable habitat is available; however, there are little to no other indicators that the species might be present.
Known to occur: Species has been documented within the treatment site.

Sources: Baumstieger and Moyle 2019; CDFW 2023; CNDDB 2025a, 2025b, 2025c, 2025d, 2025e, 2025f, 2025g, 2025h, 2025i, 2025j; Halbert and Singer 2017; Hansen and Shedd 2025; Leidy et al. 2005; Paton and Ralph 1990; Santa Clara County et al. 2012; Santa Cruz County 2011; Smith 2013; The Habitat Restoration Group 1997; USFWS 2020a, 2020b, 2024a, 2024b, 2025a, 2025b; Western Monarch and Milkweed Mapper 2025.

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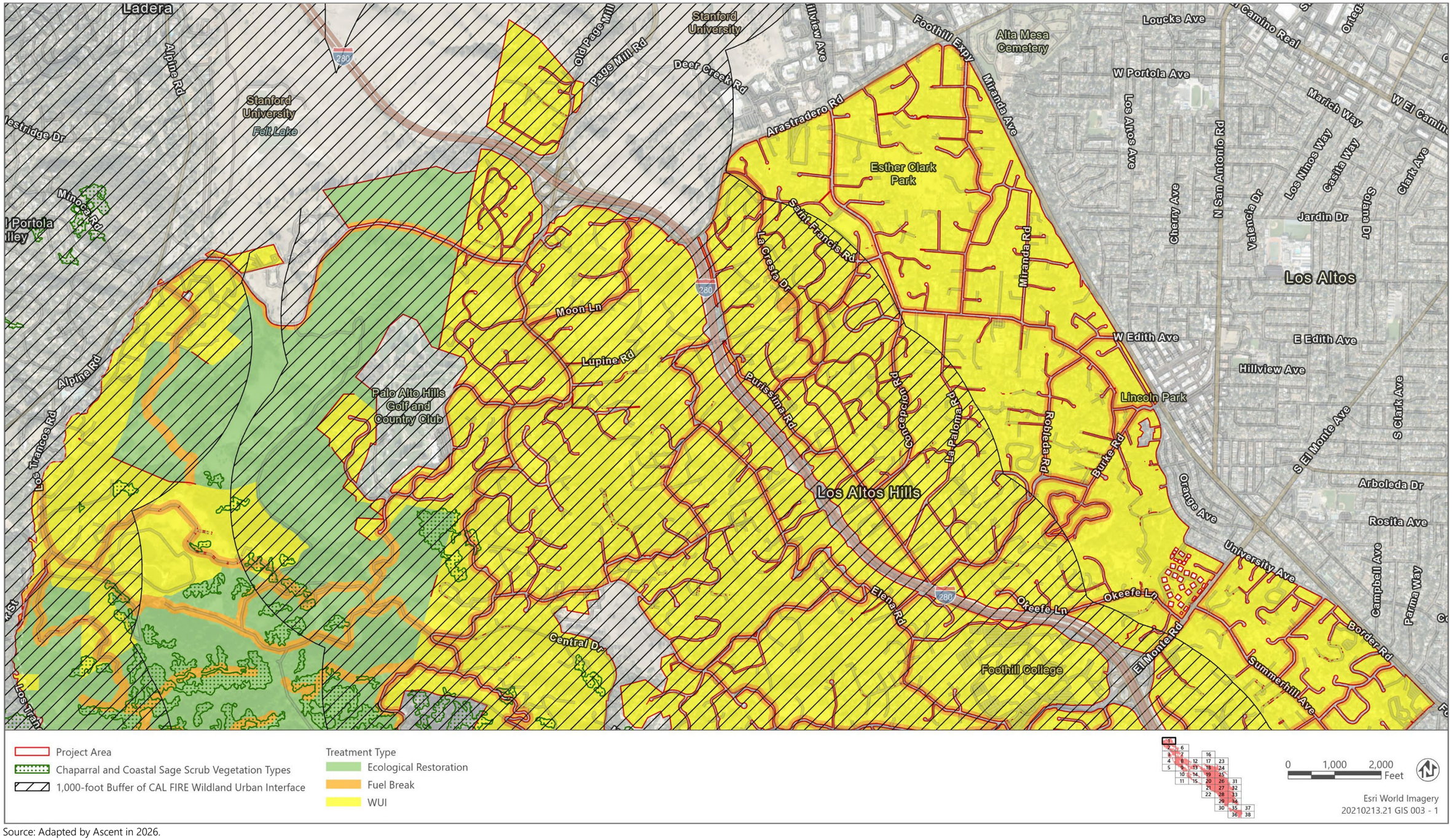
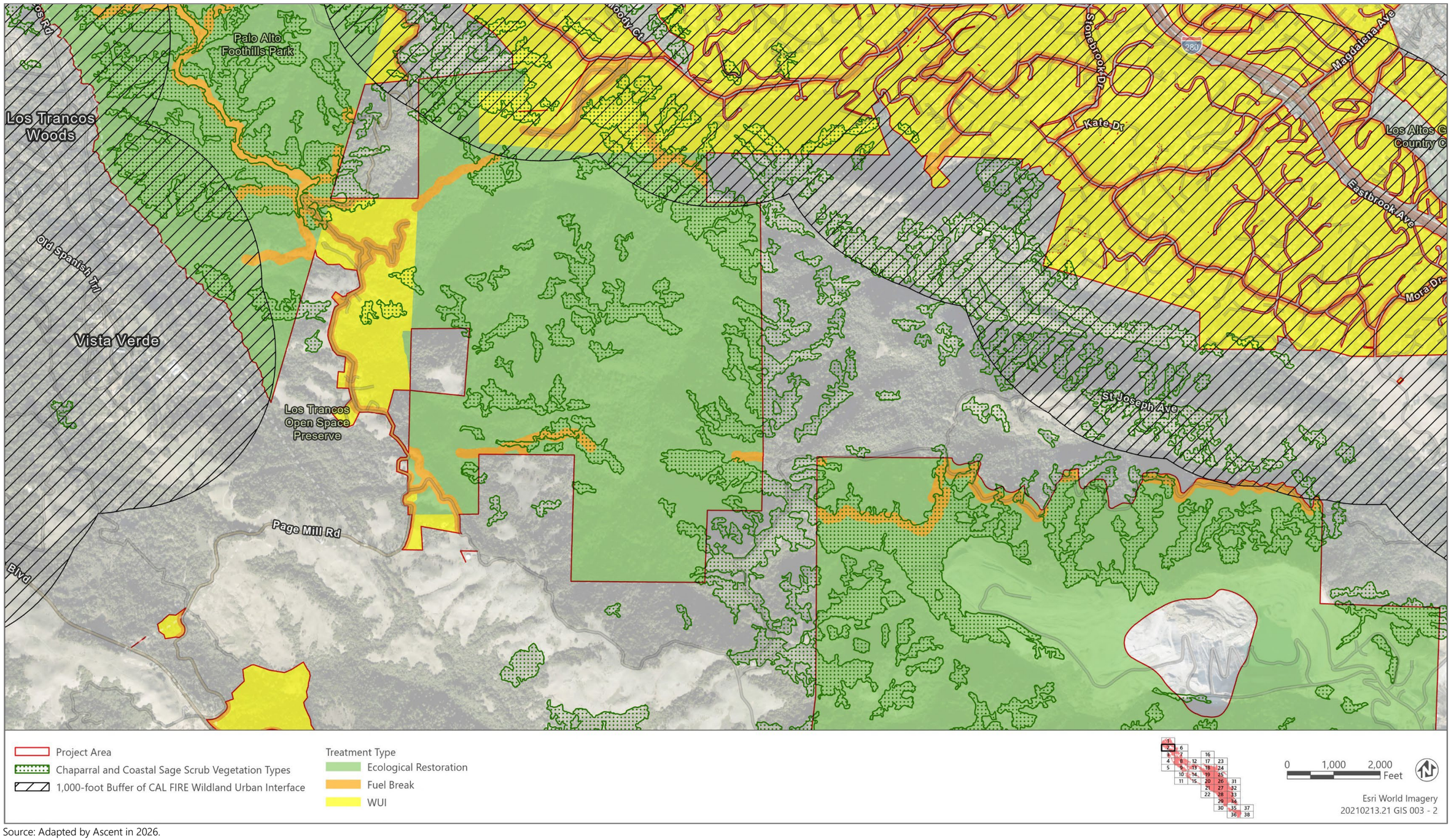


Source: Adapted by Ascent in 2026.

Map B-1. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 1 of 38



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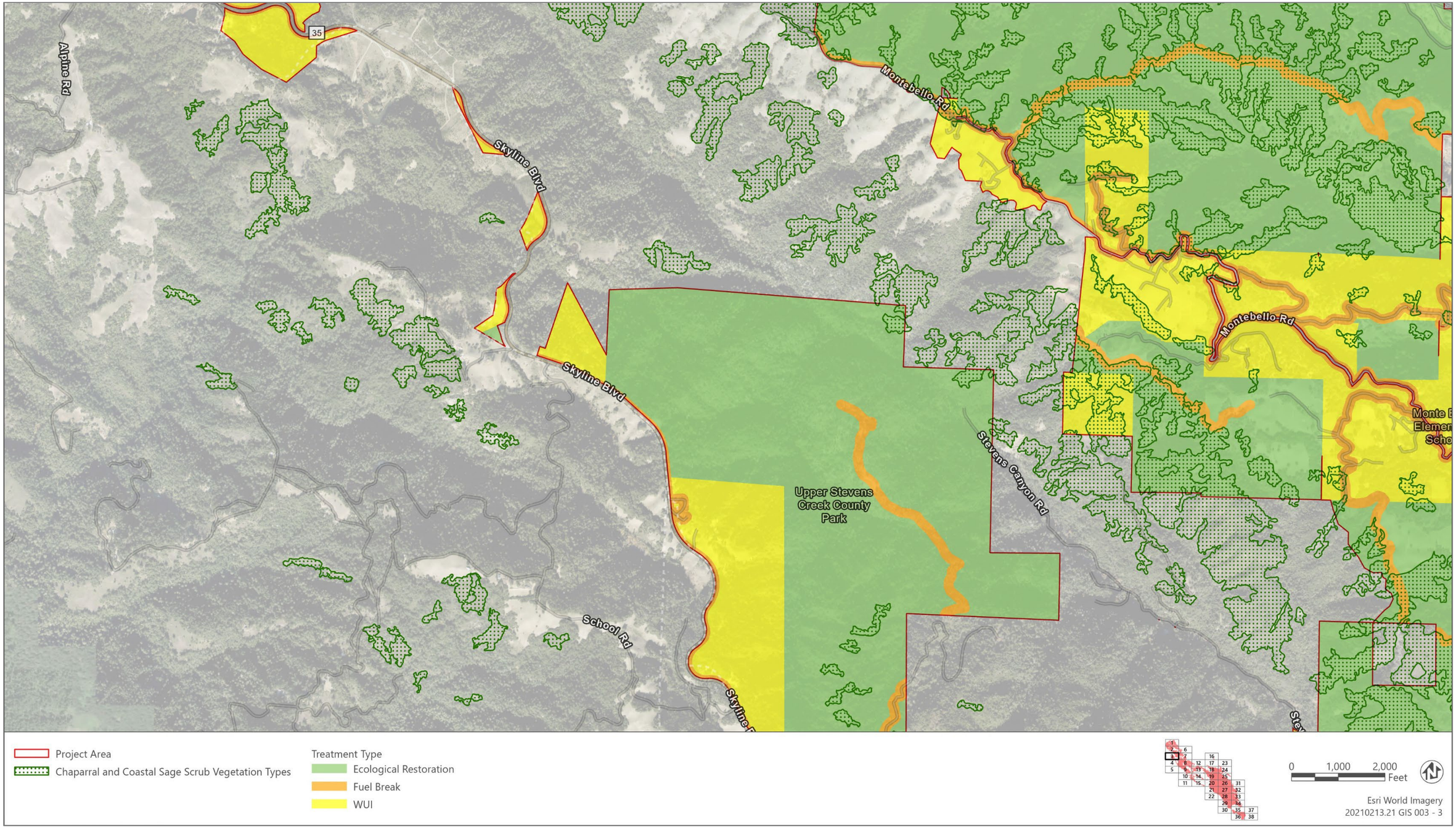
Map B-2. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 2 of 38



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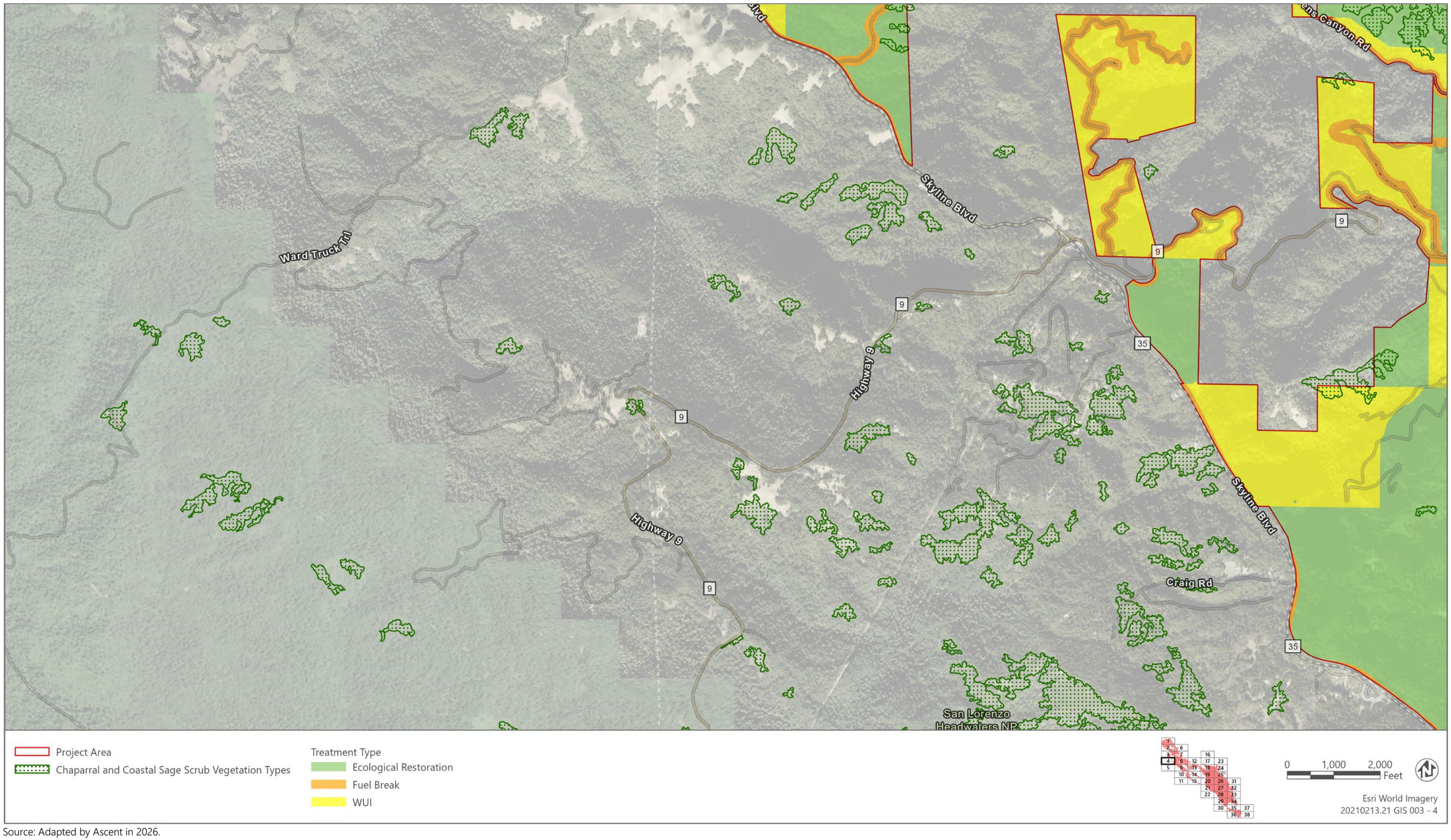
Map B-3. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 3 of 38



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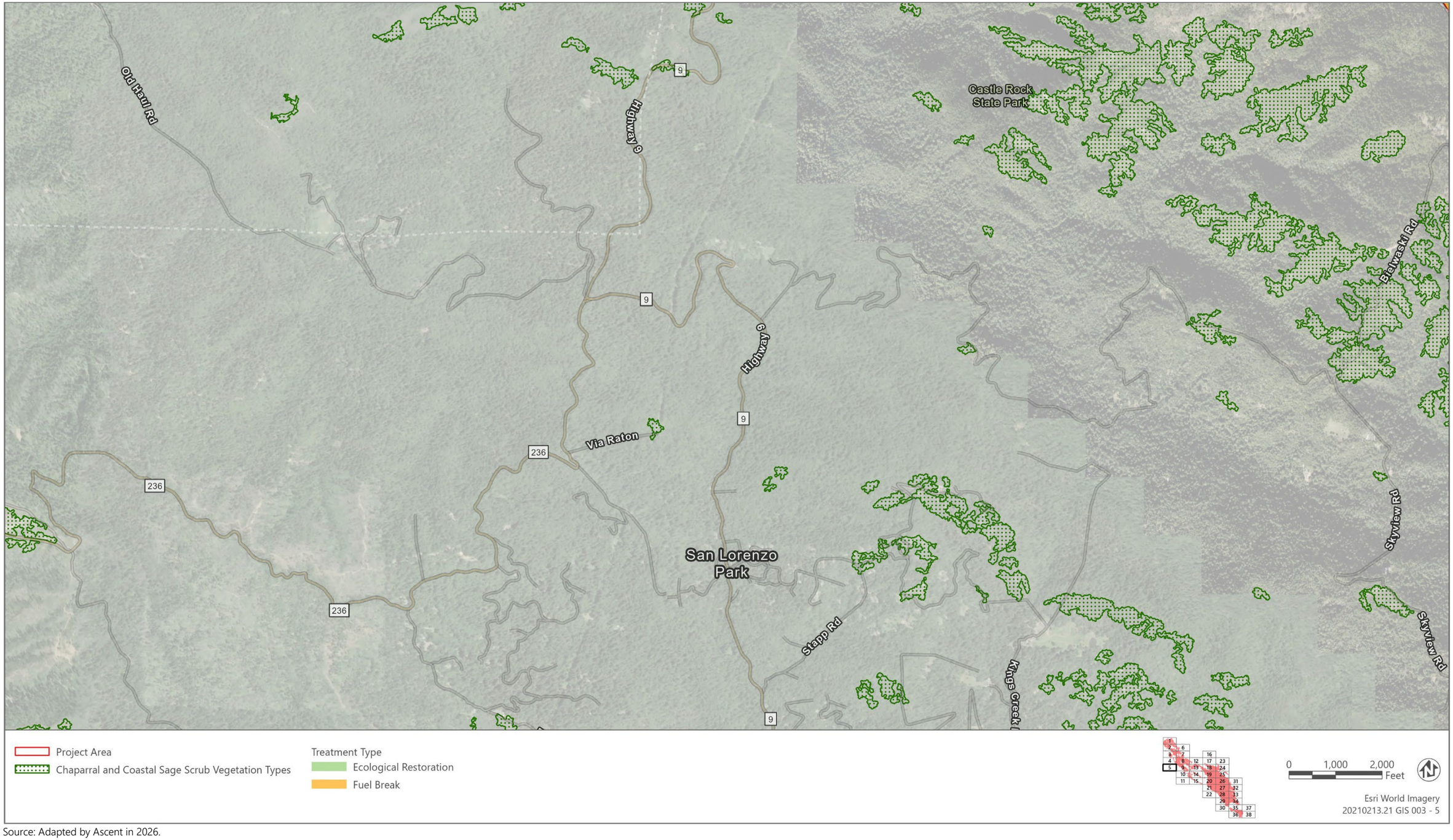
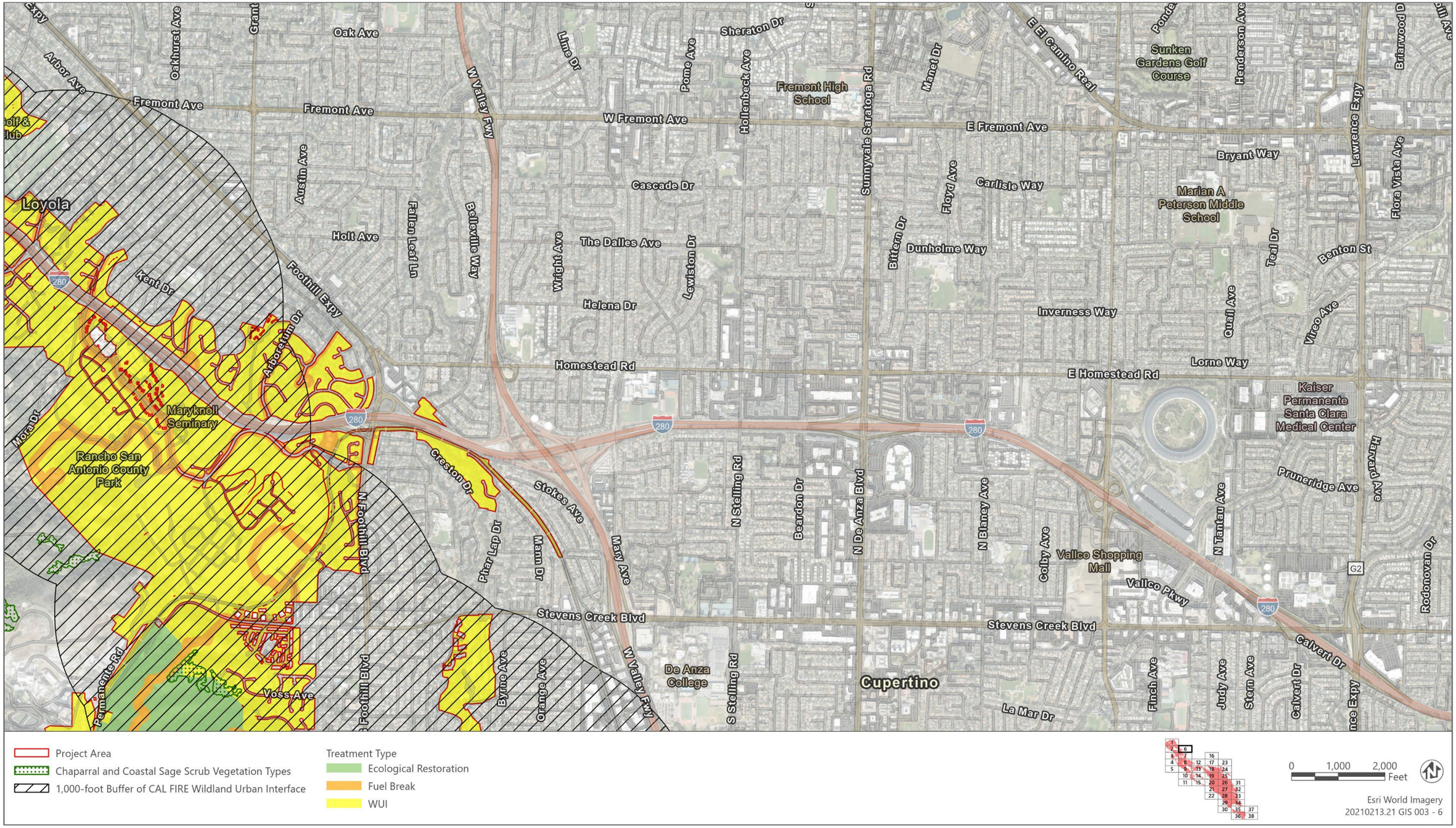
Map B-4. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 4 of 38



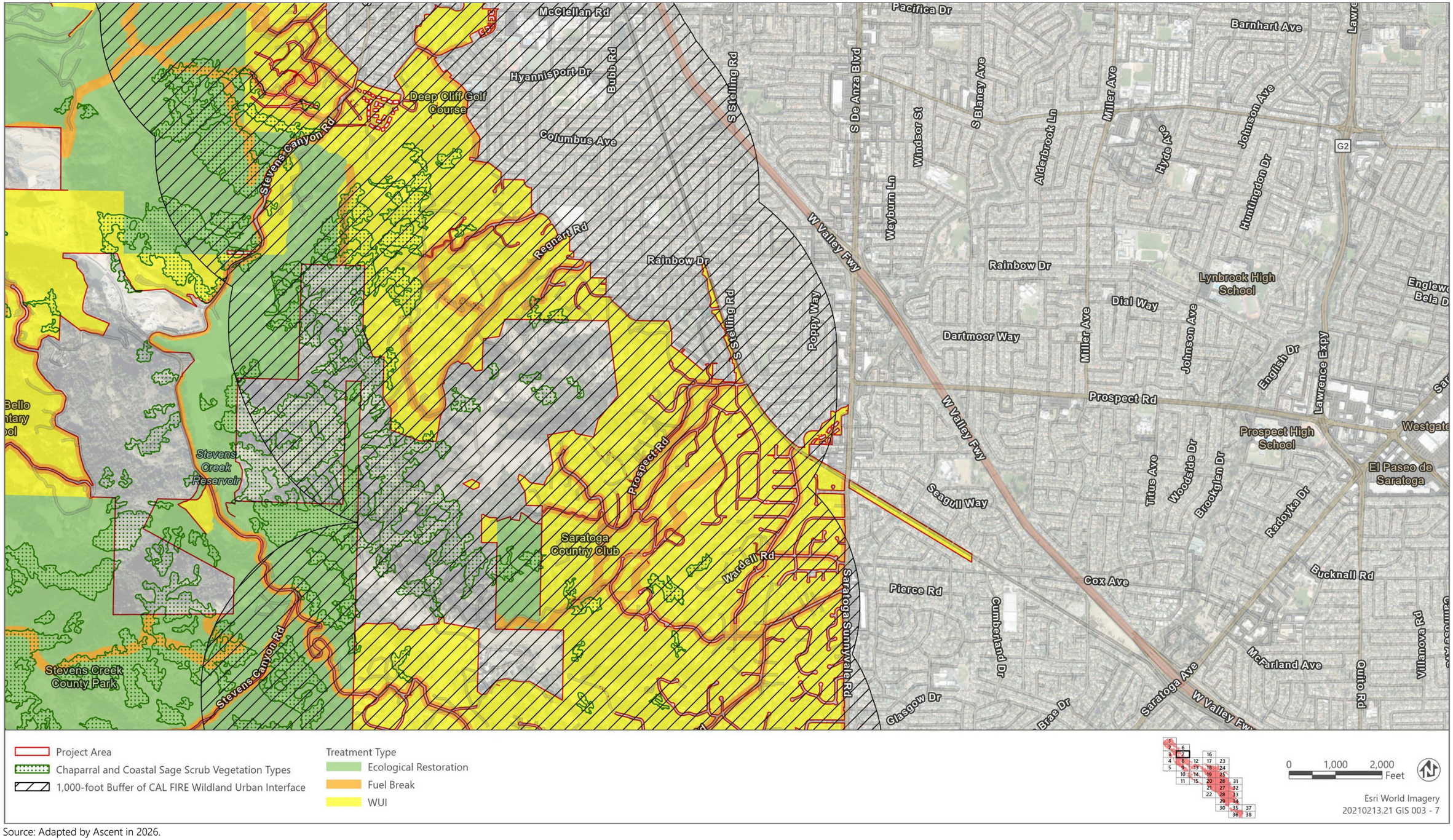
Source: Adapted by Ascent in 2026.

Map B-5. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 5 of 38



Source: Adapted by Ascent in 2026.

Map B-6. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 6 of 38



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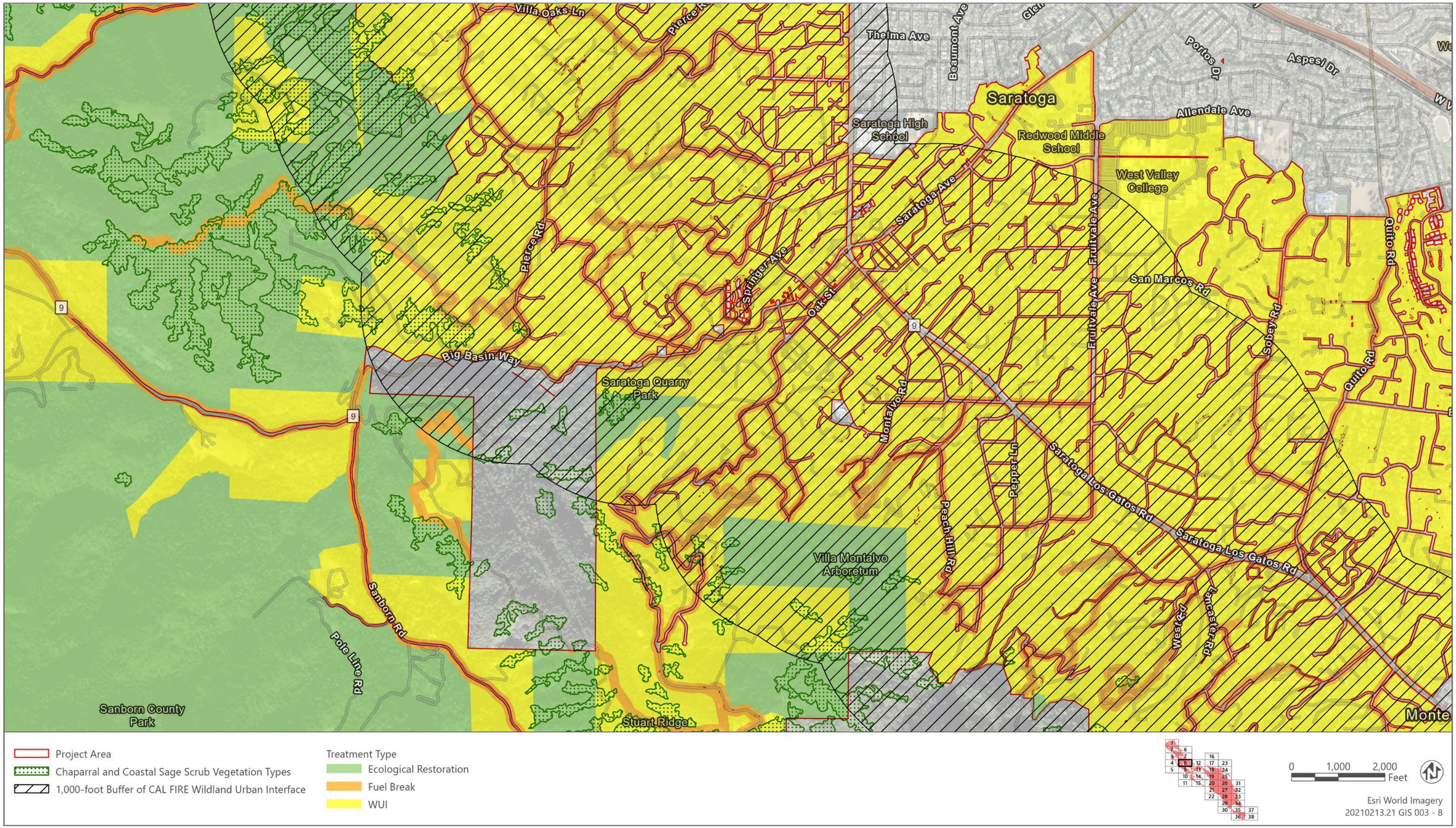
Map B-7. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 7 of 38



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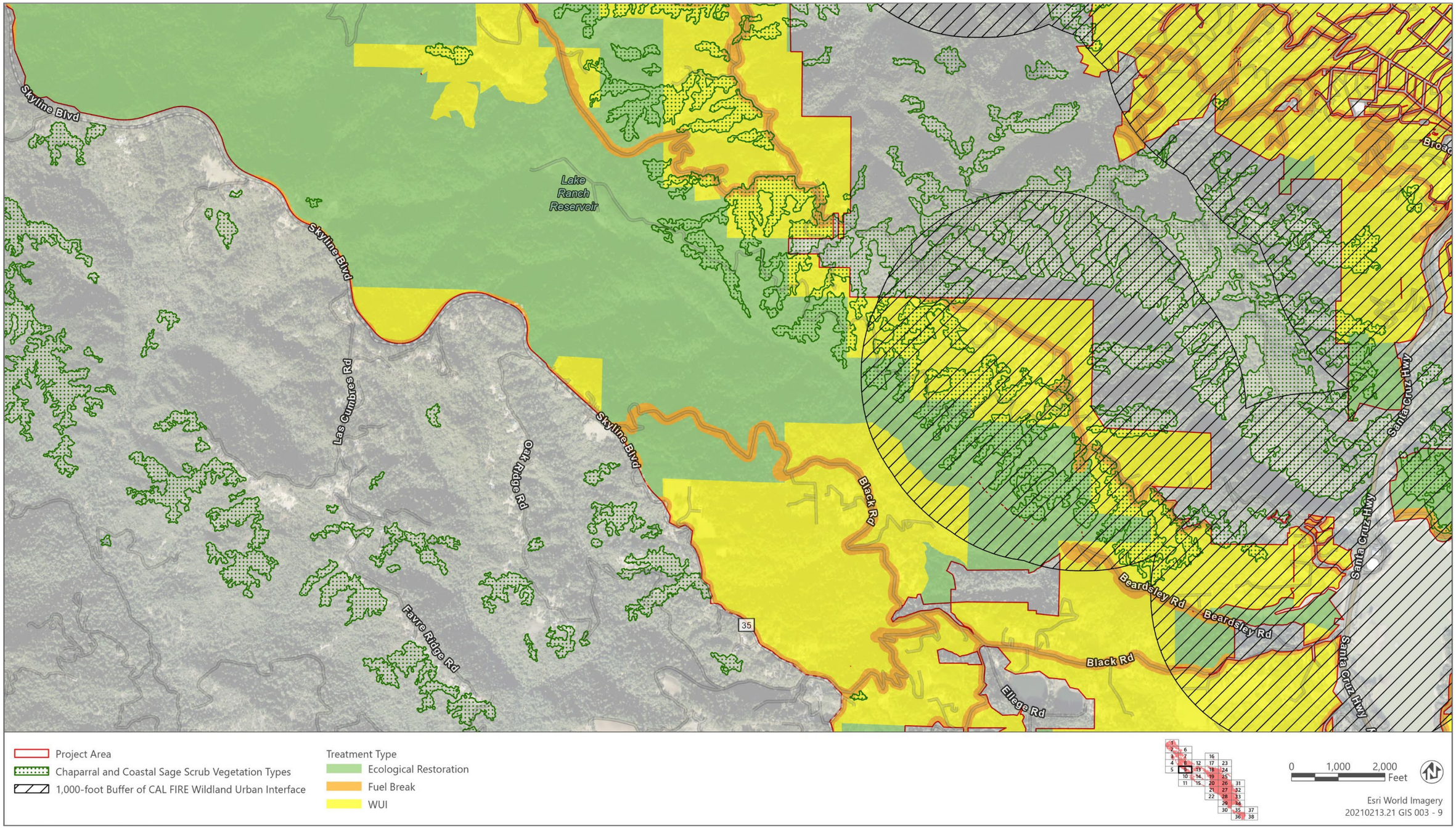
Map B-8. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 8 of 38



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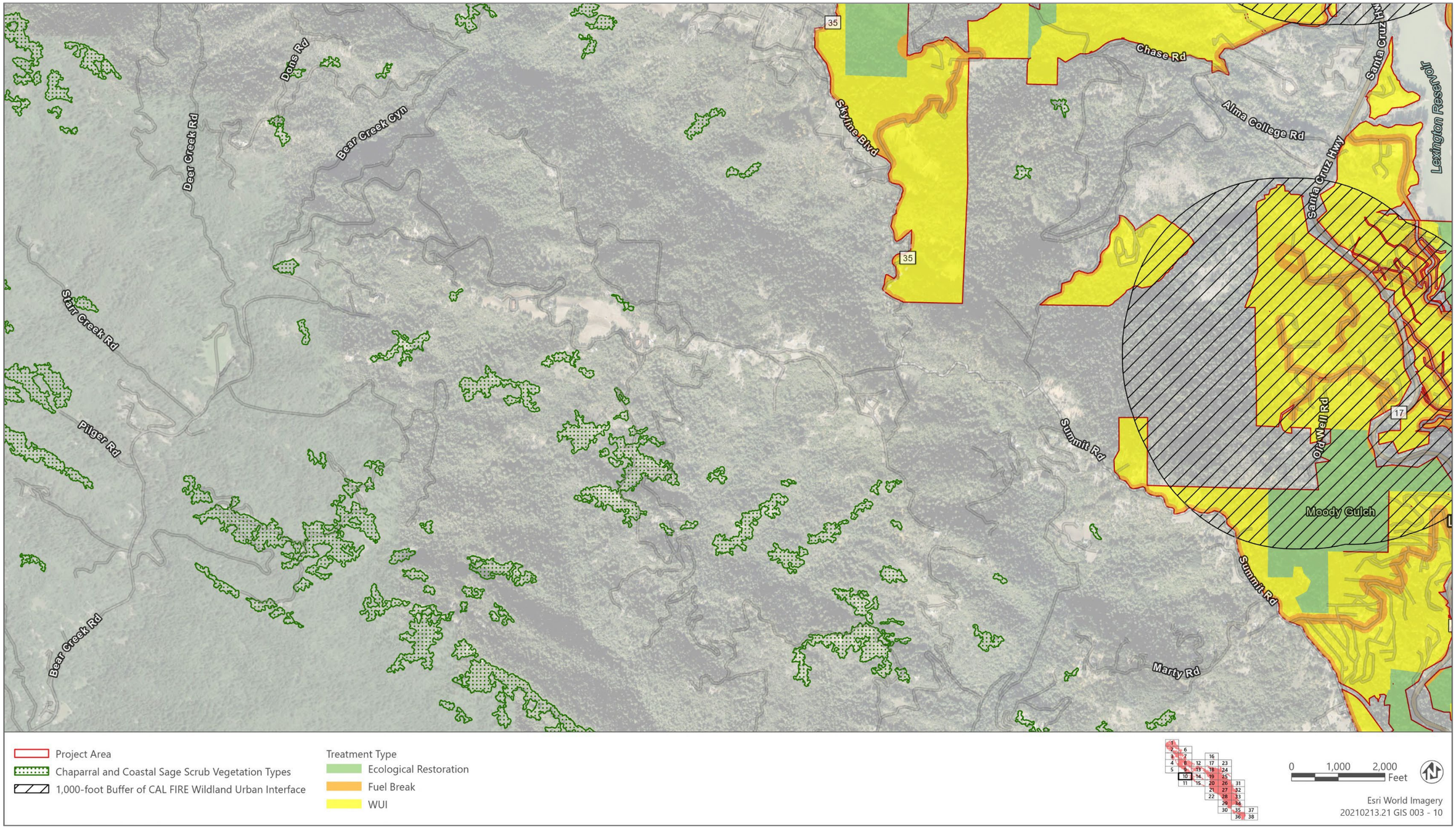
Map B-9. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 9 of 38



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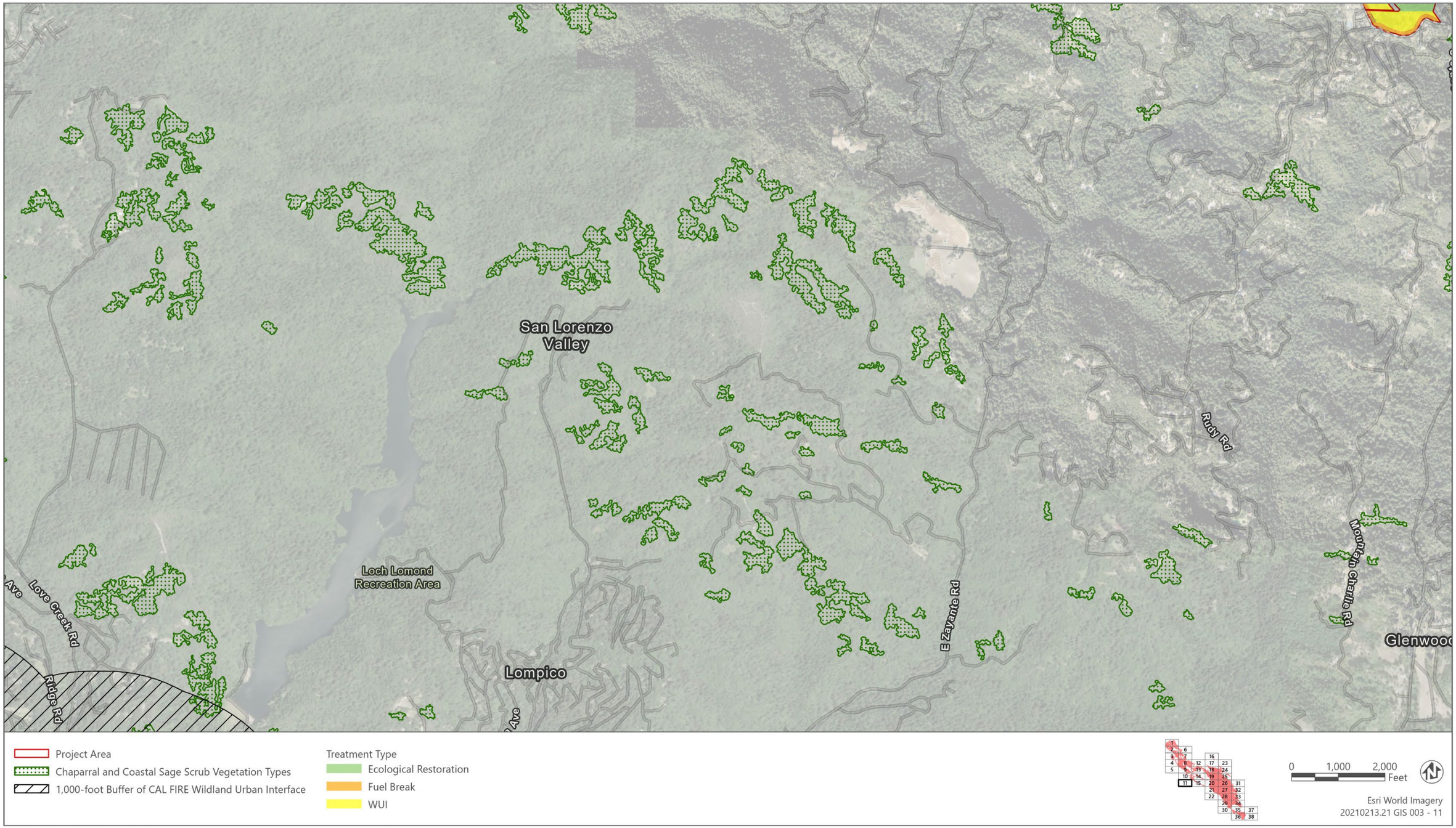
Map B-10. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 10 of 38



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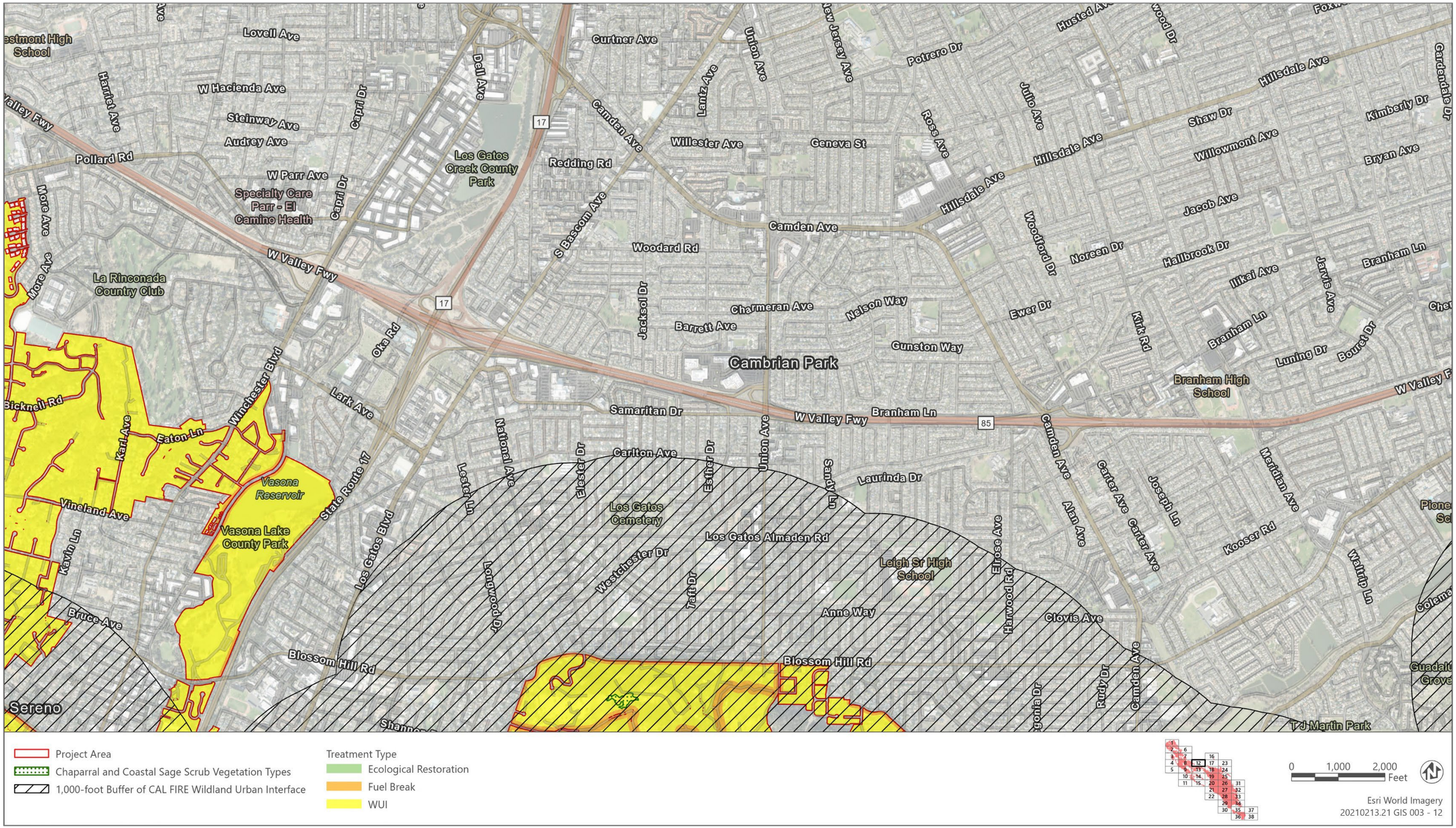
Map B-11. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 11 of 38



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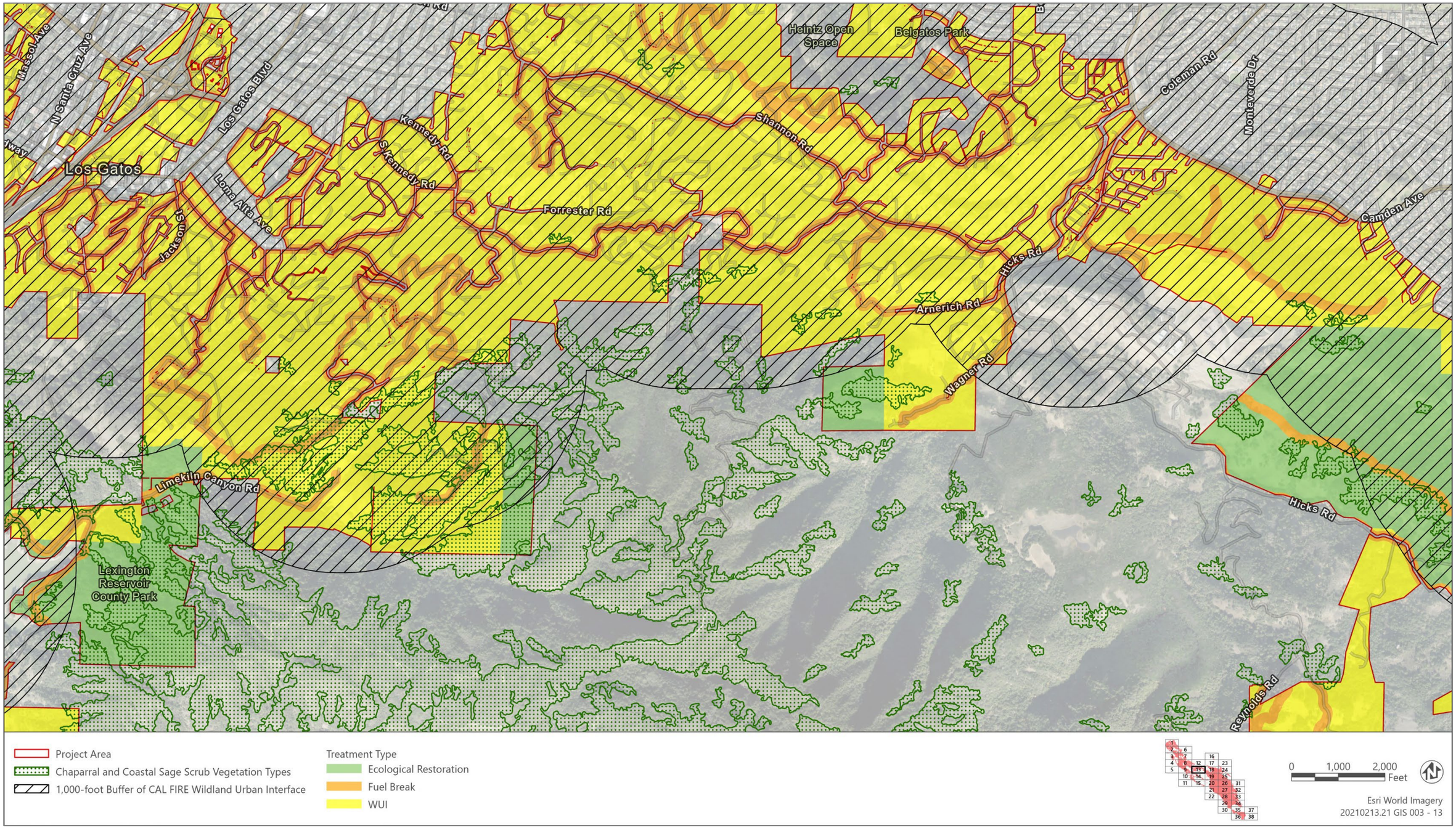
Map B-12. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 12 of 38



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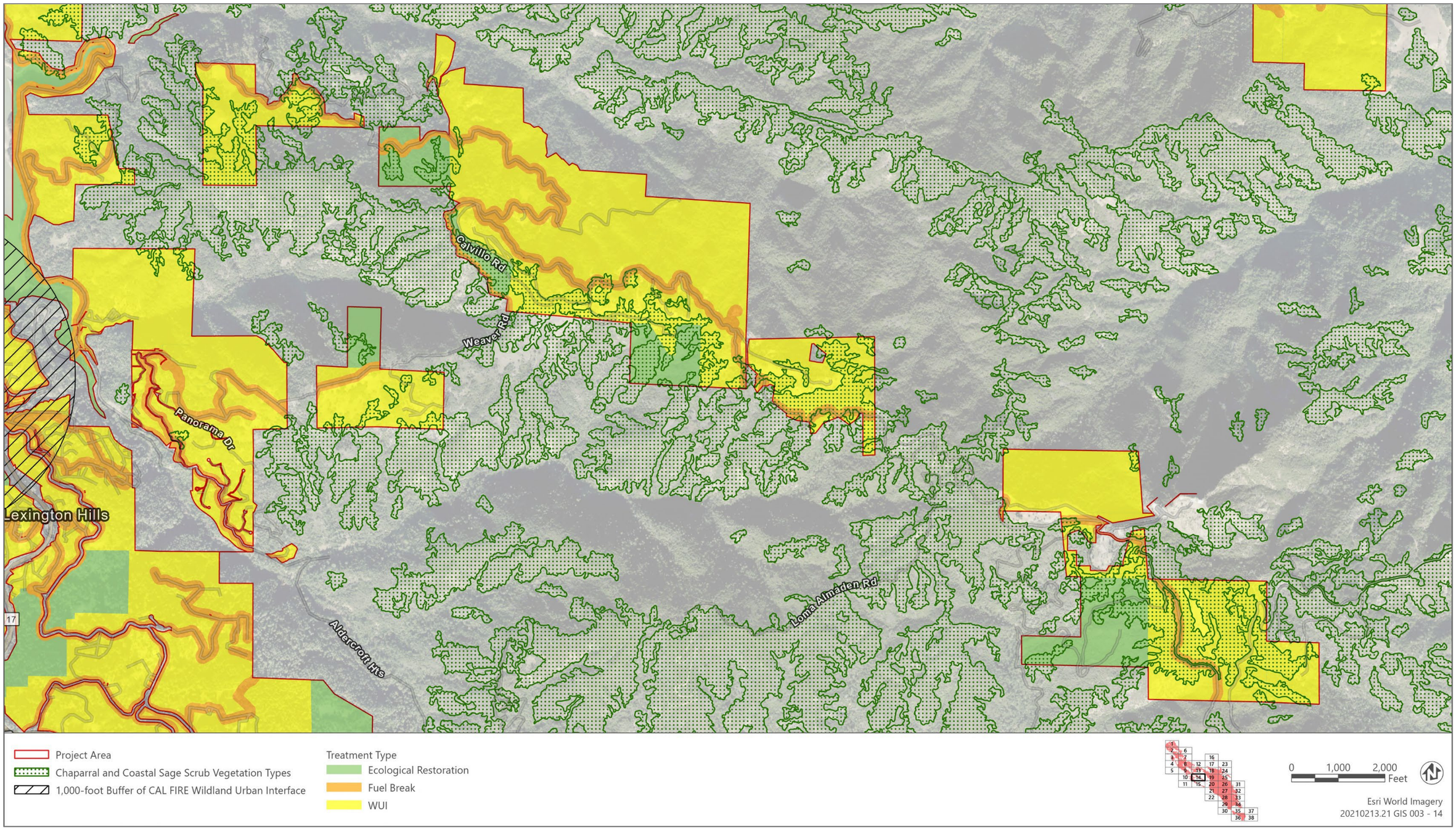
Map B-13. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 13 of 38



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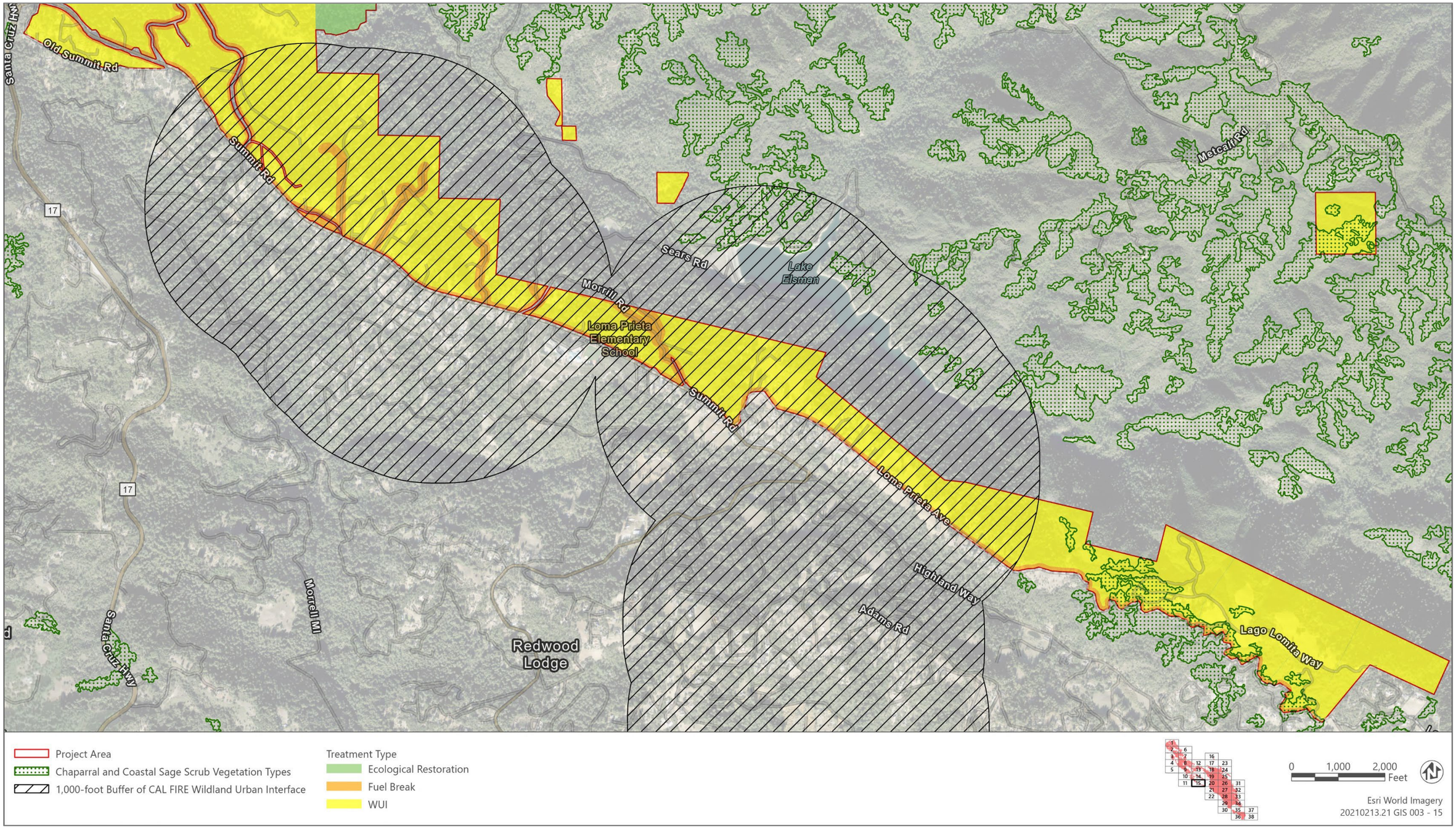
Map B-14. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 14 of 38



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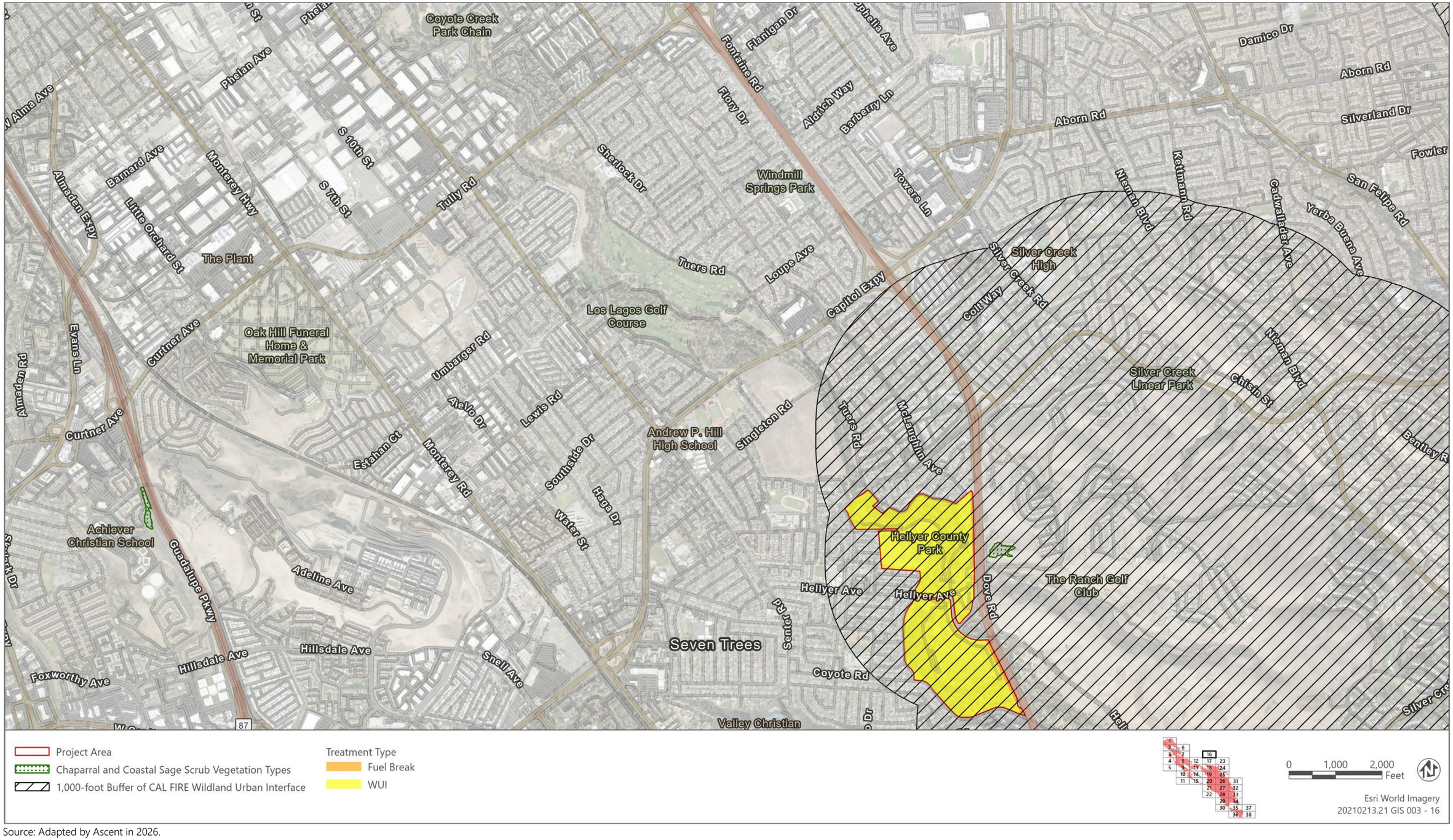
Map B-15. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 15 of 38



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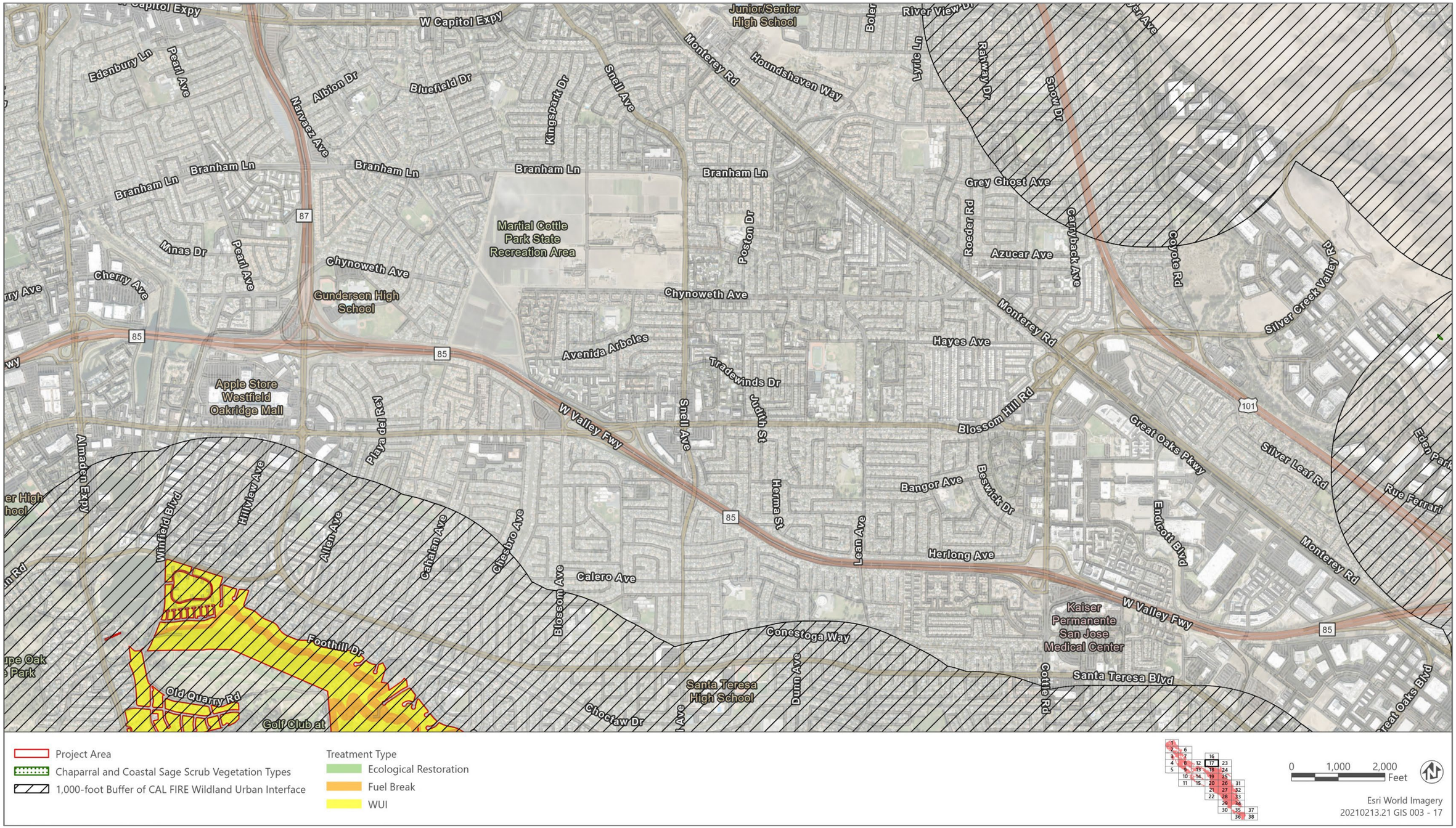
Map B-16. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 16 of 38



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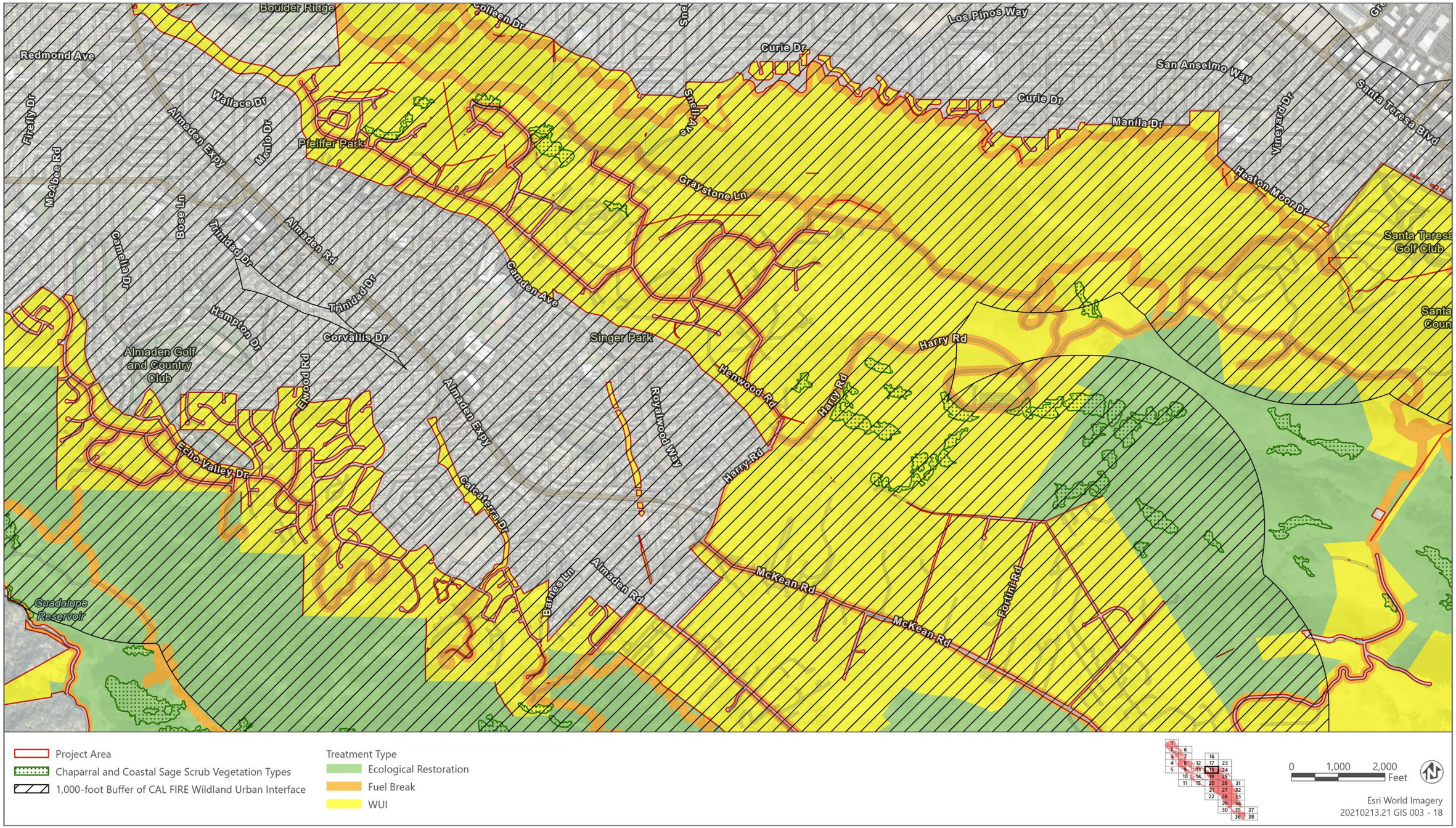
Map B-17. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 17 of 38



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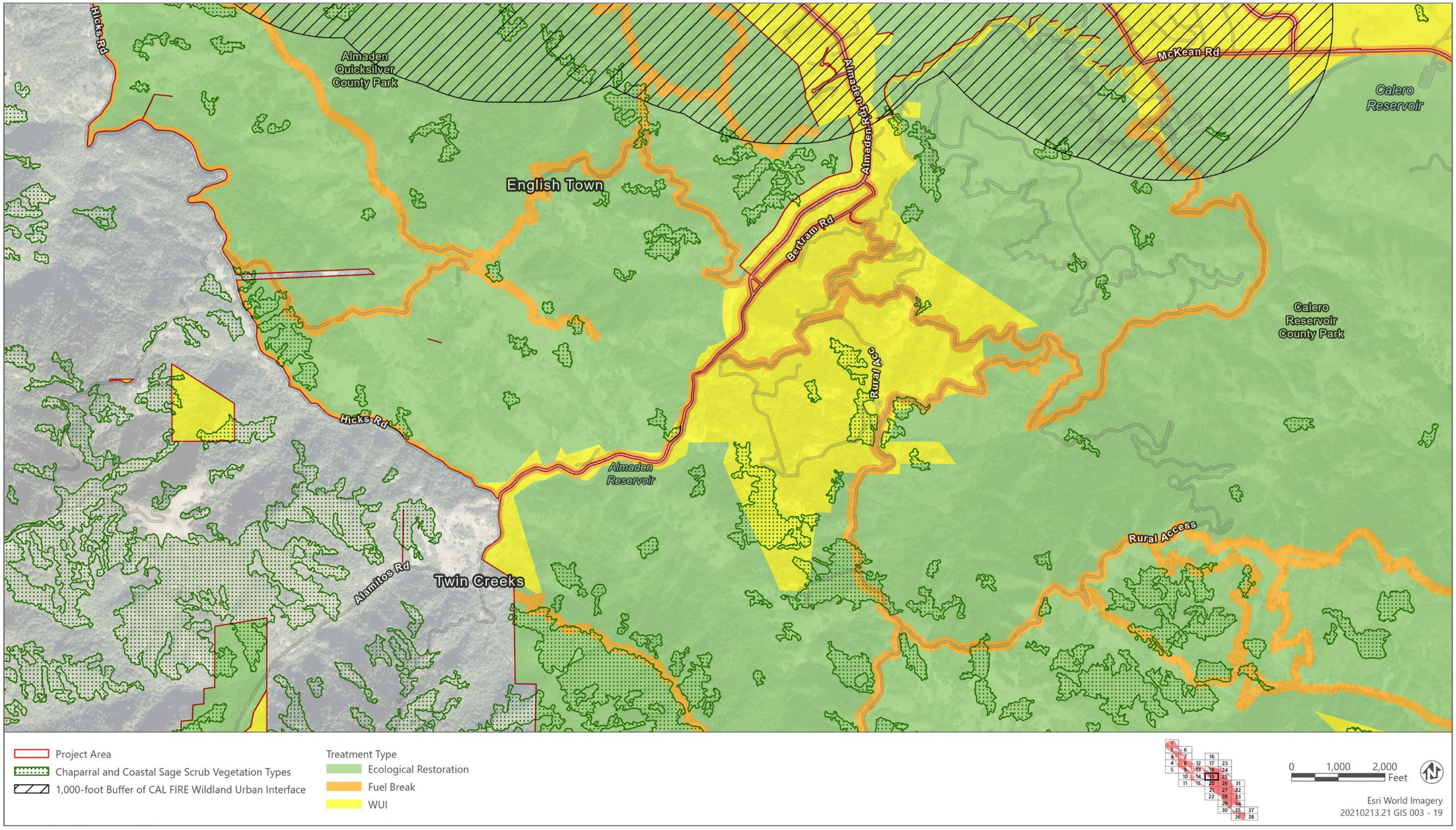
Map B-18. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 18 of 38



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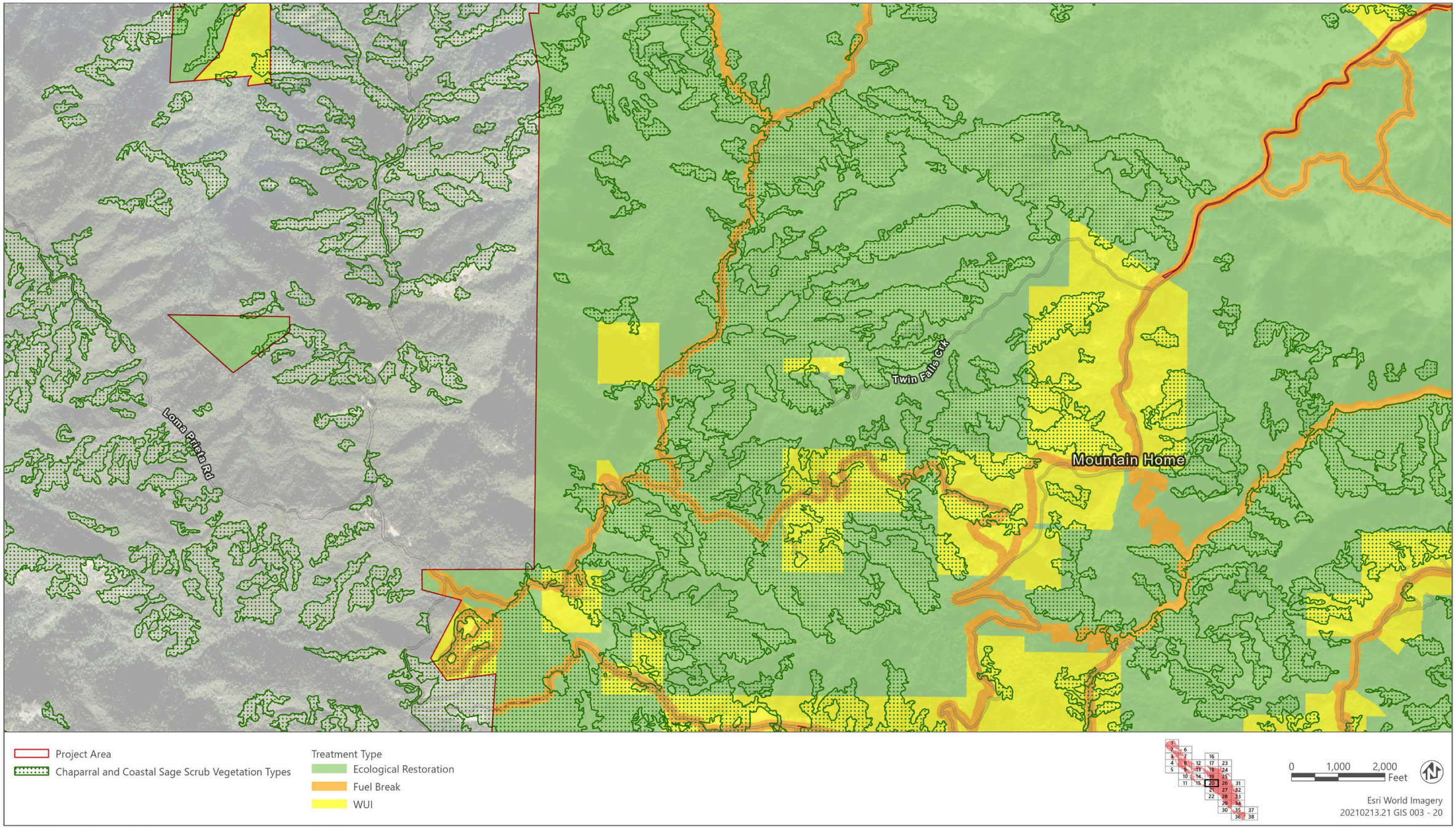
Map B-19. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 19 of 38



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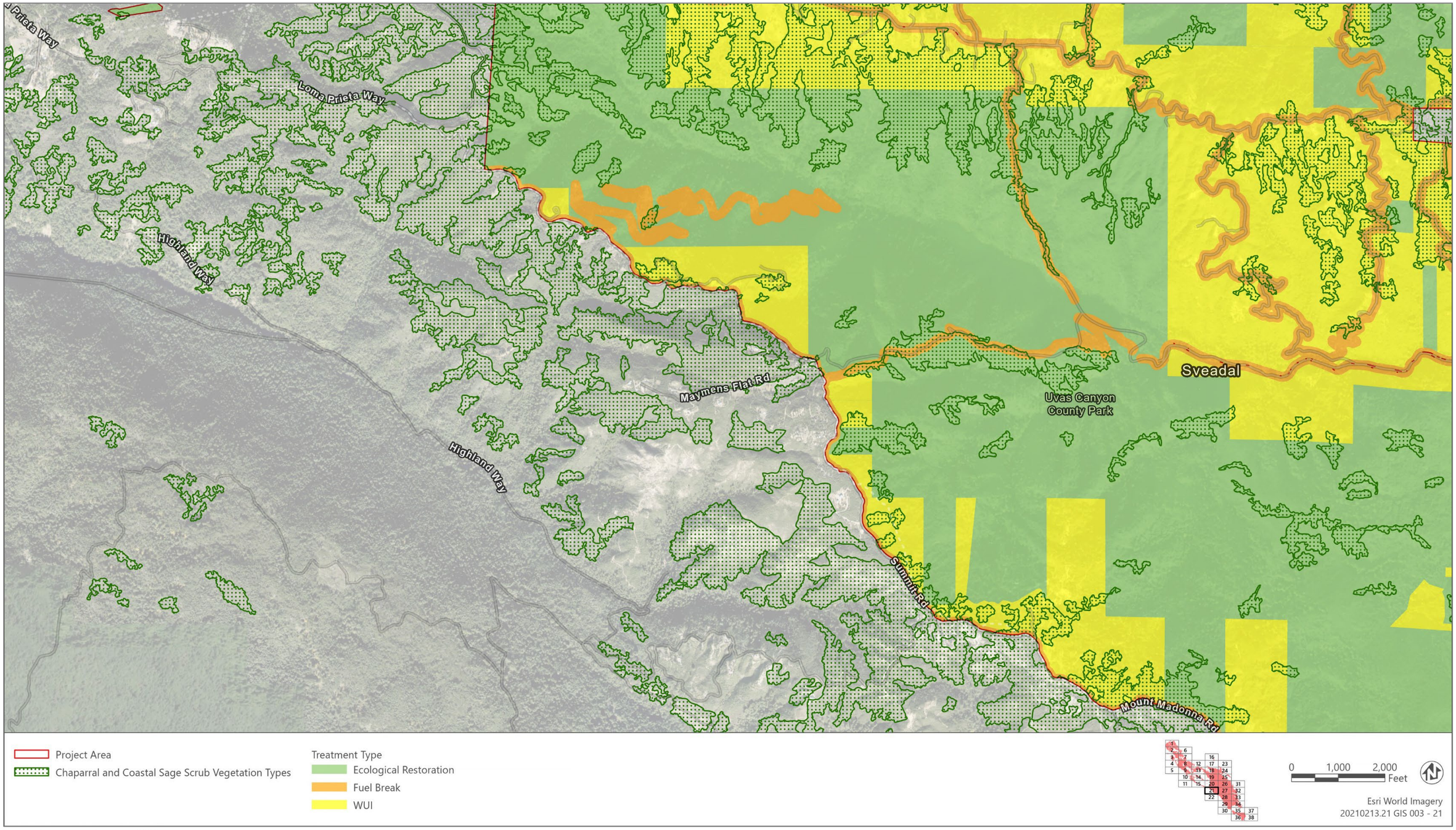
Map B-20. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 20 of 38



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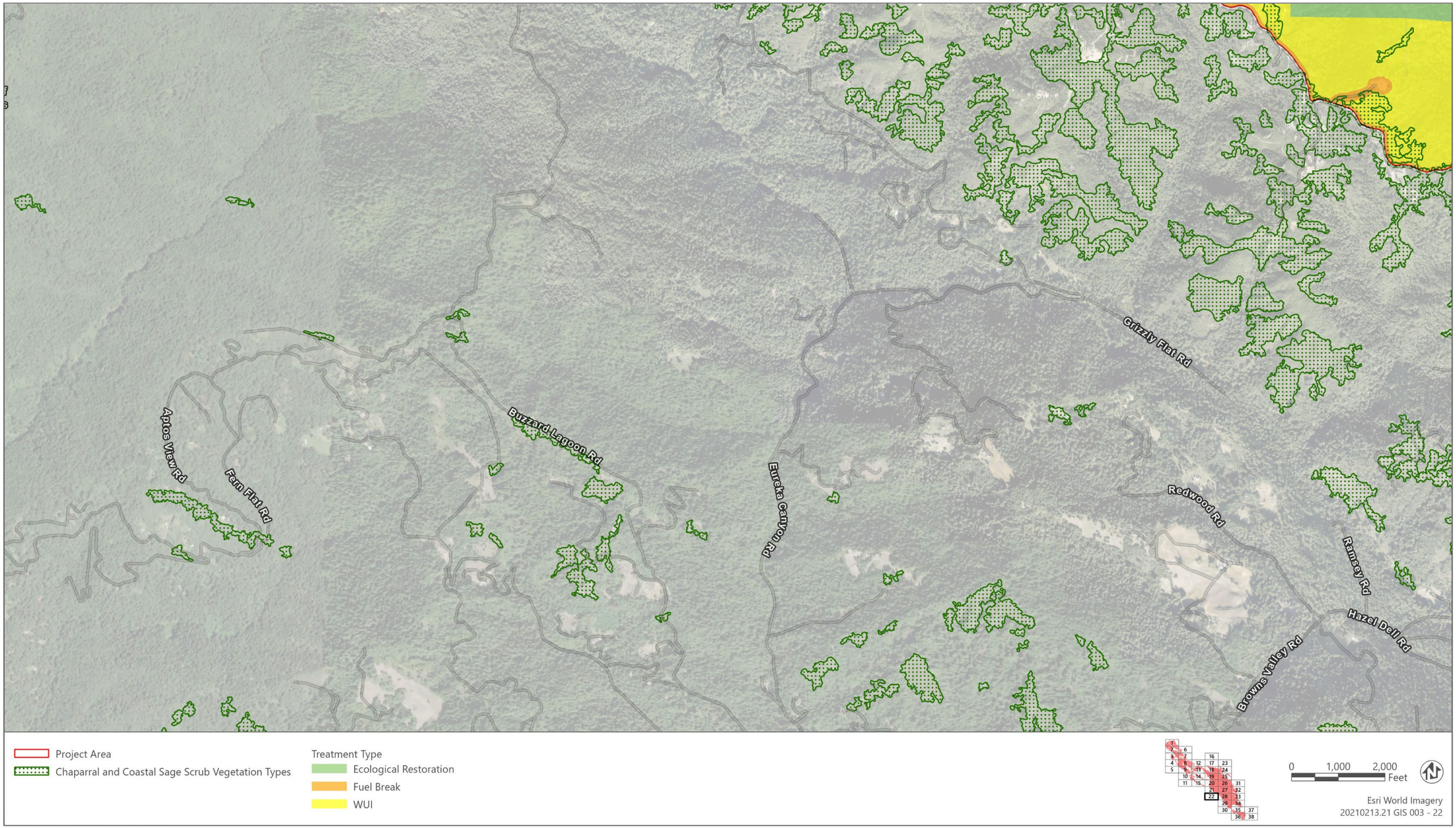
Map B-21. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 21 of 38



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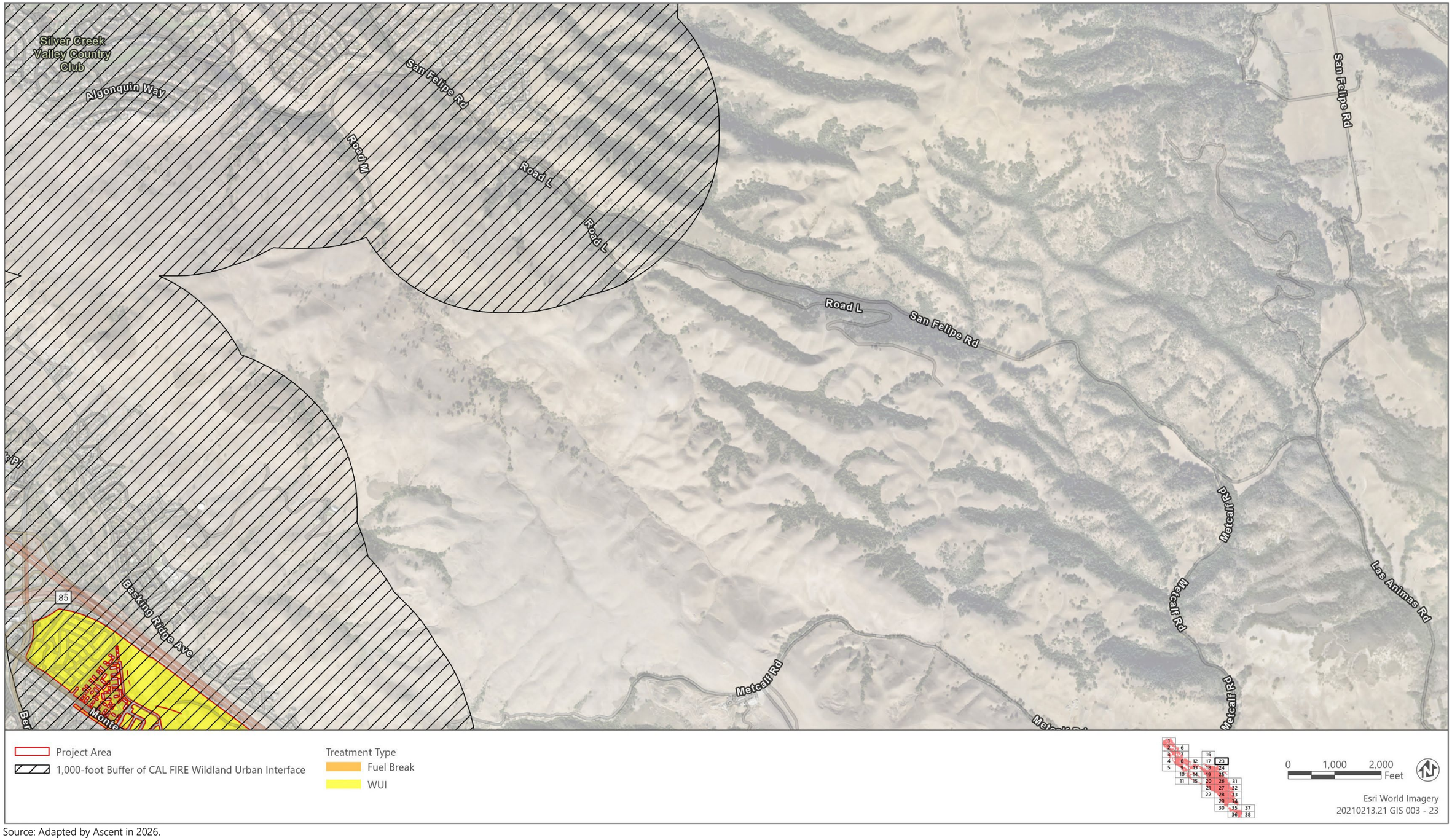
Map B-22. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 22 of 38



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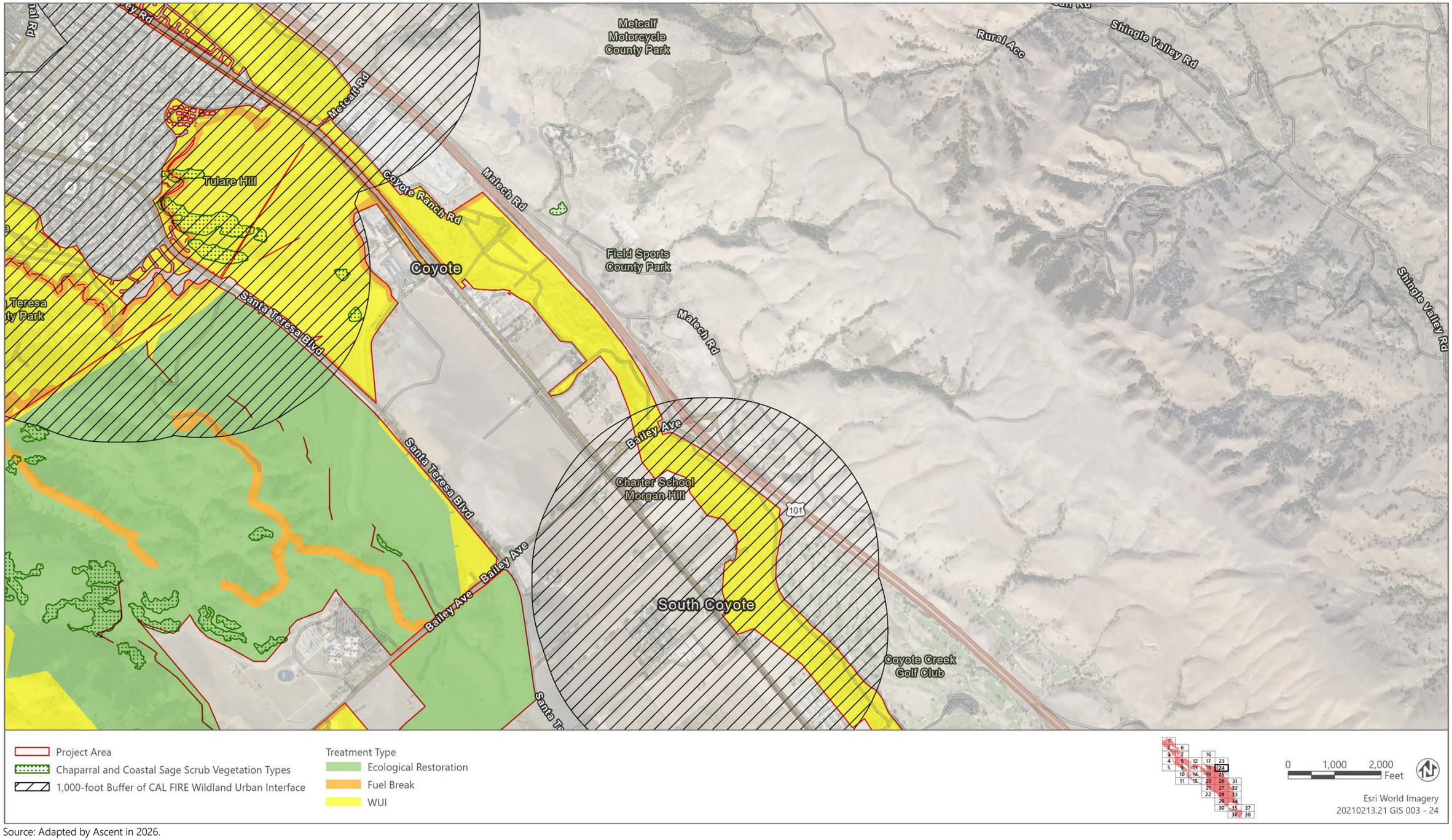
Map B-23. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 23 of 38



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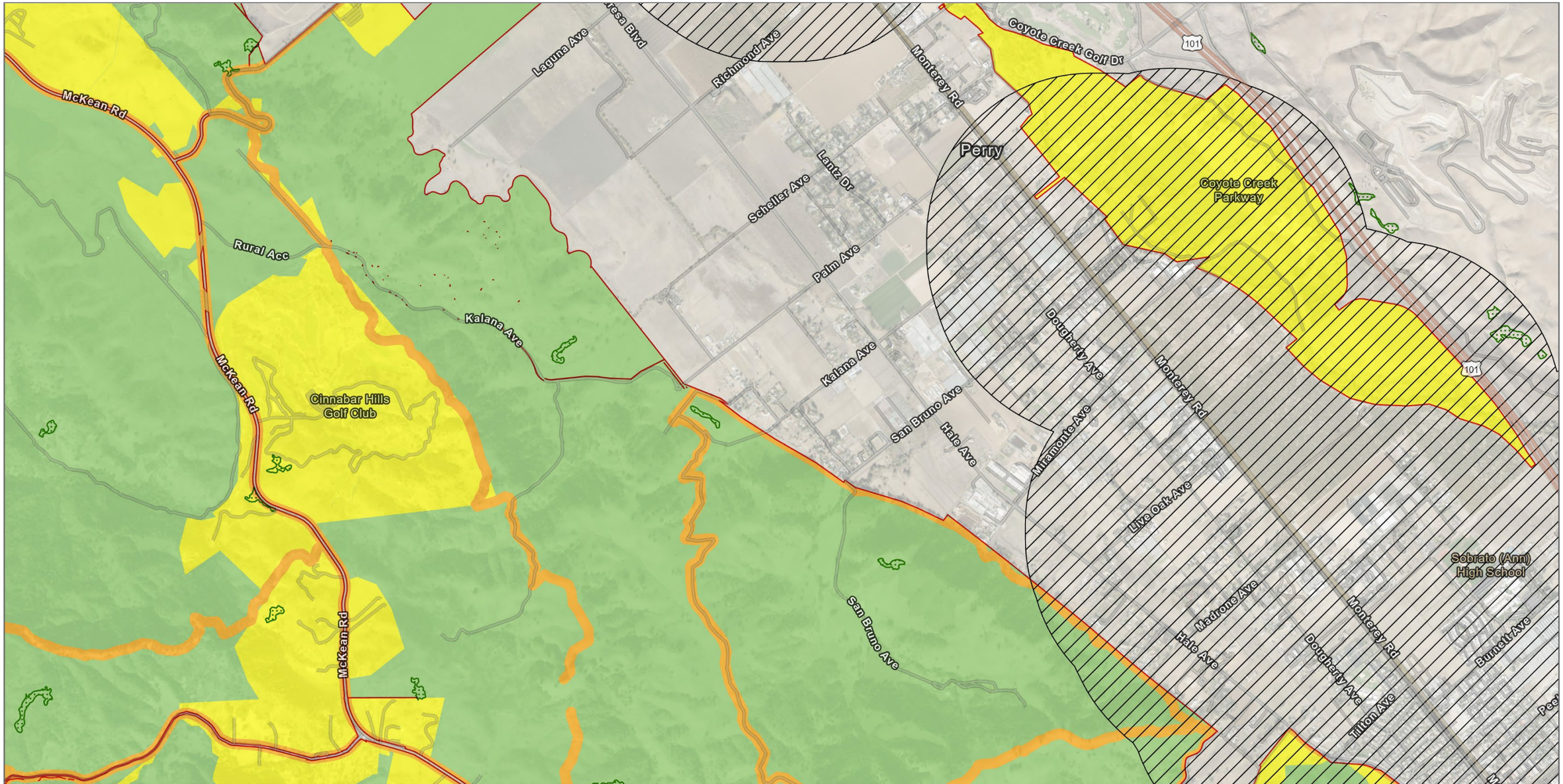
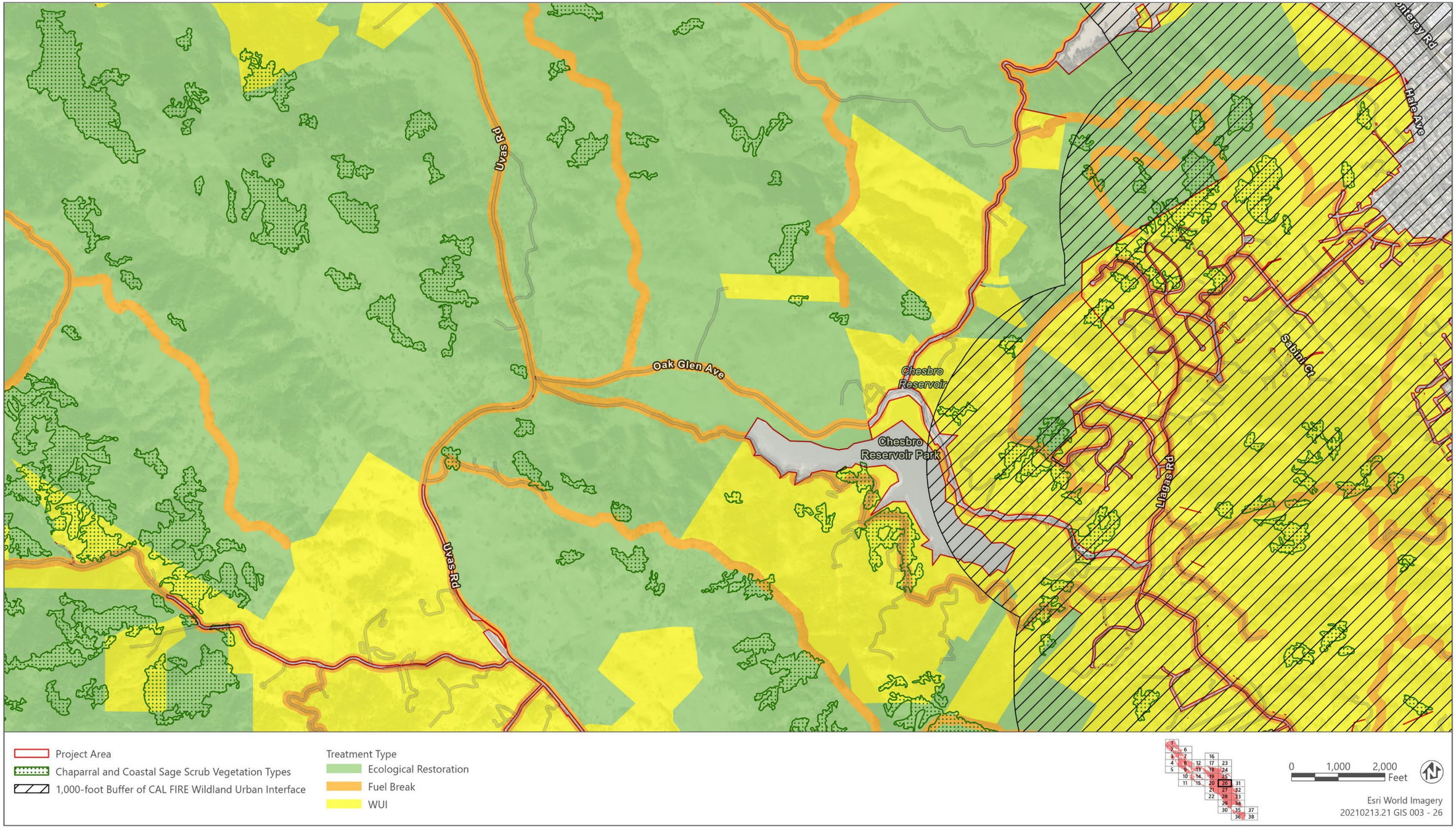
Map B-24. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 24 of 38



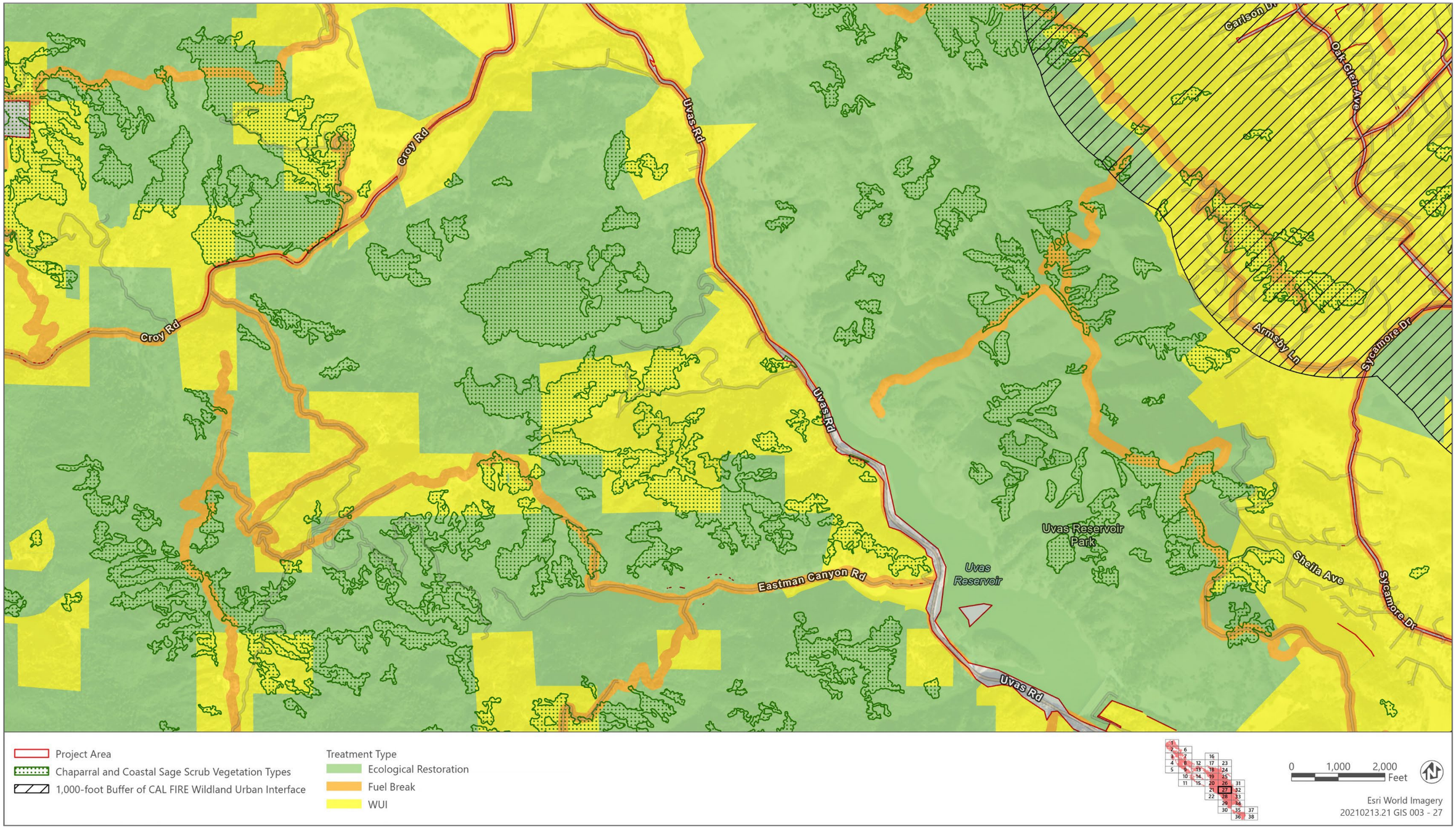
Source: Adapted by Ascent in 2026.

Map B-25. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 25 of 38



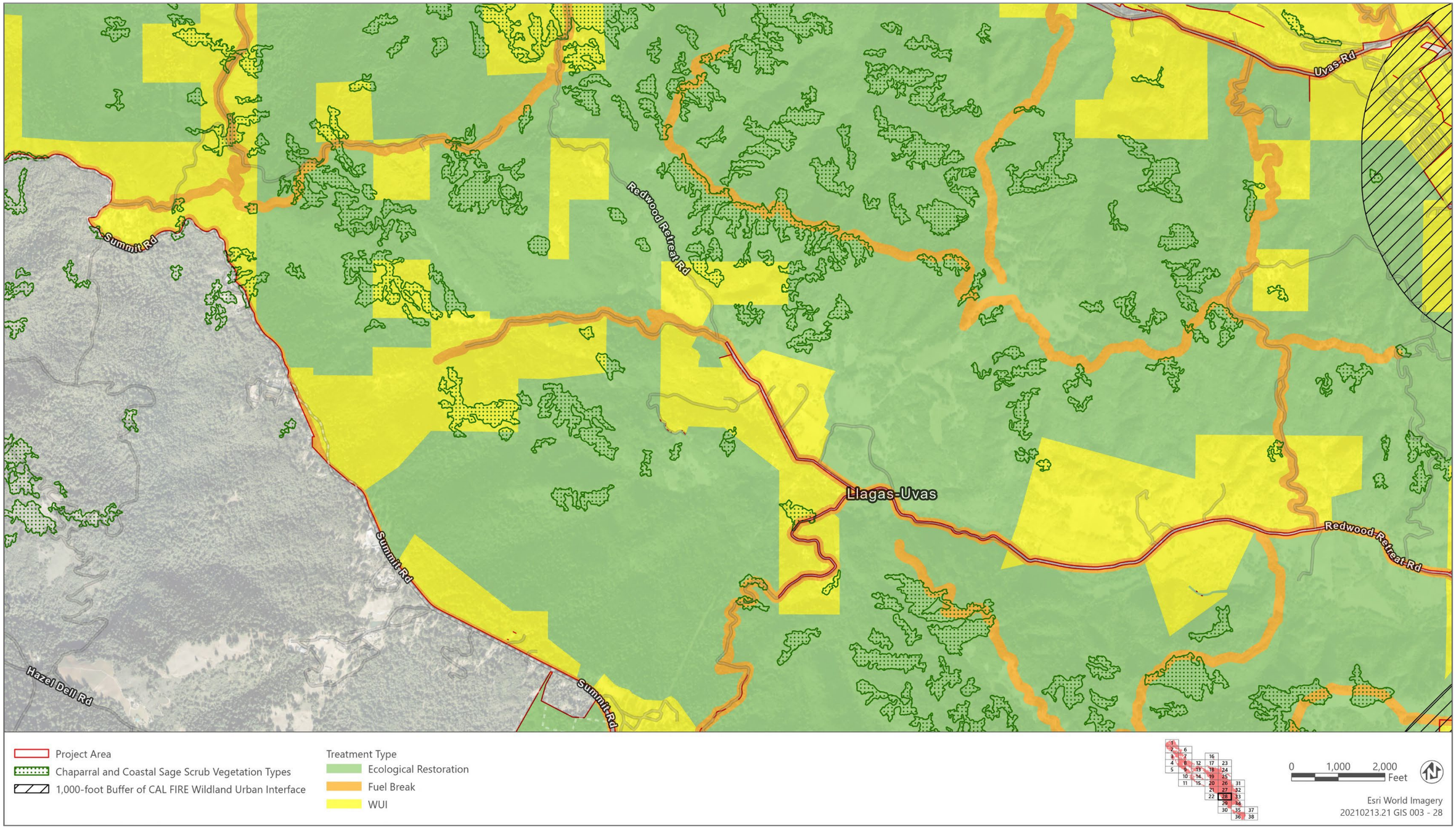
Source: Adapted by Ascent in 2026.

Map B-26. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 26 of 38



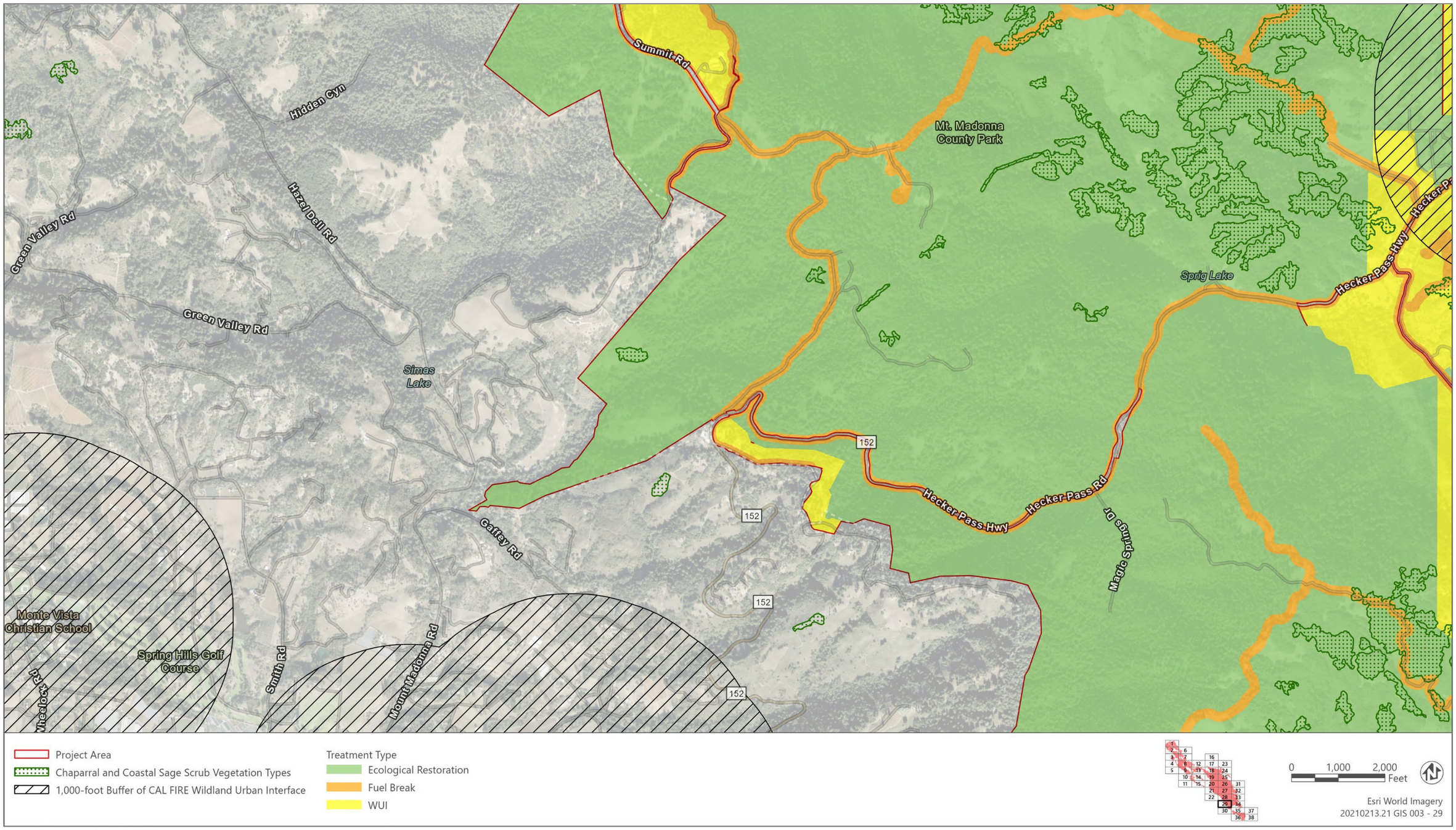
Source: Adapted by Ascent in 2026.

Map B-27. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 27 of 38



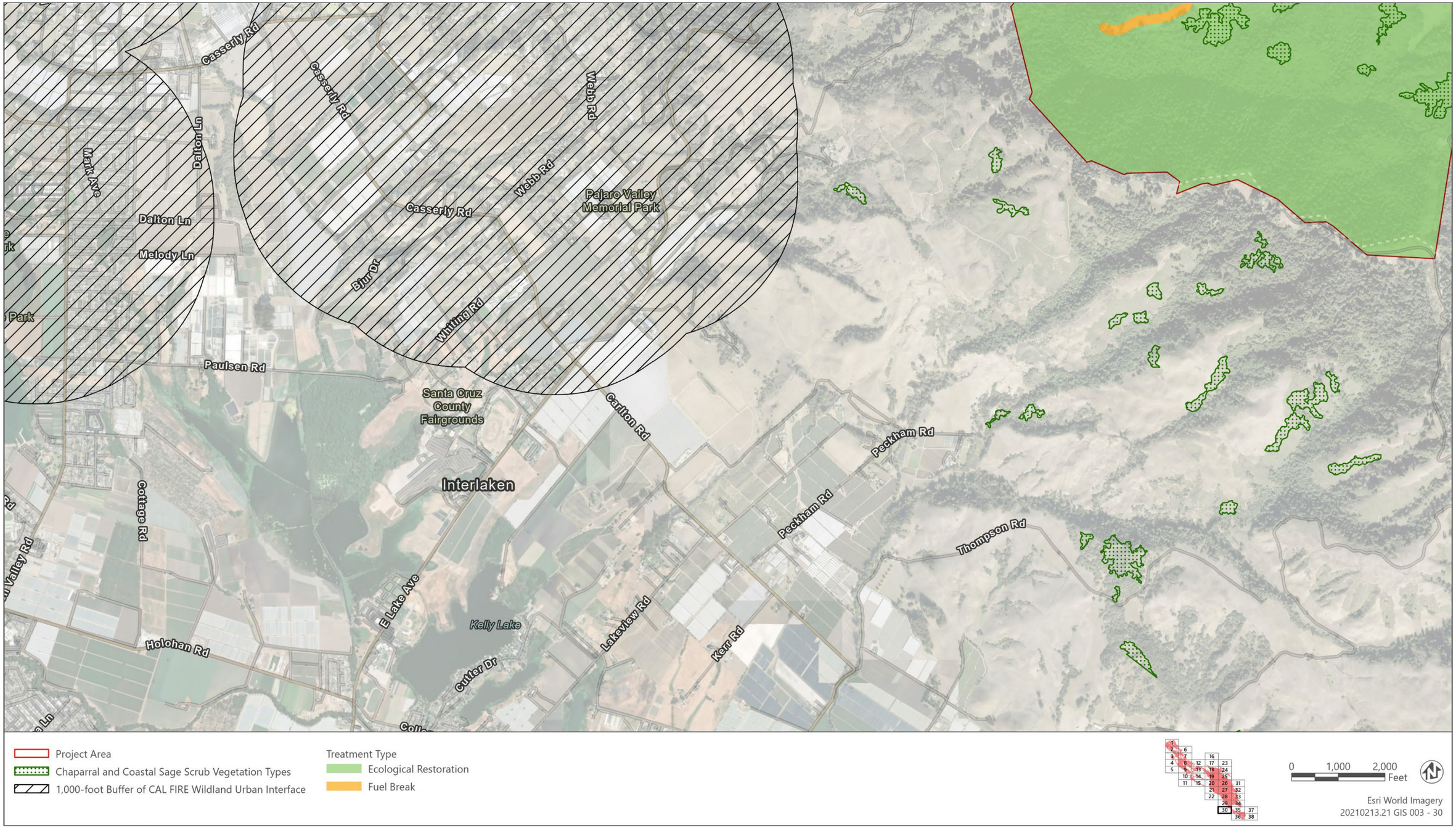
Source: Adapted by Ascent in 2026.

Map B-28. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 28 of 38



Source: Adapted by Ascent in 2026.

Map B-29. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 29 of 38

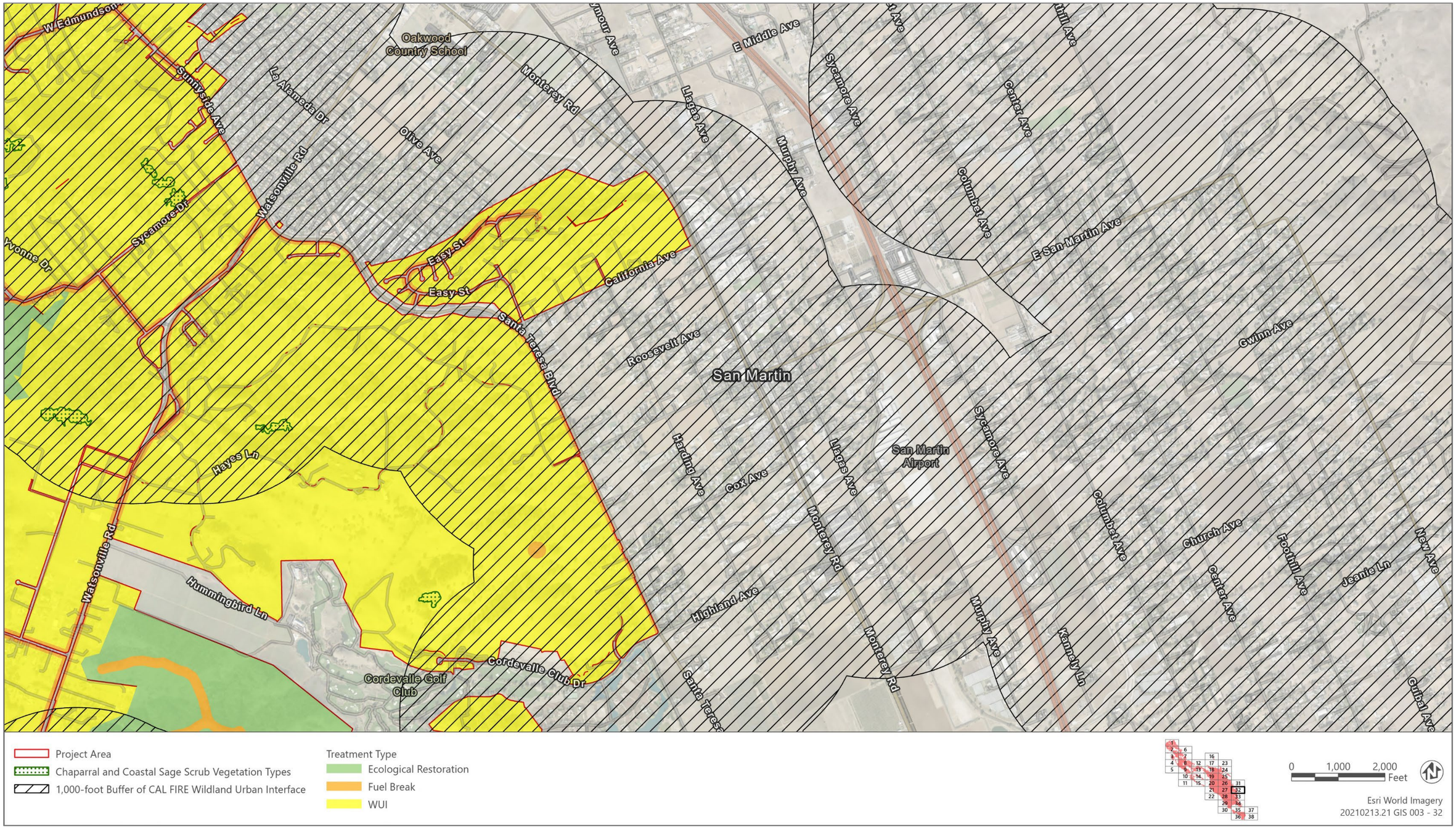


Source: Adapted by Ascent in 2026.

Map B-30. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 30 of 38

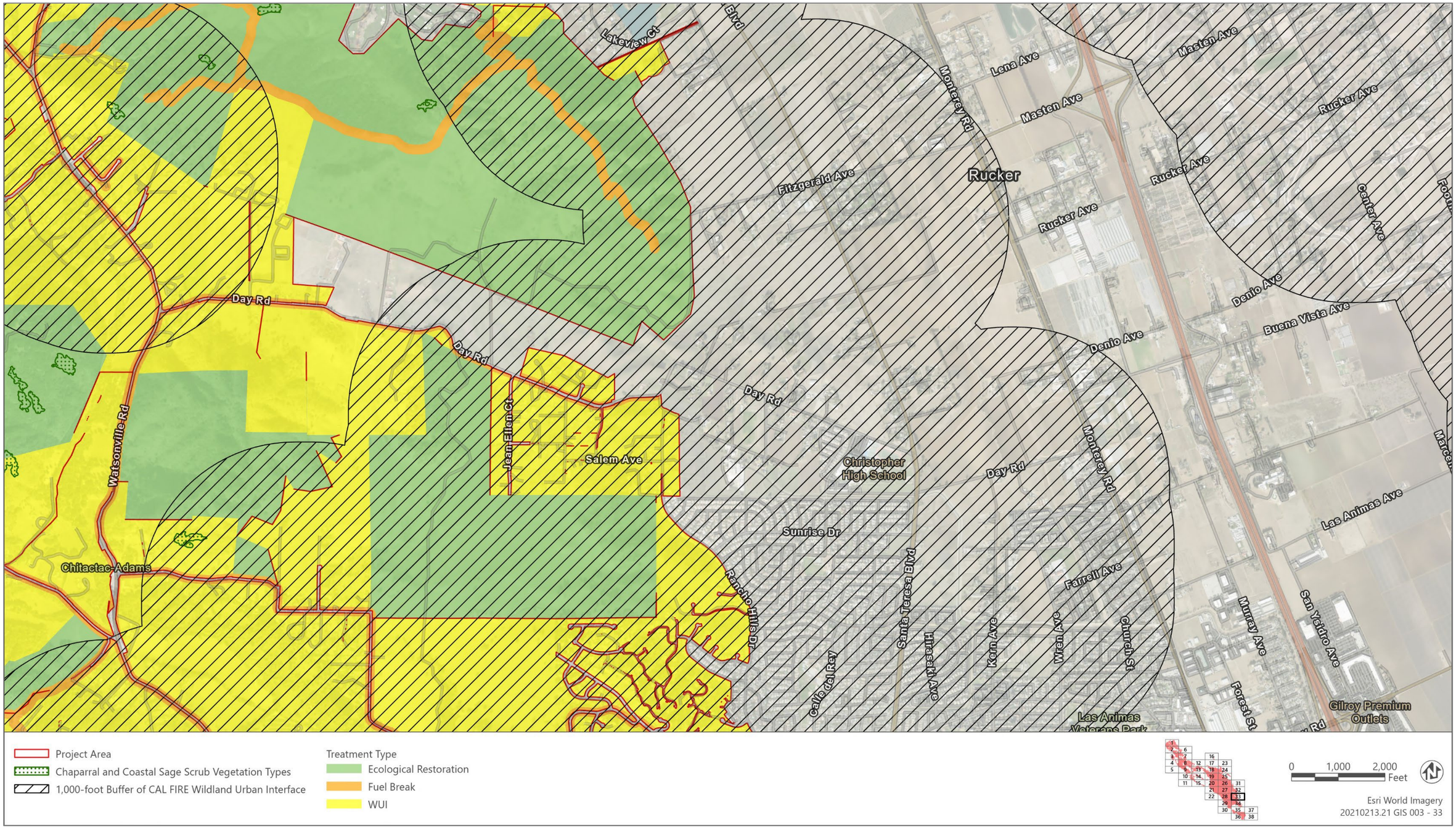
Source: Adapted by Ascent in 2026.

Map B-31. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 31 of 38



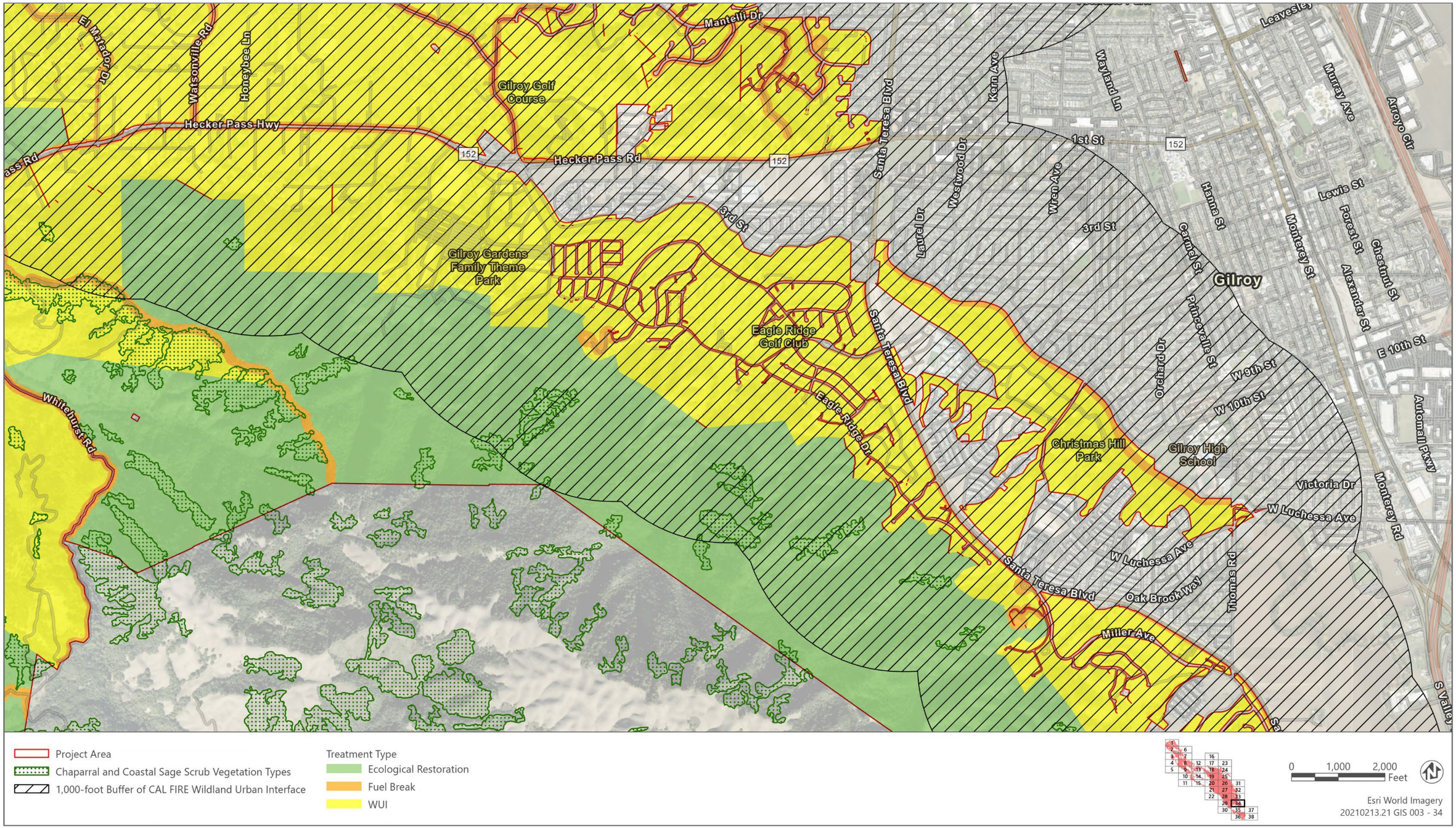
Source: Adapted by Ascent in 2026.

Map B-32. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 32 of 38



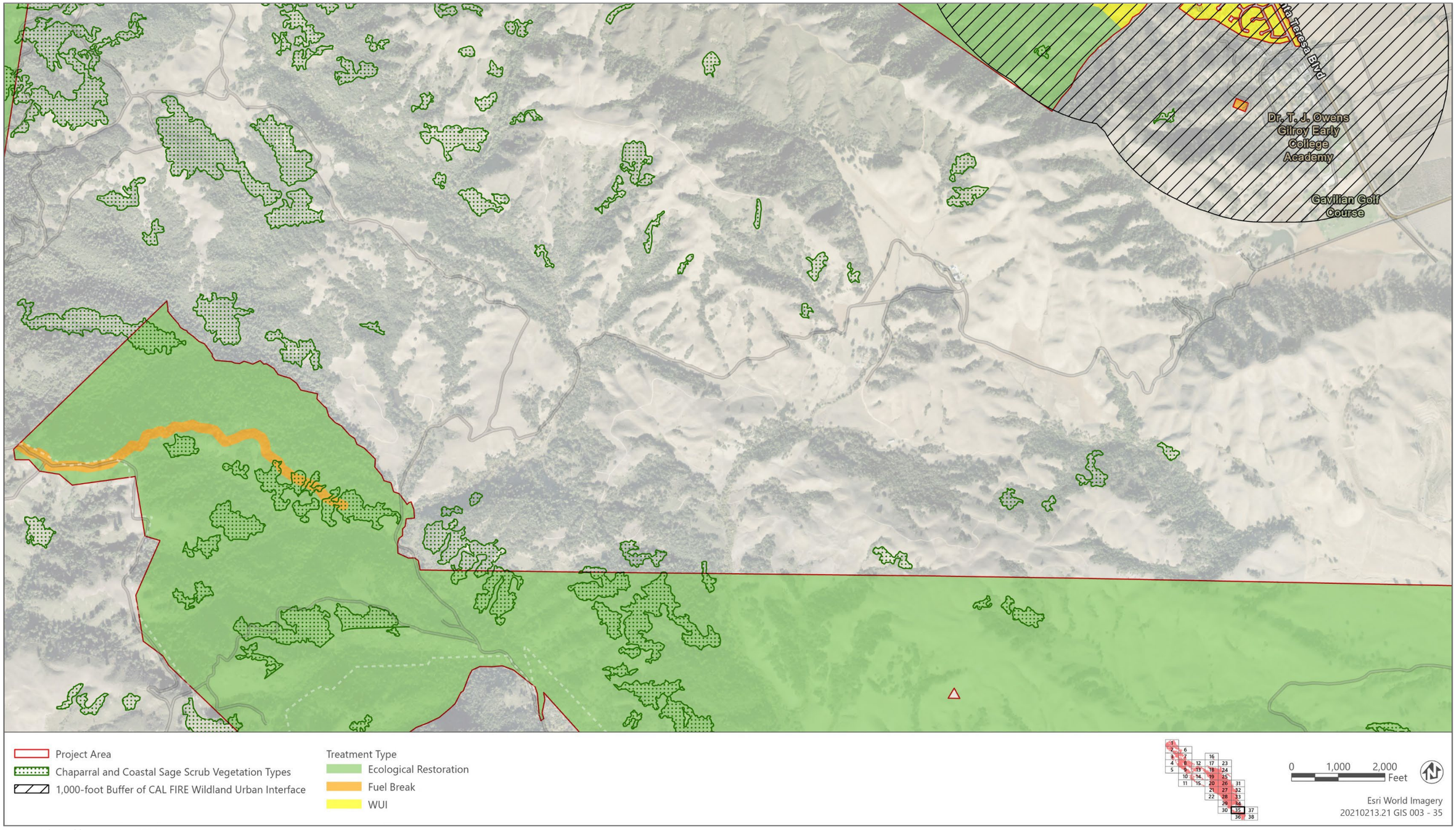
Source: Adapted by Ascent in 2026.

Map B-33. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 33 of 38



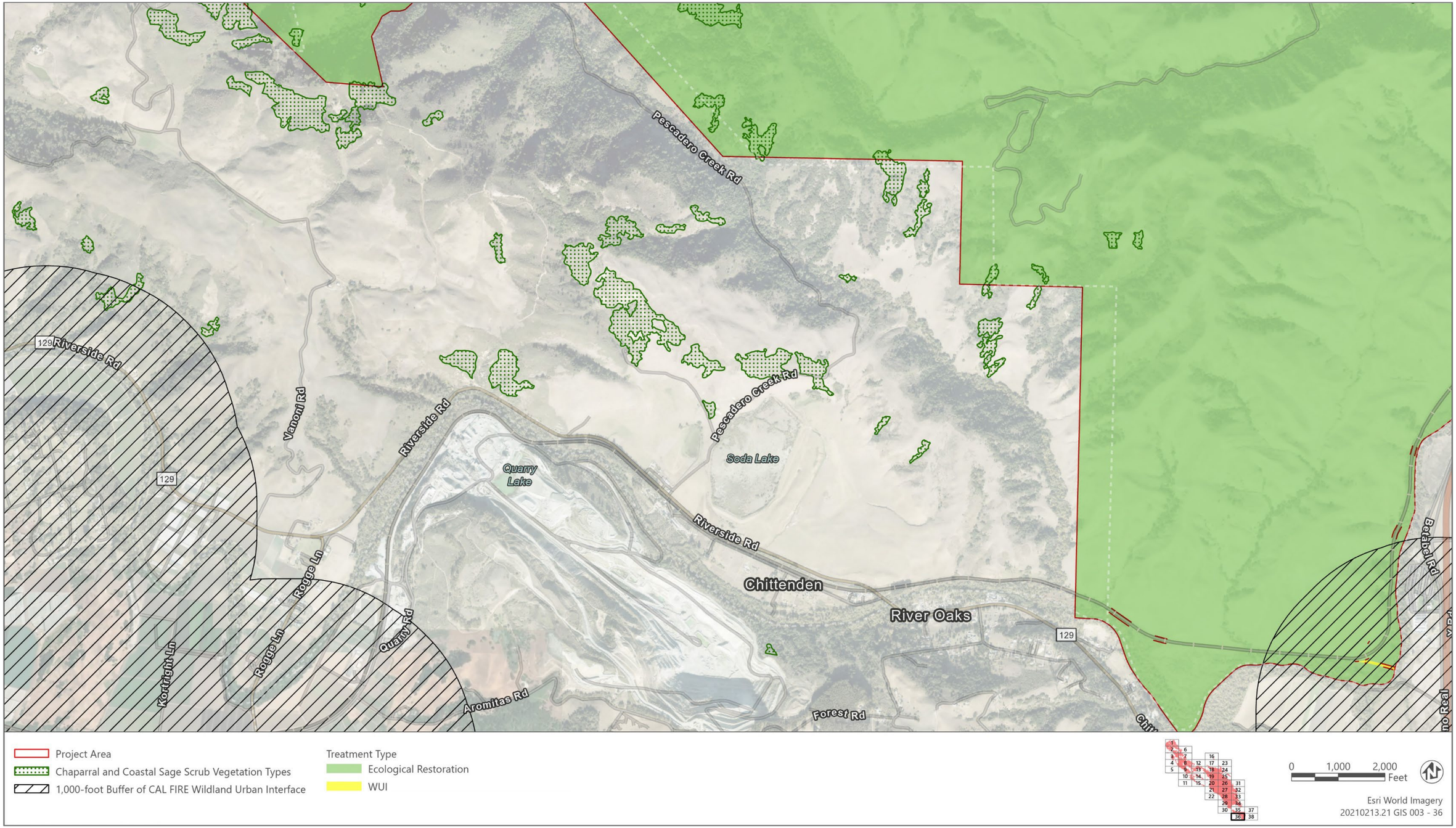
Source: Adapted by Ascent in 2026.

Map B-34. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 34 of 38



Source: Adapted by Ascent in 2026.

Map B-35. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 35 of 38

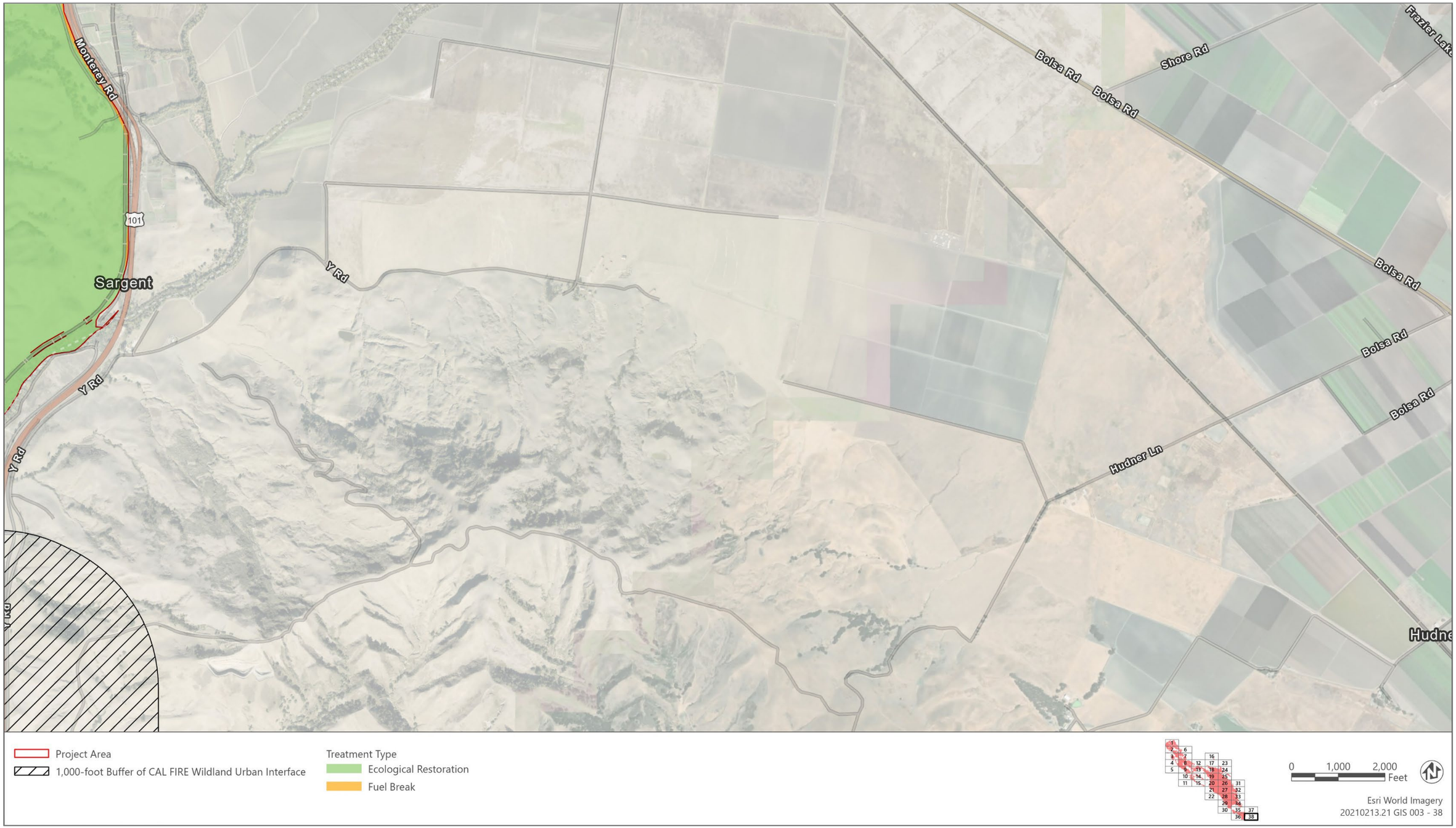


Source: Adapted by Ascent in 2026.

Map B-36. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 36 of 38

Source: Adapted by Ascent in 2026.

Map B-37. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 37 of 38



Source: Adapted by Ascent in 2026.

Map B-38. Chaparral and Coastal Sage Scrub in CAL FIRE Interface Buffer - Map 38 of 38

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Attachment A

Mitigation Monitoring and Reporting Program for the West Santa Clara Landscape Resiliency Project

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MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines (PRC Section 21081.6 and State CEQA Guidelines Sections 15091[d] and 15097) require public agencies "to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) is required for approval of the proposed project because the Project-Specific Analysis/Addendum to the California Vegetation Treatment Program (CalVTP) Program Environmental Impact Report (Program EIR) (PSA/Addendum) identifies potential significant adverse impacts and all feasible mitigation measures have been adopted. Standard project requirements (SPRs), which are part of the project description, have been incorporated to avoid or minimize adverse effects. Where potentially significant impacts remain after application of SPRs, mitigation measures have been identified to further reduce and/or compensate for those impacts. While only mitigation measures are required to be covered in an MMRP, both SPRs and mitigation are included in this MMRP to assist in implementation of all environmental protection features of later activities consistent with the CalVTP Program EIR.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to facilitate the implementation of SPRs and mitigation measures. The attached table presents the text of each SPR and mitigation measure from the CalVTP Program EIR that is applicable to the project, the timing of its planned implementation, the implementing entity, and the entity with monitoring responsibility. The numbering of SPRs and mitigation measures follows the numbering used in the Program EIR. SPRs and mitigation measures that are referenced more than once in the PSA are not duplicated in the MMRP. Instruction for project-specific guidance to implement certain SPRs and Mitigation Measures has been added to tailor the specific impact avoidance and minimization actions relevant to the proposed treatments, agency standard practices, and the conditions and resources present within each treatment site. In addition, non-substantive clarifying edits to mitigation measures in the Program EIR are shown in underline and strikethrough. In all cases, the additional project-specific implementation instruction and clarifying edits to mitigation measures maintain the SPRs and mitigation measures as equivalent or more effective than those presented in the Program EIR.

ROLES AND RESPONSIBILITIES

As defined in the CalVTP Program EIR and the PSA/Addendum, the project proponent is a public agency that provides funding for vegetation treatment or has land ownership, land management, or other regulatory responsibility in the treatable landscape and is seeking to fund, authorize, or implement vegetation treatments consistent with the CalVTP. The SPRs and mitigation measures in this MMRP direct the project proponent to implement actions to avoid, minimize and mitigate impacts.

The City of Gilroy is the responsible agency under CEQA. As the CEQA responsible agency, City of Gilroy will approve the West Santa Clara Landscape Resiliency Project (WSCLRP), approve and adopt the PSA/Addendum, file a CEQA Notice of Determination (NOD), approve and adopt the MMRP, and approve and adopt a statement of overriding considerations, if needed.

The City of Gilroy will typically not be implementing treatments directly; rather, treatments will be implemented by landowning and land managing agencies, non-governmental organizations (e.g., SCC FSC), private landowners, and contractors to implement treatments. For treatments requiring a discretionary approval by another agency (e.g., those that would be implemented by another public agency or funded through future public funding sources that have not yet been requested/obtained), that agency would be responsible for adopting the MMRP and statement of overriding considerations, if needed, for their portion of the project and filing a CEQA NOD.

If desired by City of Gilroy as the responsible agency and pursuant to State CEQA Guidelines Section 15097(a), the agency can delegate monitoring and reporting responsibilities to another qualified responsible party (e.g., a private entity) that accepts the delegation; however, until the mitigation measures and SPRs have been completed, the lead or responsible agency remains responsible for ensuring that implementation of the measures occurs in accordance with this MMRP. For example, a private entity (and its contractors) could implement treatments and the associated mitigation measures and SPRs, but the public lead or responsible agency remains responsible for ensuring that implementation of the measures occurs in accordance with this MMRP.

The "project proponent" as identified in the SPRs and mitigation measures would refer to the agency or entity responsible for implementing treatments.

REPORTING

The qualified responsible party as delegated by the lead or responsible agency shall document and describe the compliance of the treatments with the required SPRs and mitigation measures either by adapting the project-specific MMRP table or preparing a separate post-project implementation report pursuant to the requirements of SPR AD-7.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- SPRs and Mitigation Measures – This column provides the text of the applicable SPR or adopted mitigation measure.
- Timing – This column identifies the time frame in which the SPR or mitigation measure will be implemented.
- Implementing Entity – This column identifies the party responsible for implementing the SPR or mitigation measure.
- Verifying/Monitoring Entity – This column identifies the party responsible for verifying and monitoring implementation of the SPR or mitigation measure.

QUALIFICATION REQUIREMENTS

The biological and cultural resource SPRs and mitigation measures in the attached MMRP table require that qualified individuals implement components of the measures. The requirements listed below will be met to be considered qualified and may be performed by individuals of various titles (including biologist, botanist, ecologist, Registered Professional Forester (RPF), biological technician, or supervised designees working at the direction of a qualified professional) as long as they are qualified for the task at hand.

Archaeologically Trained Resource Professional: To be qualified, an archaeologically-trained resource professional would hold a valid Archaeological Training Certificate issued by CAL FIRE and the Board of Forestry and Fire Protection or equivalent state or local agency training or certification. If CAL FIRE is not leading the project, work performed by an archaeologically-trained resource professional must be reviewed and approved by a qualified archaeologist.

Qualified Archaeologist: To be qualified, an archaeologist would hold a Prehistoric Archeology, Historic Archeology, Conservation, Cultural Anthropology, or Curation degree from an accredited university and meet the Secretary of Interior's Qualifications Standards (36 CFR Part 61). The project proponent will review the resume and approve the qualifications of the archaeologists.

Qualified RPF or Biological Technician: To be qualified, an RPF or biological technician would 1) be knowledgeable in relevant species life histories and ecology, 2) be able to correctly identify relevant species and habitats, 3) have experience conducting biological monitoring of relevant species or resources, and 4) be knowledgeable about state

and federal laws regarding the protection of special-status species. The project proponent will review the resume and approve the qualifications of RPFs or biological technicians.

Qualified RPF or Biologist: To be qualified, an RPF or biologist would hold a wildlife biology, botany, ecology, forestry, or other relevant degree from an accredited university and: 1) be knowledgeable in relevant species life histories and ecology, 2) be able to correctly identify relevant species and habitats, 3) have experience conducting field surveys of relevant species or resources, 4) be knowledgeable about survey protocols, 5) be knowledgeable about state and federal laws regarding the protection of special-status species, and 6) have experience with CDFW's California Natural Diversity Database (CNDDB) and Biogeographic Information and Observation System (BIOS). The project proponent will review the resume and approve the qualifications of RPFs or biologists. If species-specific protocol surveys are performed, surveys would be conducted by qualified RPFs or biologists with the minimum qualifications required by the appropriate protocols, including having CDFW or USFWS approval to conduct such surveys, if required by certain protocols.

Qualified RPF or Botanist: To be qualified, an RPF or botanist would 1) be knowledgeable about plant taxonomy, 2) be familiar with plants of the region, including special-status plants and sensitive natural communities, 3) have experience conducting floristic botanical field surveys as described in CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018), or experience conducting such botanical field surveys under the direction of an experienced botanical field surveyor, 4) be familiar with the *California Manual of Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/), and 5) be familiar with federal, state, and local statutes and regulations related to plants and plant collecting. The project proponent will review the resume and approve the qualifications of RPFs or botanists.

Qualified Responsible Party: A person or entity that possesses the necessary professional qualifications, licenses experience, and/or authority to perform the required duties and who assumes responsibility for carrying out those duties in compliance with this PSA/Addendum and MMRP including applicable laws and regulations as well as contractual obligations.

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Administrative Standard Project Requirements			
SPR AD-1: Project Proponent Coordination For treatments coordinated with CAL FIRE, CAL FIRE will meet with the project proponent to discuss all natural and environmental resources that must be protected using SPRs and any applicable mitigation measures; identify any sensitive resources onsite; and discuss resource protection measures. For any prescribed burn treatments, CAL FIRE will also discuss the details of the burn plan in the incident action plan (IAP). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AD-2: Delineate Protected Resources: The project proponent will clearly define the boundaries of the treatment area and protected resources on maps for the treatment area and with highly visible flagging or clear, existing landscape demarcations (e.g., edge of a roadway) prior to beginning any treatment to avoid disturbing the resource. "Protected Resources" refers to environmentally sensitive places within or adjacent to the treatment areas that would be avoided or protected to the extent feasible during planned treatment activities to sustain their natural qualities and processes. This work will be performed by a qualified person, as defined for the specific resource (e.g., qualified Registered Professional Forester or biologist). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AD-3: Consistency with Local Plans, Policies, and Ordinances: The project proponent will design and implement the treatment in a manner that is consistent with applicable local plans (e.g., general plans, Community Wildfire Protection Plans, CAL FIRE Unit Fire Plans), policies, and ordinances to the extent the project is subject to them. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AD-4: Public Notifications for Prescribed Burning: At least three days prior to the commencement of prescribed burning operations, the project proponent will: 1) post signs along the closest public roadway to the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or smoke concerns; 2) publish a public interest notification in a local newspapers or other widely distributed media source describing the activity, timing, and contact information; 3) send the local county supervisor and county administrative officer (or equivalent official responsible for distribution of public information) a notification letter describing the activity, its necessity, timing, and measures being taken to protect the environment and prevent prescribed burn escape. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.	At least three days prior to prescribed burn treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AD-5: Maintain Site Cleanliness: If trash receptacles are used on-site, the project proponent will use fully covered trash receptacles with secure lids (wildlife proof) to contain all food, food scraps, food wrappers, beverages, and other worker generated miscellaneous trash. Remove all temporary non-biodegradable flagging, trash, debris, and barriers from the project site upon completion of project activities. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR AD-6: Public Notifications for Treatment Projects One to three days prior to the commencement of a treatment activity, the project proponent will post signs in a conspicuous location near the treatment area describing the activity and timing, and requesting persons in the area to contact a designated representative of the project proponent (contact information will be provided with the notice) if they have questions or concerns. This SPR applies to all treatment activities and all treatment types, including treatment maintenance. Prescribed burning is subject to the additional notification requirements of SPR AD-4.	One to three days prior to treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AD-7: Provide Information on Proposed, Approved, and Completed Treatment Projects For any vegetation treatment project using the CalVTP Program EIR for CEQA compliance, the project proponent will provide the information listed below to the Board of Forestry and Fire Protection (Board) or CAL FIRE during the proposed, approved, and completed stages of the project. The Board or CAL FIRE will make this information available to the public via an online database or other mechanism. Information on proposed projects (PSA in progress): ▶ GIS data that include project location (as a point), or project latitude/longitude; ▶ project size (typically acres); ▶ treatment types and activities; and ▶ contact information for a representative of the project proponent. The project proponent will provide information on the proposed project to the Board or CAL FIRE as early as feasible in the planning phase. The project proponent will provide this information to the Board or CAL FIRE with sufficient lead time to allow those agencies to make the information available to the public at least two weeks prior to project approval. The project proponent may also make information available to the public via other mechanisms (e.g., the proponent's own website). Information on approved projects (PSA complete): ▶ A completed PSA Environmental Checklist; ▶ A completed Mitigation Monitoring and Reporting Program (using Attachment A to the Environmental Checklist); ▶ GIS data that include a polygon(s) of the project area, showing the extent of each treatment type included in the project (ecological restoration, fuel break, WUI fuel reduction) Information on completed projects (following initial treatment): ▶ GIS data that include a polygon(s) of the treated area, showing the extent of each treatment type implemented (ecological restoration, fuel break, WUI fuel reduction) ▶ A post-project implementation report (referred to by CAL FIRE as a Completion Report) that includes ▪ Size of treated area (typically acres); ▪ Treatment types and activities;	Prior to, during, and following treatment **Information on the proposed project (PSA/Addendum in progress) was submitted to CAL FIRE on October 14, 2025.**	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ Dates of work; ▪ A list of the SPRs and mitigation measures that were implemented; and ▪ Any explanations regarding implementation if required by SPRs and mitigation measures (e.g., explanation for feasibility determination required by SPR BIO-12; explanation for reduction of a no-disturbance buffer below the general minimum size described in Mitigation Measures BIO-1a and BIO-2b). This SPR applies to all treatment activities and all treatment types, including treatment maintenance.			
Aesthetic and Visual Resource Standard Project Requirements			
SPR AES-1: Vegetation Thinning and Edge Feathering The project proponent will thin and feather adjacent vegetation to break up or screen linear edges of the clearing and mimic forms of natural clearings as reasonable or appropriate for vegetation conditions. In general, thinning and feathering in irregular patches of varying densities, as well as a gradation of tall to short vegetation at the clearing edge, will achieve a natural transitional appearance. The contrast of a distinct clearing edge will be faded into this transitional band. This SPR only applies to mechanical and manual treatment activities and all treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AES-2: Avoid Staging within Viewsheds The project proponent will store all treatment-related materials, including vehicles, vegetation treatment debris, and equipment, outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. The project proponent will also locate materials staging and storage areas outside of the viewshed of public trails, parks, recreation areas, and roadways to the extent feasible. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AES-3: Provide Vegetation Screening The project proponent will preserve sufficient vegetation within, at the edge of, or adjacent to treatment areas to screen views from public trails, parks, recreation areas, and roadways as reasonable or appropriate for vegetation conditions. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Air Quality Standard Project Requirements			
SPR AQ-1: Comply with Air Quality Regulations The project proponent will comply with the applicable air quality requirements of air districts within whose jurisdiction the project is located. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AQ-2: Submit Smoke Management Plan The project proponent will submit a smoke management plan for all prescribed burns to the applicable air district, in accordance with 17 CCR Section 80160. Pursuant to this regulation a smoke management plan will not be required for burns less than 10 acres that also will not be conducted near smoke sensitive areas, unless otherwise directed by the air district. Burning will only be conducted in compliance with the burn authorization program of the applicable air district(s) having jurisdiction over the treatment area. Example of a smoke management plan is in	Prior to prescribed burn treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Appendix PD-2. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.			
SPR AQ-3: Create Burn Plan The project proponent will create a burn plan using the CAL FIRE burn plan template for all prescribed burns. The burn plan will include a fire behavior model output of First Order Fire Effects Model and BEHAVE or other fire behavior modeling simulation and that is performed by a qualified fire behavior technical specialist that predicts fire behavior, calculates consumption of fuels, tree mortality, predicted emissions, greenhouse gas emissions, and soil heating. The project proponent will minimize soil burn severity from broadcast burning to reduce the potential for runoff and soil erosion. The burn plan will be created with input from a qualified technician or certified State burn boss. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance. **Project-Specific Implementation of SPR AQ-3** The project proponent will create a burn plan for broadcast burns using the CAL FIRE burn plan template or a template accepted by CAL FIRE as equivalent and industry-standard, such as the National Wildfire Coordinating Group (NWCG) template.	Prior to prescribed burn treatment activities; does not apply to pile burning	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AQ-4: Minimize Dust To minimize dust during treatment activities, the project proponent will implement the following measures: ▶ Limit the speed of vehicles and equipment traveling on unpaved areas to 15 miles per hour to reduce fugitive dust emissions, in accordance with the California Air Resources Board (CARB) Fugitive Dust protocol. ▶ If road use creates excessive dust, the project proponent will wet appurtenant, unpaved, dirt roads using water trucks or treat roads with a non-toxic chemical dust suppressant (e.g., emulsion polymers, organic material) during dry, dusty conditions. Any dust suppressant product used will be environmentally benign (i.e., non-toxic to plants and will not negatively impact water quality) and its use will not be prohibited by ARB, EPA, or the State Water Resources Control Board (SWRCB). The project proponent will not over-water exposed areas such that the water results in runoff. The type of dust suppression method will be selected by the project proponent based on soil, traffic, site-specific conditions, and air quality regulations. ▶ Remove visible dust, silt, or mud tracked-out on to public paved roadways where sufficient water supplies and access to water is available. The project proponent will remove dust, silt, and mud from vehicles at the conclusion of each workday, or at a minimum of every 24 hours for continuous treatment activities, in accordance with Vehicle Code Section 23113. ▶ Suspend ground-disturbing treatment activities, including land clearing and bulldozer lines, when there is visible dust transport (particulate pollution) outside the treatment boundary, if the particulate emissions may "cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property," per Health and Safety Code Section 41700.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
SPR AQ-5: Avoid Naturally Occurring Asbestos The project proponent will avoid ground-disturbing treatment activities in areas identified as likely to contain naturally occurring asbestos (NOA) per maps and guidance published by the California Geological Survey, unless an Asbestos Dust Control Plan (17 CCR Section 93105) is prepared and approved by the air district(s) with jurisdiction over the treatment area. Any NOA-related guidance provided by the applicable air district will be followed. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR AQ-6: Prescribed Burn Safety Procedures Prescribed burns planned and managed by non-CAL FIRE crews will follow all safety procedures required of CAL FIRE crew, including the implementation of an approved Incident Action Plan (IAP). The IAP will include the burn dates; burn hours; weather limitations; the specific burn prescription; a communications plan; a medical plan; a traffic plan; and special instructions such as minimizing smoke impacts to specific local roadways. The IAP will also assign responsibilities for coordination with the appropriate air district, such as conducting onsite briefings, posting notifications, weather monitoring during burning, and other burn related preparations. This SPR applies only to prescribed burning treatment activities and all treatment types, including treatment maintenance.	During prescribed burn treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Archaeological, Historical, and Tribal Cultural Resources Standard Project Requirements			
SPR CUL-1: Conduct Record Search An archaeological and historical resource record search will be conducted per the applicable state or local agency procedures. Instead of conducting a new search, the project proponent may use recent record searches containing the treatment area requested by a landowner or other public agency in accordance applicable agency guidance. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment **Record search of project area and 0.25-mile buffer surrounding project area has been conducted; see PSA/Addendum for a summary of results.**	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR CUL-2: Contact Geographically Affiliated Native American Tribes The project proponent will obtain the latest Native American Heritage Commission (NAHC) provided Native Americans Contact List. Using the appropriate Native Americans Contact List, the project proponent will notify the California Native American Tribes in the counties where the treatment activity is located. The notification will contain the following: ▶ A written description of the treatment location and boundaries. ▶ Brief narrative of the treatment objectives. ▶ A description of the activities used (e.g., prescribed burning, mastication) and associated acreages. ▶ A map of the treatment area at a sufficient scale to indicate the spatial extent of activities. ▶ A request for information regarding potential impacts to cultural resources from the proposed treatment. ▶ A detailed description of the depth of excavation, if ground disturbance is expected.	Prior to treatment **Tribes have been contacted and Sacred Lands File (SLF) query completed; see PSA/Addendum for a summary of consultation and SLF results.**	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
In addition, the project proponent will contact the NAHC for a review of their Sacred Lands File. This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
SPR-CUL-3: Pre-field Research The project proponent will conduct research prior to implementing treatments as part of the cultural resource investigation. The purpose of this research is to properly inform survey design, based on the types of resources likely to be encountered within the treatment area, and to be prepared to interpret, record, and evaluate these findings within the context of local history and prehistory. The qualified archaeologist and/or archaeologically-trained resource professional will review records, study maps, read pertinent ethnographic, archaeological, and historical literature specific to the area being studied, and conduct other tasks to maximize the effectiveness of the survey. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR CUL-4: Archaeological Surveys The project proponent will coordinate with an archaeologically-trained resource professional and/or qualified archaeologist to conduct a site-specific survey of the treatment area. The survey methodology (e.g., pedestrian survey, subsurface investigation) depends on whether the area has a low, moderate, or high sensitivity for resources, which is based on whether the records search, pre-field research, and/or Native American consultation identifies archaeological or historical resources near or within the treatment area. A survey report will be completed for every cultural resource survey completed. The specific requirements will comply with the applicable state or local agency procedures. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Proposed Revision to SPR CUL-4** SPR CUL-4, as presented in the Program EIR, requires that an archaeological survey report for all treatment activities and treatment types, including treatments that do not result in ground disturbance or other risk of impact to archaeological or historical resources (e.g., manual treatments and herbicide application). A revision to the SPR is proposed such that archaeological surveys would only be conducted for ground disturbing treatment activities (i.e., treatments that include the use of heavy equipment) and prescribed burning treatment activities. An excerpt of the original language of SPR CUL-4 is as follows: This SPR applies to all treatment activities and all treatment types, including treatment maintenance. The SPR revision modifies the last sentence of the SPR to state the following: This SPR applies to all treatment activities that have the potential for ground disturbance beyond established road surfaces, including treatment maintenance.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR CUL-5: Treatment of Archaeological Resources If cultural resources are identified within a treatment area, and cannot be avoided, a qualified archaeologist will notify the culturally affiliated tribe(s) based on information provided by NAHC and assess, whether an archaeological find qualifies as a unique archaeological resource, an historical resource, or in coordination with said tribe(s), as a tribal cultural resource. The project proponent, in consultation with culturally affiliated tribe(s), will develop effective protection measures for important cultural resources located within treatment areas. These measures may include adjusting the treatment location or design to entirely avoid cultural resource locations or changing treatment activities so that damaging effects to cultural resources will not occur. These protection measures will be written in clear, enforceable language, and will be included in the survey report in accordance with applicable state or local agency procedures. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR CUL-6: Treatment of Tribal Cultural Resources The project proponent, in consultation with the culturally affiliated tribe(s), will develop effective protection measures for important tribal cultural resources located within treatment areas. These measures may include adjusting the treatment location or design to entirely avoid cultural resource locations or changing treatment activities so that damaging effects to cultural resources will not occur. The project proponent will provide the tribe(s) the opportunity to submit comments and participate in consultation to resolve issues of concern. The project proponent will defer implementing the treatment until the tribe approves protection measures, or if agreement cannot be reached after a good-faith effort, the proponent determines that any or all feasible measures have been implemented, where feasible, and the resource is either avoided or protected. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR CUL-7: Avoid Built Historical Resources If the records search identifies built historical resources, as defined in Section 15064.5 of the State CEQA Guidelines, the project proponent will avoid these resources. Within a buffer of 100 feet of the built historical resource, there will be no prescribed burning or mechanical treatment activities Buffers less than 100 feet for built historical resources will only be used after consultation with and receipt of written approval from a qualified archaeologist. If the records search does not identify known historical resources in the treatment area, but structures (i.e., buildings, bridges, roadways) over 50 years old that have not been evaluated for historic significance are present in the treatment area, they will similarly be avoided. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR CUL-8: Cultural Resource Training The project proponent will train all crew members and contractors implementing treatment activities on the protection of sensitive archaeological, historical, or tribal cultural resources. Workers will be trained to halt work if archaeological resources are encountered on a treatment site and the treatment method consists of physical disturbance of land surfaces (e.g., soil disturbance). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Chaparral and Coastal Sage Scrub Standard Project Requirement			
SPR CHAP/CSS-1: Chaparral and Coastal Sage Scrub To be consistent with the Writ of Mandate and its Exhibit A (dated November 14, 2025) in Case No. 37-2020-00005203-CU-TT-CT, for the purposes of this SPR only, chaparral and coastal sage scrub are defined as follows: **Chaparral**: Dominated by evergreen, drought-tolerant shrubs that are typically 1.5–3 meters tall (Barbour, Keeler-Wolf, and Schoenherr 2007) with stiff branches, and sclerophyllous (i.e., hard-leaved) leaves. ▶ Chaparral alliances are listed in level 1, 2 of the Key to Shrublands in the California Native Plant Society's (CNPS) Manual of California Vegetation. This definition does not include alliances dominated by coyote brush (*Baccharis pilularis*). ▶ Dominant plant species may include manzanita (*Arctostaphylos* spp.), ceanothus (*Ceanothus* spp.), chamise (*Adenostoma fasciculatum*), redshank (*Adenostoma sparsifolium*), sugarbush (*Rhus ovata*), scrub oak species (e.g., *Quercus berberdifolia*, *Q. dumosa*, *Q. durata*), Mission manzanita (*Xylococcus bicolor*), mountain mahogany (*Cercocarpus montanus*), hollyleaf cherry (*Prunus ilicifolia*), redberry (*Rhamnus crocea*), toyon (Heteromeles arbutifolia), and evergreen buckthorn (*Rhamnus ilicifolia*). **Coastal sage scrub:** Dominated by drought-tolerant, deciduous, lower-growing (typically 1–1 .5 meters tall) (Barbour Keeler-Wolf, and Schoenherr 2007), shallow-rooted, aromatic shrubs with soft, flexible branches, and soft, deciduous leaves that drop off in response to drought. ▶ Coastal sage scrub alliances are listed in level 15 and 15' under 1, 2', 12', 13', 14 of the Key to Shrublands in the CNPS Manual of California Vegetation. This definition does not include alliances dominated by coyote brush (*Baccharis pilularis*) or nonnative species (e.g., broom [*Genista monspessulana*, *Cytisus scoparius*], *Cotoneaster* spp.). ▶ Dominant or diagnostic plant species may include California sagebrush (*Artemisia californica*), white sage (*Salvia apiana*), black sage (*Salvia mellifera*), purple sage (*Salvia leucophylla*), California brittle bush (*Encelia californica*), buckwheat (*Eriogonum* spp.), monkey flower (*Diplacus* spp.), and stands with other species dominant to co-dominant listed in level 15' under 1, 2', 12', 13', 14. A stand of chaparral or coastal sage scrub is defined as a spatially continuous unit of shrub vegetation composed of chaparral and/or coastal sage scrub alliances. A chaparral and/or coastal sage scrub stand may be surrounded by forest, grassland, or woodland vegetation. All references to the CNPS Manual of California Vegetation are to the most current online edition, available at https://vegetation.cnps.org/. As required in Exhibit A of the Writ of Mandate, treatments in chaparral and coastal sage scrub will be limited to activities listed below: ▶ New linear, accessible strategic fuel breaks located along ridgelines, roadsides, and in other critical defensive locations determined by responsible fire agencies, provided that long-term maintenance of flammable nonnative vegetation is included. Such fuel break treatments shall be the minimum width necessary to provide for firefighter safety, operational procedures, and back firing operations, and shall not exceed 300 feet in width.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Maintenance of existing fuel breaks and prior treatment areas to control flammable, nonnative invasive plants. ▶ Wildland-urban interface (WUI) fuel reduction treatment located within 1,000 feet of the Interface layer mapped in the CAL FIRE WUI layer (WUI25 1) (available at: https://hub-calfire-forestry.hub.arcgis.com/maps/ab3148666b084efcbe3bec0bf6af7441/explore?location=36.998595%2C-121.992016%2C13), provided that long-term maintenance of flammable, nonnative vegetation is included, with a preference for hand thinning. ▶ Ecological restoration treatments consisting of removal of flammable, nonnative vegetation; and/or ▶ Treatments where the stand of chaparral or coastal sage scrub has a state rarity rank of S4 (apparently secure) or S5 (demonstrably secure) according to the California Department of Fish and Wildlife (available at: https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities#lists) and has generated following a fire within the last 15 years in an area previously characterized by woodland or forest before the fire, as evidenced by satellite imagery and as defined in accordance with the Key to Main Vegetation Categories in the CNPS Manual of California Vegetation.			
Biological Resources Standard Project Requirements			
SPR BIO-1: Review and Survey Project-Specific Biological Resources The project proponent will require a qualified RPF or biologist to conduct a data review and reconnaissance-level survey prior to treatment, no more than one year prior to the submittal of the PSA, and no more than one year between completion of the PSA and implementation of the treatment project. The data reviewed will include the biological resources setting, species and sensitive natural communities tables, and habitat information in this Program EIR for the ecoregion(s) where the treatment will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species distribution/range information, CNDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, and relevant general and regional plans. Reconnaissance-level biological surveys will be general surveys that include visual and auditory inspection for biological resources to help determine the environmental setting of a project site. The qualified surveyor will 1.) identify and document sensitive resources, such as riparian or other sensitive habitats, sensitive natural community, wetlands, or wildlife nursery site or habitat (including bird nests), and 2.) assess the suitability of habitat for special-status plant and animal species. The surveyor will also record any incidental wildlife observations. For each treatment project, habitat assessments will be completed at a time of year that is appropriate for identifying habitat and no more than one year prior to the submittal of the PSA, unless it can be demonstrated in the PSA that habitat assessments older than one year remain valid (e.g., site conditions are unchanged and no treatment activity has occurred since the assessment). If more than one year passes between completion of the PSA and initiation of the treatment project, the project proponent will verify the continued accuracy of the PSA prior to beginning the treatment project by reviewing for any data updates and/or visiting the site to verify conditions. Based on the results of the data review and reconnaissance-level survey, the project proponent, in consultation with a qualified RPF or biologist, will determine which one of the following best characterizes the treatment:	Prior to treatment **Initial data review and reconnaissance-level survey have been conducted, see PSA/Addendum for results.**	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
1. **Suitable Habitat Is Present but Adverse Effects Can Be Clearly Avoided**. If, based on the data review and reconnaissance-level survey, the qualified RPF or biologist determines that suitable habitat for sensitive biological resources is present but adverse effects on the suitable habitat can clearly be avoided through one of the following methods, the avoidance mechanism will be implemented prior to initiating treatment and will remain in effect throughout the treatment: a. by physically avoiding the suitable habitat, or b. by conducting treatment outside of the season when a sensitive resource could be present within the suitable habitat or outside the season of sensitivity (e.g., outside of special-status bird nesting season, during dormant season of sensitive annual or geophytic plant species, or outside of maternity and rearing season at wildlife nursery sites). Physical avoidance will include flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway) to delineate the boundary of the avoidance area around the suitable habitat. For physical avoidance, a buffer may be implemented as determined necessary by the qualified RPF or biologist. **Project-Specific Guidance to Implement SPR BIO-1** <u>Bay checkerspot butterfly</u> If treatment activities occur outside of the serpentine grassland habitat suitable for bay checkerspot butterfly no further measures are needed; however, if treatments occur within habitat for the species, because bay checkerspot butterfly and host plants may be present within serpentine grassland habitat in the project area year-round, the sensitive season for this species cannot be avoided, and SPR BIO-10 will apply. <u>Crotch's bumble bee</u> If treatment activities occur outside of the grassland, scrub, and woodland habitat suitable for Crotch's bumble bee no further measures are needed; however, if treatments occur within habitat for the species, because Crotch's bumble bee may be present within grassland, scrub, and woodland habitat in the project area year-round, the sensitive season for this species cannot be avoided, and SPR BIO-10 will apply. <u>Monarch butterfly</u> ▶ To avoid impacts on breeding monarch butterflies, prescribed burning, mechanical, manual, and herbicide treatments will be conducted in grassland, shrub, and oak woodland habitat outside of the season when monarch eggs, larvae, and pupae are likely to be present on milkweed host plants (i.e., treatment will be conducted outside of March 15-October 31) (Xerces Society 2019). This period may be adjusted by a qualified biologist or RPF to reflect local timing of monarch breeding. If it is not feasible to avoid treatments during this sensitive season, then SPR BIO-10 will be implemented. <u>California red-legged frog</u> If no California red-legged frog aquatic breeding habitat (as determined by a qualified RPF or biologist) is present within 1.7 miles of the proposed treatment area, then the species is not expected to occur and no further California red-legged frog measures would apply. When treatment activities other than prescribed herbivory or herbicide	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
application are proposed within 1.7 miles of aquatic breeding habitat for California red-legged frog, a no-disturbance buffer of 300 feet from all aquatic habitat is required or SPR BIO-10 will be implemented. All herbicide use during project implementation will comply with current herbicide use restrictions. The stipulated injunction issued by the Federal District Court for the Northern District of California to resolve the 2006 case brought against the US Environmental Protection Agency by the Center for Biological Diversity requires that pesticides listed in the injunction will not be applied within aquatic breeding critical habitat, nonbreeding aquatic critical habitat, upland critical habitat for the California red-legged frog, or in buffer zones (60 feet for ground application) measured from the edge of the aquatic breeding, nonbreeding aquatic, or upland critical habitat. California tiger salamander If proposed project activities will occur within suitable upland habitat for California tiger salamander as determined by a qualified RPF or biologist, then the following will apply (upland habitat is typically defined as oak woodland or grassland within 1.3 miles of suitable aquatic breeding habitat). ▶ Within upland habitat suitable for California tiger salamander, if no mechanical treatment or pile burning is proposed, and no broadcast burning, manual tree and snag removal, or herbicide application other than cut-stump and basal bark application is proposed during the dispersal season (November 1–April 30), then no further avoidance measures are required for California tiger salamander. ▶ If pile burning or mechanical treatment is proposed within suitable upland habitat at any time of the year, then SPR BIO-10 will be implemented. ▶ If broadcast burning, manual tree and snag removal, or herbicide application other than cut-stump and basal bark application is proposed within suitable upland habitat during the dispersal season for California tiger salamander (November 1–April 30), then SPR BIO-10 will be implemented. Foothill yellow-legged frog ▶ To the extent feasible, prior to commencement of prescribed burning, manual treatments, mechanical treatments, and herbicide application other than cut-stump and basal bark application, a no-disturbance buffer of 200 feet will be implemented adjacent to all perennial (i.e., Class I and Class II) watercourses that provide habitat for the species as assessed and determined by a qualified RPF or biologist, if feasible. ▶ If work occurs in upland habitat suitable for foothill yellow-legged frog (as determined by a qualified RPF or biologist), or if the 200-foot no-disturbance buffer is determined to be infeasible for certain treatment areas, then SPR BIO-10 will be implemented. Southwestern pond turtle If treatment activities occur more than 1,300 feet (USFWS 2023) from aquatic habitat suitable for southwestern pond turtle, then impacts to the species would be avoided, and no further measures are required. For treatments conducted within 1,300 feet of aquatic suitable habitat for southwestern pond turtle, the following will apply: ▶ If only manual pruning, prescribed herbivory, or cut-stump and basal bark herbicide application is proposed, then no further avoidance measures are required.			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ If prescribed burning, mechanical treatments, manual tree and snag removal, and herbicide application (other than cut-stump and basal bark application) occur within upland habitat for southwestern pond turtle, which may include riparian areas, grasslands, and open oak woodlands on east-facing (Reese and Welsh 1997) or south-facing areas that are less than 25 percent slope (Buskirk 2002) within 1,300 feet of aquatic habitat (USFWS 2023), then SPR BIO-10 will be implemented. Special-status amphibians and reptiles ▶ If prescribed burning, mechanical treatments, manual tree and snag removal, and targeted herbicide treatments (other than basal bark and cut stump application) cannot be avoided within habitat suitable for California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard then SPR BIO-10 will be implemented. Burrowing owl ▶ To avoid impacts on overwintering burrowing owl, within habitats determined to be suitable for overwintering burrowing owls by a qualified RPF or biologist, a limited operating period from September 1–January 31 would prohibit manual treatments, mechanical treatments, prescribed burning, and prescribed herbivory, if feasible. If conducting treatments outside of the burrowing owl overwintering season is determined to be infeasible, then SPR BIO-10 will be implemented. This applies to all project areas. ▶ To avoid impacts on nesting burrowing owl, within habitats determined to be suitable for nesting burrowing owls by a qualified RPF or biologist, a limited operating period from February 1–August 31 would prohibit manual treatments, mechanical treatments, prescribed burning, prescribed herbivory and herbicide treatments, if feasible. If conducting treatments outside of the burrowing owl nesting season is determined to be infeasible, then SPR BIO-10 will be implemented. ▶ In areas utilized by burrowing owls year-round (during the overwintering and breeding periods), the species may be present in burrows throughout the year, and adverse impacts on individuals cannot be avoided with a limited operating period. For treatment in areas utilized by burrowing owls year-round, the above measures are infeasible, and SPR BIO-10 will be implemented. Least Bell's vireo ▶ To avoid impacts on least Bell's vireo, a limited operating period of February 1 through August 31 will be implemented within 250 feet of habitats determined to be suitable for the species by a qualified RPF or biologist, if feasible. If conducting treatments outside of the nesting season is determined to be infeasible, then SPR BIO-10 will be implemented. Tricolored blackbird ▶ To avoid impacts on tricolored blackbird, a limited operating period of February 1 through August will be implemented within 250 feet of habitats determined to be suitable for the species by a qualified RPF or biologist, if feasible. If conducting treatments outside of the nesting season is determined to be infeasible, then SPR BIO-10 will be implemented.			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Other Special-Status birds ▶ To avoid impacts on special-status nesting birds (i.e., grasshopper sparrow, golden eagle, short-eared owl, long-eared owl, Swainson's hawk, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, white-tailed kite, saltmarsh common yellowthroat, yellow breasted chat, loggerhead shrike, purple martin, and yellow warbler), a limited operating period for all treatment activities from December 1 through July 31 for golden eagle, January 1 through August 31 for white-tailed kite, and February 1 through August 31 for other special-status nesting birds will be implemented within habitats determined to be suitable for these species by a qualified RPF or biologist, if feasible. If conducting treatments outside of the nesting bird season is determined to be infeasible, then SPR BIO-10 will be implemented. Northern California ringtail ▶ To avoid impacts on Northern California ringtail, a limited operating period for manual or mechanical tree or snag (i.e., greater than 12 inches DBH) removal activities and prescribed burning during the maternity season from April 15 to July 31 will be implemented, if feasible. If conducting manual and mechanical tree or snag removal or prescribed burning treatments outside of the ringtail maternity season is determined to be infeasible for certain treatments, then SPR BIO-10 will be implemented. San Francisco dusky-footed woodrat If proposed project activities will occur within suitable habitat for San Francisco dusky-footed woodrat as determined by a qualified RPF or biologist, then the following will apply. ▶ If only prescribed herbivory or herbicide application is proposed, then no further avoidance measures are required. ▶ If manual treatments, mechanical treatments, or prescribed burning is proposed, then SPR BIO-10 will be implemented. Special-Status bats ▶ To avoid impacts on special-status bat maternity colonies, a limited operating period for prescribed burning, mechanical treatments, and manual treatments and herbicide application using power equipment from April 1 to August 31 during the sensitive season will be implemented, if feasible. If the limited operating period is infeasible, focused surveys will be required per SPR BIO-10. ▶ To avoid impacts on hibernating special-status bats, avoid removal of structures that may contain roosts as determined by a qualified RPF or biologist (e.g., large hardwoods and conifers containing cavities, and snags) during the overwintering season (October 15 -April 1) if feasible. If avoiding removal of potential roosting trees and snags is infeasible, focused surveys will be required per SPR BIO-10. 2. **Suitable Habitat is Present and Adverse Effects Cannot Be Clearly Avoided**. Further review and surveys will be conducted to determine presence/absence of sensitive biological resources that may be affected, as described in the SPRs below. Further review may include contacting USFWS, NOAA Fisheries, CDFW, CNPS, or local resource agencies as necessary to determine the potential for special-status species or other sensitive biological resources to be affected by the treatment activity. Focused or protocol-level surveys will be			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
conducted as necessary to determine presence/absence. If protocol surveys are conducted, survey procedures will adhere to methodologies approved by resource agencies and the scientific community, such as those that are available on the CDFW webpage at: https://www.wildlife.ca.gov/Conservation/Survey-Protocols. Specific survey requirements are addressed for each resource type in relevant SPRs (e.g., additional survey requirements are presented for special-status plants in SPR BIO-7). This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-1** Special-status plants For special-status plants not listed under CESA or ESA, to avoid impacts on the annual and geophyte species identified in Attachment B of the PSA/Addendum, only non-ground-disturbing treatment activities (i.e., manual treatments, herbicide application, prescribed herbivory, and prescribed burning) will be implemented and only during the dormant season for these species (i.e., when the plant has no aboveground parts), if feasible, provided the treatment will not alter habitat in a way that would make it unsuitable for the special-status plants to reestablish following treatment, or destroy seedbanks, stumps, or roots, rhizomes, bulbs and other underground parts of these species. If the limited operating period for annual and geophyte species (i.e., only non-ground-disturbing treatment activities conducted during the dormant season) is determined to be infeasible, then protocol-level surveys will be required per SPR BIO-7. Note that ground-disturbing treatment activities (i.e., mechanical treatments) and pile burning may result in impacts on these plant species even when dormant and will not be conducted without prior implementation of SPR BIO-7. Special-Status Wildlife Because there is no reliable season during which all impacts on bald eagle, California condor, American badger, mountain lion, and San Joquin kit fox could be avoided, and because full avoidance of habitat is not feasible due to these species' variable habitat preferences, SPR BIO-10 will apply for these species before all treatment activities.			
SPR BIO-2: Require Biological Resource Training for Workers The project proponent will require crew members and contractors to receive training from a qualified RPF or biologist prior to beginning a treatment project. The training will describe the appropriate work practices necessary to effectively implement the biological SPRs and mitigation measures and to comply with the applicable environmental laws and regulations. The training will include the identification, relevant life history information, and avoidance of pertinent special-status species; identification and avoidance of sensitive natural communities and habitats with the potential to occur in the treatment area; impact minimization procedures; and reporting requirements. The training will instruct workers when it is appropriate to stop work and allow wildlife encountered during treatment activities to leave the area unharmed and when it is necessary to report encounters to a qualified RPF, biologist, or biological technician. The qualified RPF, biologist, or biological technician will immediately contact CDFW or USFWS, as appropriate, if any wildlife protected by the California Endangered Species Act (CESA) or Federal Endangered Species Act (ESA) is encountered and cannot leave the site on its own (without being handled). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Project-Specific Guidance to Implement SPR BIO-2 California Condor ▶ The qualified RPF or biologist will provide all workers at the project site with "condor hazing" training pursuant to the September 3, 2014, California Condor Recovery Program memo (USFWS 2014). If any California condors enter the project area while work activities are being conducted, the hazing measures would be implemented to avoid the possibility that California condors would become habituated to human activities or be harmed by project activities. Work crews will inform the project biologist should any California condor hazing take place. ▶ In circumstances where California condors are already present in the project area, and engaged in natural behaviors (e.g., roosting, foraging), prior to treatment the hazing protocol would not be implemented and California condors would be allowed to depart on their own. Condors that come into the project area while work activities are taking place will be hazed. San Francisco Dusky-Footed Woodrat ▶ The qualified RPF or biologist will provide all workers conducting prescribed burning, mechanical, and manual treatments with specific training on finding the various typical and atypical woodrat nests, and how to estimate a 5 to 10-foot buffer around the nest. Training will include practical training in the field using existing woodrat nests within planned treatment areas or similar habitat types.			
Sensitive Natural Communities and Other Sensitive Habitats			
SPR BIO-3: Survey Sensitive Natural Communities and Other Sensitive Habitats If SPR BIO-1 determines that sensitive natural communities or sensitive habitats may be present and adverse effects cannot be avoided, the project proponent will: ▶ require a qualified RPF or biologist to perform a protocol-level survey following the CDFW "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (current version dated March 20, 2018) of the treatment area prior to the start of treatment activities for sensitive natural communities and sensitive habitats. Sensitive natural communities will be identified using the best means possible, including keying them out using the most current edition of *A Manual of California Vegetation* (including updated natural communities data at http://vegetation.cnps.org/), or referring to relevant reports (e.g., reports found on the VegCAMP website). ▶ map and digitally record, using a Global Positioning System (GPS), the limits of any potential sensitive habitat and sensitive natural community identified in the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR BIO-4: Design Treatment to Avoid Loss or Degradation of Riparian Habitat Function Project proponents, in consultation with a qualified RPF or qualified biologist, will design treatments in riparian habitats to retain or improve habitat functions by implementing the following within riparian habitats: ▶ Retain at least 75 percent of the overstory and 50 percent of the understory canopy of native riparian vegetation within the limits of riparian habitat identified and mapped during surveys conducted pursuant to SPR BIO-3.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Native riparian vegetation will be retained in a well distributed multi-storied stand composed of a diversity of species similar to that found before the start of treatment activities. ▶ Treatments will be limited to removal of uncharacteristic fuel loads (e.g., removing dead or dying vegetation), trimming/limbing of woody species as necessary to reduce ladder fuels, and select thinning of vegetation to restore densities that are characteristic of healthy stands of the riparian vegetation types characteristic of the region. This includes hand removal (or mechanized removal where topography allows) of dead or dying riparian trees and shrubs, invasive plant removal, selective thinning, and removal of encroaching upland species. ▶ Removal of large, native riparian hardwood trees (e.g., willow, ash, maple, oak, alder, sycamore, cottonwood) will be minimized to the extent feasible and 75 percent of the pretreatment native riparian hardwood tree canopy will be retained. Because tree size varies depending on vegetation type present and site conditions, the tree size retention parameter will be determined on a site-specific basis depending on vegetation type present and setting; however, live, healthy, native trees that are considered large for that type of tree and large relative to other trees in that location will be retained. A scientifically-based, project-specific explanation substantiating the retention size parameter for native riparian hardwood tree removal will be provided in the Biological Resources Discussion of the PSA. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, presence of sufficient seed trees, light availability, and changes in stream shading may inform the tree size retention requirements. ▶ Removed trees will be felled away from adjacent streams or waterbodies and piled outside of the riparian vegetation zone (unless there is an ecological reason to do otherwise that is approved by applicable regulatory agencies, such as adding large woody material to a stream to enhance fish habitat, e.g., see *Accelerated Wood Recruitment and Timber Operations: Process Guidance from the California Timber Harvest Review Team Agencies and National Marine Fisheries Service*). ▶ Vegetation removal that could reduce stream shading and increase stream temperatures will be avoided. ▶ Ground disturbance within riparian habitats will be limited to the minimum necessary to implement effective treatments. This will consist of the minimum disturbance area necessary to reduce hazardous fuels and return the riparian community to a natural fire regime (i.e., Condition Class 1) considering historic fire return intervals, climate change, and land use constraints. ▶ Only hand application of herbicides approved for use in aquatic environments will be allowed and only during low-flow periods or when seasonal streams are dry. ▶ The project proponent will notify CDFW when required pursuant to California Fish and Game Code Section 1602 prior to implementing any treatment activities in riparian habitats. Notification will identify the treatment activities, map the vegetation to be removed, identify the impact avoidance identification methods to be used (e.g., flagging), and appropriate protections for the retention of shaded riverine habitat, including buffers and other applicable measures to prevent erosion into the waterway. ▶ In consideration of spatial variability of riparian vegetation types and condition and consistent with California Forest Practice Rules Section 916.9(v) (February 2019 version), a different set of vegetation retention standards and protection measures from those specified in the above bullets may be implemented on a site-specific basis if			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
the qualified RPF and the project proponent demonstrate through substantial evidence that alternative design measures provide a more effective means of achieving the treatment objectives and would result in effects to the Beneficial Functions of Riparian Zones equal or more favorable than those expected to result from application of the above measures. Deviation from the above design specifications, different protection measures and design standards will only be approved when the treatment plan incorporates an evaluation of beneficial functions of the riparian habitat and with written concurrence from CDFW. This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
SPR BIO-5: Avoid Environmental Effects of Type Conversion and Maintain Habitat Function in Chaparral and Coastal Sage Scrub The project proponent will design treatment activities to avoid type conversion where native coastal sage scrub and chaparral are present. An ecological definition of type conversion is used in the CalVTP Program EIR for assessment of environmental effects: a change from a vegetation type dominated by native shrub species that are characteristic of chaparral and coastal sage scrub vegetation alliances to a vegetation type characterized predominantly by weedy herbaceous cover or annual grasslands. For the Program EIR, type conversion is considered in terms of habitat function, which is defined here as the arrangement and capability of habitat features to provide refuge, food source, and reproduction habitat to plants and animals, and thereby contribute to the conservation of biological and genetic diversity and evolutionary processes (de Groot et al. 2002). Some modification of habitat characteristics may occur provided habitat function is maintained (i.e., the location, essential habitat features, and species supported are not substantially changed). During the reconnaissance-level survey required in SPR BIO-1, a qualified RPF or biologist will identify chaparral and coastal sage scrub vegetation to the alliance level and determine the condition class and fire return interval departure of the chaparral and/or coastal sage scrub present in each treatment area. For all treatment types in chaparral and coastal sage scrub, the project proponent, in consultation with a qualified RPF or qualified biologist will: ▶ Develop a treatment design that avoids environmental effects of type conversion in chaparral and coastal sage scrub vegetation alliances, which will include evaluating and determining the appropriate spatial scale at which the proponent would consider type conversion, and substantiating its appropriateness. The project proponent will demonstrate with substantial evidence that the habitat function of chaparral and coastal sage scrub would be at least maintained within the identified spatial scale at which type conversion is evaluated for the specific treatment project. Consideration of factors such as site hydrology, erosion potential, suitability of wildlife habitat, spatial needs of sensitive species, presence of sufficient seed plants and nurse plants, light availability, and edge effects may inform the determination of an appropriate spatial scale. ▶ The treatment design will maintain a minimum percent cover of mature native shrubs within the treatment area to maintain habitat function; the appropriate percent cover will be identified by the project proponent in the development of treatment design and be specific to the vegetation alliances that are present in the identified spatial scale used to evaluate type conversion. Mature native shrubs that are retained will be distributed contiguously or in patches within the stand. If the stand consists of multiple age classes, patches representing a	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
range of middle to old age classes will be retained to maintain and improve heterogeneity, to the extent needed to avoid type conversion. These SPR requirements apply to all treatment activities and all treatment types, including treatment maintenance. Additional measures will be applied to ecological restoration treatment types: ▶ For ecological restoration treatment types, complete removal of the mature shrub layer will not occur in native chaparral and coastal sage scrub vegetation types. ▶ Ecological restoration treatments will not be implemented in vegetation types that are within their natural fire return interval (i.e., time since last burn is less than the average time listed as the fire return interval range in Table 3.6-1) unless the project proponent demonstrates with substantial evidence that the habitat function of chaparral and coastal sage scrub would be improved. ▶ A minimum of 35 percent relative cover of existing shrubs and associated native vegetation will be retained at existing densities in patches distributed in a mosaic pattern within the treated area or the shrub canopy will be thinned by no more than 20 percent from baseline density (i.e., if baseline shrub canopy density is 60 percent, post treatment shrub canopy density will be no less than 40 percent). A different percent relative cover can be retained if the project proponent demonstrates with substantial evidence that alternative treatment design measures would result in effects on the habitat function of chaparral and coastal sage scrub that are equal or more favorable than those expected to result from application of the above measures. Biological considerations that may inform a deviation from the minimum 35 percent relative cover retention include but are not limited to soil moisture requirements, increased soil temperatures, changes in light/shading, presence of sufficient seed plants and nurse plants, erosion potential, and site hydrology. ▶ If the stand within the treatment area consists of multiple age classes, patches representing a range of middle to old age classes will be retained to maintain and improve heterogeneity. These SPR requirements apply to all treatment activities and only the ecosystem restoration treatment type, including treatment maintenance. A determination of compliance with the SB 1260 prohibition of type conversion in chaparral and coastal sage scrub is a statutory issue separate from CEQA compliance that may involve factors additional to the ecological definition and habitat functions presented in the Program EIR, such as geographic context. It is beyond the legal scope of the Program EIR to define SB 1260 type conversion and statutory compliance. The project proponent, acting as responsible agency for the proposed later treatment project, will be responsible for defining type conversion in the context of the project and making the finding that type conversion would not occur, as required by SB 1260. The project proponent will determine its criteria for defining and avoiding type conversion and, in making its findings, may draw upon information presented in this Program EIR. **Project-Specific Implementation of SPR BIO-5** This project will implement SPR CHAP/CSS-1 to be consistent with the Writ of Mandate in chaparral and coastal sage scrub habitat areas. Some requirements of SPR CHAP/CSS-1 are more restrictive on ecological restoration treatment activities than SPR BIO-5; therefore, the requirements of SPR CHAP/CSS-1 that are more restrictive			

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supersede SPR BIO-5 in ecological restoration treatments of chaparral and coastal sage scrub. To ensure compliance with SPR CHAP/CSS-1, the following text will be removed from SPR BIO-5: Additional measures will be applied to ecological restoration treatment types: ▶ For ecological restoration treatment types, complete removal of the mature shrub layer will not occur in native chaparral and coastal sage scrub vegetation types. ▶ Ecological restoration treatments will not be implemented in vegetation types that are within their natural fire return interval (i.e., time since last burn is less than the average time listed as the fire return interval range in Table 3.6-1) unless the project proponent demonstrates with substantial evidence that the habitat function of chaparral and coastal sage scrub would be improved. ▶ A minimum of 35 percent relative cover of existing shrubs and associated native vegetation will be retained at existing densities in patches distributed in a mosaic pattern within the treated area or the shrub canopy will be thinned by no more than 20 percent from baseline density (i.e., if baseline shrub canopy density is 60 percent, post treatment shrub canopy density will be no less than 40 percent). A different percent relative cover can be retained if the project proponent demonstrates with substantial evidence that alternative treatment design measures would result in effects on the habitat function of chaparral and coastal sage scrub that are equal or more favorable than those expected to result from application of the above measures. Biological considerations that may inform a deviation from the minimum 35 percent relative cover retention include but are not limited to soil moisture requirements, increased soil temperatures, changes in light/shading, presence of sufficient seed plants and nurse plants, erosion potential, and site hydrology. ▶ If the stand within the treatment area consists of multiple age classes, patches representing a range of middle to old age classes will be retained to maintain and improve heterogeneity. These SPR requirements apply to all treatment activities and only the ecosystem restoration treatment type, including treatment maintenance.			
SPR BIO-6: Prevent Spread of Plant Pathogens When working in sensitive natural communities, riparian habitats, or oak woodlands that are at risk from plant pathogens (e.g., Ione chaparral, blue oak woodland), the project proponent will implement the following best management practices to prevent the spread of *Phytopthora* and other plant pathogens (e.g., pitch canker (*Fusarium*), goldspotted oak borer, shot hole borer, bark beetle): ▶ clean and sanitize vehicles, equipment, tools, footwear, and clothes before arriving at a treatment site and when leaving a contaminated site, or a site in a county where contamination is a risk; ▶ include training on *Phytopthora* diseases and other plant pathogens in the worker awareness training; ▶ minimize soil disturbance as much as possible by limiting the number of vehicles, avoiding off-road travel as much as possible, and limiting use of mechanized equipment; ▶ minimize movement of soil and plant material within the site, especially between areas with high and low risk of contamination;	Prior to and during treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ clean soil and debris from equipment and sanitize hand tools, buckets, gloves, and footwear when moving from high risk to low risk areas or between widely separated portions of a treatment area; and ▶ follow the procedures listed in Guidance for plant pathogen prevention when working at contaminated restoration sites or with rare plants and sensitive habitat (Working Group for *Phytoptheras* in Native Habitats 2016). This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
SPR BIO-7: Survey for Special-Status Plants If SPR BIO-1 determines that suitable habitat for special-status plant species is present and cannot be avoided, the project proponent will require a qualified RPF or botanist to conduct protocol-level surveys for special-status plant species with the potential to be affected by a treatment prior to initiation of the treatment. The survey will follow the methods in the current version of CDFW's "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities." Surveys to determine the presence or absence of special-status plant species will be conducted in suitable habitat that could be affected by the treatment and timed to coincide with the blooming or other appropriate phenological period of the target species (as determined by a qualified RPF or botanist), or all species in the same genus as the target species will be assumed to be special-status. If potentially occurring special-status plants are listed under CESA or ESA, protocol-level surveys to determine presence/absence of the listed species will be conducted in all circumstances, unless determined otherwise by CDFW or USFWS. For other special-status plants not listed under CESA or ESA, as defined in Section 3.6.1 of this Program EIR, surveys will not be required under the following circumstances: ▶ If protocol-level surveys, consisting of at least two survey visits (e.g., early blooming season and later blooming season) during a normal weather year, have been completed in the 5 years before implementation of the treatment project and no special-status plants were found, and no treatment activity has occurred following the protocol-level survey, treatment may proceed without additional plant surveys. ▶ If the target special-status plant species is an herbaceous annual, stump-sprouting, or geophyte species, the treatment may be carried out during the dormant season for that species or when the species has completed its annual lifecycle without conducting presence/absence surveys provided the treatment will not alter habitat or destroy seeds, stumps, or roots, rhizomes, bulbs and other underground parts in a way that would make it unsuitable for the target species to reestablish following treatment. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-7** ▶ If the limited operating period for annual and perennial geophyte species (i.e., non-ground-disturbing treatment activities conducted during the dormant season) is determined to be infeasible, then protocol-level surveys for these species will be conducted prior to implementation of treatments. ▶ Protocol-level surveys will be conducted for perennial species prior to implementation of treatments.	Prior to treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

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Invasive Plants and Wildlife			
SPR BIO-9: Prevent Spread of Invasive Plants, Noxious Weeds, and Invasive Wildlife The project proponent will take the following actions to prevent the spread of invasive plants, noxious weeds, and invasive wildlife (e.g., New Zealand mudsnail): ▶ clean clothing, footwear, and equipment used during treatments of soil, seeds, vegetative matter, other debris or seed-bearing material, or water (e.g., rivers, streams, creeks, lakes) before entering the treatment area or when leaving an area with infestations of invasive plants, noxious weeds, or invasive wildlife; ▶ for all heavy equipment and vehicles traveling off road, pressure wash, if feasible, or otherwise appropriately decontaminate equipment at a designated weed-cleaning station prior to entering the treatment area from an area with infestations of invasive plants, noxious weeds, or invasive wildlife. Anti-fungal wash agents will be specified if the equipment has been exposed to any pathogen that could affect native species; ▶ inspect all heavy equipment, vehicles, tools, or other treatment-related materials for sand, mud, or other signs that weed seeds or propagules could be present prior to use in the treatment area. If the equipment is not clean, the qualified RPF or biological technician will deny entry to the work areas; ▶ stage equipment in areas free of invasive plant infestations unless there are no uninfested areas present within a reasonable proximity to the treatment area; ▶ identify significant infestations of invasive plant species (i.e., those rated as invasive by Cal-IPC or designated as noxious weeds by California Department of Food and Agriculture) during reconnaissance-level surveys and target them for removal during treatment activities. Treatment methods will be selected based on the invasive species present and may include herbicide application, manual or mechanical treatments, prescribed burning, and/or herbivory, and will be designed to maximize success in killing or removing the invasive plants and preventing reestablishment based on the life history characteristics of the invasive plant species present. Treatments will be focused on removing invasive plant species that cause ecological harm to native vegetation types, especially those that can alter fire cycles; ▶ treat invasive plant biomass onsite to eliminate seeds and propagules and prevent reestablishment or dispose of invasive plant biomass offsite at an appropriate waste collection facility (if not kept on site); transport invasive plant materials in a closed container or bag to prevent the spread of propagules during transport; and ▶ implement Fire and Fuel Management BMPs outlined in the "Preventing the Spread of Invasive Plants: Best Management Practices for Land Mangers" (Cal-IPC 2012, or current version). This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-9** ▶ All plant materials used for revegetation will exclude any species listed on the Cal-IPC Invasive Plant Inventory (Cal-IPC 2025, or current version) or designated as noxious weeds by the local Agricultural Commissioner's Office. ▶ Revegetation efforts will consider existing conditions, including existing vegetation type and burn severity, and will be designed to maintain or restore appropriate vegetation composition. In areas documented as native vegetation types according to the 2020 Santa Cruz and Santa Clara Fine Scale Vegetation Map (Tukman Geospatial and Aerial	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Information Systems 2023) and the 2018 San Mateo County Fine Scale Vegetation Map (Tukman Geospatial and Aerial Information Systems 2022), only native plant species characteristic of that vegetation type, as described in the Manual of California Vegetation, online edition (CNPS 2025), will be used. Exceptions may occur where a mapped native vegetation type reflects past lack of management (e.g., Douglas fir encroachment) or artificial plantings (e.g., plantations), in which case alternative native vegetation aligned with desired conditions may be selected. For revegetation efforts within 100 feet of special-status plant occurrences, a qualified RPF or biologist will review and approve plant species or seed mixes to ensure they do not result in mortality or degradation of occupied habitat from competition, shading, or changes to soil moisture or chemistry. Where erosional risks to roads or structures require rapid stabilization, fast growing, nonnative but noninvasive species or seed mixes may be used. In areas mapped as developed, agriculture, or nonnative vegetation types (nonnative forest, herbaceous, or shrub; semi-natural alliances with a "SNA" state rarity rank), native species appropriate to the desired habitat type will be prioritized whenever feasible. However, when the use of local native species is not feasible, nonnative but noninvasive species may be used.			
Wildlife			
SPR BIO-10: Survey for Special-Status Wildlife and Nursery Sites If SPR BIO-1 determines that suitable habitat for special-status wildlife species or nurseries of any wildlife species is present and cannot be avoided, the project proponent will require a qualified RPF or biologist to conduct focused or protocol-level surveys for special-status wildlife species or nursery sites (e.g., bat maternity roosts, deer fawning areas, heron or egret rookeries, monarch overwintering sites) with potential to be directly or indirectly affected by a treatment activity. The survey area will be determined by a qualified RPF or biologist based on the species and habitats and any recommended buffer distances in agency protocols. The qualified RPF or biologist will determine if following an established protocol is required, and the project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate survey protocols. Unless otherwise specified in a protocol, the survey will be conducted no more than 14 days prior to the beginning of treatment activities. Focused or protocol surveys for a special-status species with potential to occur in the treatment area may not be required if presence of the species is assumed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR BIO-10** Bay checkerspot butterfly To avoid impacts on bay checkerspot butterfly, focused surveys for the species will be conducted before implementation of all treatment activities in habitat suitable for the species. If focused surveys for bay checkerspot butterfly are not conducted, presence of the butterfly may be assumed. Because the project area is within the range of the federally listed bay checkerspot butterfly, Mitigation Measure BIO-2e (bay checkerspot butterfly) would be implemented, regardless of the results of SPR BIO-10 surveys, although the implementation of Mitigation Measure BIO-2e would be informed by the results of the focused surveys if they occur.	No more than 14 days prior to treatment, unless otherwise specified in a protocol	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Crotch's bumble bee If avoidance of habitat pursuant to SPR BIO-1 is not feasible to avoid impacts on Crotch's bumble bee, a habitat assessment will be conducted by a qualified biologist or RPF. If habitat suitable for the species is present, focused surveys will be conducted by a biologist or qualified RPF within habitat potentially suitable for Crotch's bumble bee based on the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023) or more recent guidance, prior to implementation of all treatment activities, or presence of this species in potentially suitable habitat will be assumed, and Mitigation Measure BIO-2g will be implemented. Monarch butterfly If it is not feasible to avoid mechanical, manual, herbicide, or prescribed burning treatments in grasslands, shrub, and oak woodland habitat during the period when monarch may be breeding (March 15-October 31) pursuant to SPR BIO-1, focused surveys for milkweed host plants (*Asclepias* spp.) will be conducted prior to implementing treatment activities. If milkweed is detected during focused surveys, further survey for monarch butterfly eggs, larvae, and pupae may be conducted or presence of monarch may be assumed. If milkweed host plants are detected during focused surveys and monarch butterfly is detected or assumed present, Mitigation Measure BIO-2e will be implemented. California red-legged frog Prior to implementation of prescribed burning, mechanical, manual, and herbicide application activities, a qualified RPF or qualified biologist will conduct protocol-level surveys for California red-legged frog pursuant to the Revised Guidance on Site Assessments and Field Surveys for the California Red-Legged Frog (USFWS 2005) within habitat potentially suitable for the species, or presence of the species will be assumed and Mitigation Measure BIO-2a will be implemented. If protocol-level surveys are conducted and California red-legged frogs are not detected within the treatment areas, then no additional mitigation for the species will be required and Mitigation Measure BIO-2a will not be required. If California red-legged frog is detected or assumed present, Mitigation Measure BIO-2a will be implemented. California tiger salamander If avoidance is not feasible pursuant to SPR BIO-1, to avoid impacts to California tiger salamander, a qualified RPF or qualified biologist with the appropriate permits will conduct protocol-level surveys for California tiger salamander according to the *Interim Guidance of Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (CDFW 2003) within habitat potentially suitable for the species (i.e., oak woodland and grasslands up to 1.3 miles from aquatic breeding habitat) prior to mechanical treatments and pile burning activities year-round and for broadcast burning, manual tree and snag removal, or herbicide application (other than cut-stump and basal bark application) during the dispersal season for the species (November 1–April 30), or presence may be assumed. If California tiger salamander is detected during surveys or assumed present, Mitigation Measure BIO-2a will be implemented.			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Foothill yellow-legged frog If avoidance of habitat is not feasible (pursuant to SPR BIO-1) for manual treatments, mechanical treatments, prescribed burning, and herbicide application (other than cut-stump and basal bark application) that occur within 200 feet of Class I and Class II watercourses that may habitat suitable for foothill yellow-legged frog as assessed and determined by a qualified RPF or biologist, focused visual encounter surveys for foothill yellow-legged frog will be conducted prior to treatment activities within the 200-foot buffer, or the presence of the species may be assumed. If foothill yellow-legged frogs are not detected within the treatment area during focused surveys, then no mitigation for the species would be required. If foothill yellow-legged frogs are identified during focused surveys, or presence is assumed, Mitigation Measure BIO-2a would be implemented. Southwestern pond turtle If avoidance of habitat is not feasible (pursuant to SPR BIO-1) to avoid impacts on southwestern pond turtle, a focused survey for southwestern pond turtles and nests will be conducted by a qualified biologist or RPF. If southwestern pond turtles or nests are detected during focused surveys, Mitigation Measure BIO-2b will be implemented. Special-Status amphibians and reptiles If avoidance of habitat is not feasible (pursuant to SPR BIO-1) to avoid impacts on special-status amphibians and reptiles, a focused survey for special-status amphibians and reptiles will be conducted by a qualified biologist or RPF. If special-status amphibians and reptiles are detected during focused surveys or if the species are assumed to be present, Mitigation Measure BIO-2b will be implemented. Bald eagle To avoid impacts on bald eagle the following focused surveys will be conducted: ▶ For all treatments implemented during the nesting season (December 1 through July 31) conduct surveys for nesting bald eagles within approximately 1.0 miles of lakes and reservoirs with fisheries sufficient to support bald eagle nesting. ▶ For all treatments implemented during the overwintering (non-nesting season) conduct surveys for communal roosting trees within 0.5 miles of lakes and reservoirs with fisheries sufficient to support bald eagles. ▶ If nesting or communally roosting bald eagles are detected during focused surveys, Mitigation Measure BIO-2a will be implemented. Burrowing owl ▶ If it is not feasible to avoid manual treatments, mechanical treatments, prescribed burning, and prescribed herbivory during the burrowing owl overwintering season (September 1–January 31) in habitats suitable for the species, then a survey shall be conducted to determine whether burrowing owls occupy the portions of the treatment area subject to manual treatments, mechanical treatments, ground or human disturbance associated with prescribed burning (e.g., control lines, staging areas) and prescribed herbivory (e.g., fence lines, pens, watering infrastructure, staging areas).			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Within the yearlong range of the species, if it is not feasible to avoid manual treatments, mechanical treatments, prescribed burning, prescribed herbivory, and herbicide application during the burrowing owl nesting season (February 1–August 31) in habitats suitable for the species, pursuant to SPR BIO-1, a minimum of four surveys shall be conducted to determine whether burrowing owls occupy the treatment area. ▶ Surveys will be conducted referring to Appendix D of the 2012 Staff Report on Burrowing Owl Mitigation prepared by the California Department of Fish and Game (now California Department of Fish and Wildlife) (CDFW 2012) or any subsequent updated guidance within 1,640 feet (0.3 miles) of treatment areas as access to adjacent property and visibility from accessible areas allows. If feasible, at least one survey should be conducted between February 15 and April 15, and the remaining surveys should be conducted between April 15 and July 15, at least 2 weeks apart. Because burrowing owls may recolonize a site after only a few days, one of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating treatment activities to verify that take of burrowing owl would not occur. Alternatively, following the first survey, any burrows that are potentially suitable for burrowing owl would be assumed to be occupied. If active nesting burrowing owl burrows are detected during protocol surveys or burrows are assumed to be occupied, Mitigation Measure BIO-2a will be implemented. Least Bell's vireo If it is not feasible to avoid all treatments during the nesting season for least Bell's vireo (February –August 31), as modified by a qualified RPF or biologist based on current conditions), pursuant to SPR BIO-1, protocol surveys for nests of least Bell's vireo will be conducted following the Least Bell's Vireo Survey Guidelines (USFWS 2001) within habitat suitable for the species prior to implementing treatment activities within 250 feet of that habitat during the nesting season. If nesting least Bell's vireos are detected during surveys, Mitigation Measures BIO-2a will be implemented. Tricolored blackbird If it is not feasible to avoid all treatments during the nesting season for tricolored blackbird (February –August 31), as modified by a qualified RPF or biologist based on current conditions), pursuant to SPR BIO-1, focused surveys (i.e., nest searches) for nests of tricolored blackbird will be conducted in habitat suitable for the species prior to implementing treatment activities within 250 feet of nesting habitat during the nesting bird season. If nesting tricolored blackbirds are detected during focused surveys, Mitigation Measures BIO-2a will be implemented. Other Special-Status Birds If it is not feasible to avoid all treatments during the nesting bird season (from December 1 through July 31 for golden eagle, January 1 through August 31 for white-tailed kite, and February 1 through August 31 for other special-status nesting birds, as modified by the qualified RPF or biologist), pursuant to SPR BIO-1, focused surveys (i.e., nest searches) for nests of special-status (i.e., grasshopper sparrow, golden eagle, short-eared owl, log-eared owl, Swainson's hawk, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, white-tailed kite, saltmarsh common yellowthroat, bald eagle, yellow breasted chat, loggerhead shrike, purple martin, and yellow warbler) will be conducted in habitat suitable for the species prior to implementing treatment activities during the nesting bird season. If nesting special-status birds are detected during focused surveys, Mitigation Measures BIO-2a or BIO-2b will be implemented depending on the species detected.			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
American badger To avoid impacts on American badger, focused den surveys in habitat determined to be suitable for denning by a qualified biologist or RPF will be conducted prior to implementing pile burning, installation of control lines and staging areas for prescribed burning, mechanical treatments, or the setup of infrastructure for prescribed herbivory activities year-round. Within the pupping season (February 15–July 1) surveys will be conducted prior to, manual treatments, as well as the other activities which require year-round survey. If American badger dens are detected during focused surveys, Mitigation Measure BIO-2b will be implemented. Mountain lion To avoid impacts on mountain lion, prior to implementing prescribed burning, manual tree and snag removal treatments, and mechanical treatments, nursery habitat suitable for the species will be identified by a qualified RPF or biologist through desktop analyses (e.g., review of land cover, slope, distance from development, coordination with local experts studying or tracking the species [if available], and field assessments). Potential mountain lion nursery habitat may include large natural cavities within rocky areas, downed trees, shrub thickets, or other areas with structures deemed appropriate for use by mountain lions based on size and other characteristics (e.g., proximity to human development, surrounding habitat). If nursery habitat is confirmed within the treatment area, use of the habitat will be assumed and Mitigation Measure BIO-2a will be applied. If nursery habitat is not identified within the treatment area, no additional measures will be required. Ringtail If it is not feasible to avoid manual and mechanical large tree and snag (i.e., greater than 12 inches DBH) removal or prescribed burning within habitat suitable for Northern California ringtail during the ringtail maternity season (pursuant to SPR BIO-1), focused surveys for ringtail will be conducted using trail cameras, track plates, or other non-invasive survey methods to determine whether ringtails are present within the treatment area. Surveys will be conducted by a qualified RPF or biologist with the appropriate permits as needed, or presence may be assumed. If ringtails are detected during focused surveys, or presence is assumed, Mitigation Measure BIO-2a will be implemented. San Francisco dusky-footed woodrat To avoid impacts on San Francisco dusky-footed woodrat, focused surveys for the species will be conducted by a qualified RPF, biologist, or biological technician within habitat suitable for the species year-round prior to implementation of traditional mechanical treatments; nest presence may be assumed for other treatment types including mechanical treatments using remote-controlled masticators. If San Francisco dusky-footed woodrat nests are detected during focused surveys or assumed to be present, Mitigation Measure BIO-2b will be implemented. San Joaquin kit fox To avoid impacts to San Joaquin kit fox, prior to implementation of pile burning and mechanical treatment activities year-round or any treatment activities during the pupping/natal season (February 1–September 30) within potentially suitable grassland, scrub, and oak savanna habitat, a habitat evaluation of the treatment area including one walking transect survey to identify potential dens following relevant portions of the *San Joaquin Kit Fox Survey Protocol for the Northern Range* (USFWS 1999) for San Joaquin kit fox would be conducted by a qualified RPF or			

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
biologist prior to the start of treatment activities. If the habitat within the treatment area is suitable for the species and contains potentially occupied dens, Mitigation Measure BIO-2a will be implemented. Special-Status bats If it is not feasible to avoid prescribed burning, mechanical treatments, manual treatments, and herbicide application using power equipment within habitat suitable for special-status bat roosting during the bat maternity season (April 1 through August 31), or to avoid removal of potential roosts during the overwintering season (October 15- April 1) pursuant to SPR BIO-1, focused surveys for roosts will be conducted by a qualified RPF or biologist prior to implementing these treatment activities during the bat maternity and overwintering season. If special-status bat roosts are detected during focused surveys, Mitigation Measure BIO-2b will be implemented.			
SPR BIO-11: Install Wildlife-Friendly Fencing (Prescribed Herbivory) If temporary fencing is required for prescribed herbivory treatment, a wildlife-friendly fencing design will be used. The project proponent will require a qualified RPF or biologist to review and approve the design before installation to minimize the risk of wildlife entanglement. The fencing design will meet the following standards: ▶ Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale or snag a leaping animal; and, if feasible, keeping electric netting-type fencing electrified at all times or laid down while not in use. ▶ Charge temporary electric fencing with intermittent pulse energizers; continuous output fence chargers will not be permitted. ▶ Allow wildlife to jump over easily without injury by installing fencing that can flex as animals pass over it and installing the top wire low enough (no more than approximately 40 inches high on flat ground) to allow adult ungulates to jump over it. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. ▶ Be highly visible to birds and mammals by using high-visibility tape or wire, flagging, or other markers. This SPR applies only to prescribed herbivory and all treatment types, including treatment maintenance.	During prescribed herbivory treatment activities.	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR BIO-12: Protect Common Nesting Birds, Including Raptors The project proponent will schedule treatment activities to avoid the active nesting season of common native bird species, including raptors, that could be present within or adjacent to the treatment site, if feasible. Common native birds are species not otherwise treated as special status in the CalVTP Program EIR. The active nesting season will be defined by the qualified RPF or biologist. If active nesting season avoidance is not feasible, a qualified RPF or biologist will conduct a survey for common nesting birds, including raptors. Existing records (e.g., CNDDB, eBird database, State Wildlife Action Plan) should be reviewed in advance of the survey to identity the common nesting birds, including raptors, that are known to occur in the vicinity of the treatment site. The survey area will encompass reasonably accessible areas of the treatment site and the immediately surrounding vicinity viewable from the treatment site. The survey area will be determined by a qualified RPF or biologist, based on the potential species in the area, location of suitable nesting habitat, and type of treatment. For vegetation removal or project activities that would occur during the nesting season, the survey will be	Conduct a survey for common nesting birds (if needed) at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies (typically no more than approximately 14 days before treatment); if an active	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
conducted at a time that balances the effectiveness of detecting nests and the reasonable consideration of potential avoidance strategies. Typically, this timeframe would be up to 3 weeks before treatment. The survey will occur in a single survey period of sufficient duration to reasonably detect nesting birds, including raptors, typically one day for most treatment projects (depending on the size, configuration, and vegetation density in the treatment site), and conducted during the active time of day for target species, typically close to dawn and/or dusk. The survey may be conducted concurrently with other biological surveys, if they are required by other SPRs. Survey methods will be tailored by the qualified RPF or biologist to site and habitat conditions, typically involving walking throughout the survey area, visually searching for nests and birds exhibiting behavior that is typical of breeding (e.g., delivering food). If an active nest is observed (i.e., presence of eggs and/or chicks) or determined to likely be present based on nesting bird behavior, the project proponent will implement a feasible strategy to avoid disturbance of active nests, which may include, but is not limited to, one or more of the following: ▶ **Establish Buffer.** The project proponent will establish a temporary, species-appropriate buffer around the nest sufficient to reasonably expect that breeding would not be disrupted. Treatment activities will be implemented outside of the buffer. The buffer location will be determined by a qualified RPF or biologist. Factors to be considered for determining buffer location will include: presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, species sensitivity, and expected treatment activities. Nests of common birds within the buffer need not be monitored during treatment. However, buffers will be maintained until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. ▶ **Modify Treatment.** The project proponent will modify the treatment in the vicinity of an active nest to avoid disturbance of active nests (e.g., by implementing manual treatment methods, rather than mechanical treatment methods). Treatment modifications will be determined by the project proponent in coordination with the qualified RPF or biologist. ▶ **Defer Treatment.** The project proponent will defer the timing of treatment in the portion(s) of the treatment site that could disturb the active nest. If this avoidance strategy is implemented, treatment activity will not commence until young fledge or the nest becomes inactive, as determined by the qualified RPF, biologist, or biological technician. Feasible actions will be taken by the project proponent to avoid loss of common native bird nests. The feasibility of implementing the avoidance strategies will be determined by the project proponent based on whether implementation of this SPR will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. Considerations may include limitations on the presence of environmental and atmospheric conditions necessary to execute treatment prescriptions (e.g., the limited seasonal windows during which prescribed burning can occur when vegetation moisture, weather, wind, and other physical conditions are suitable). If it is infeasible to avoid loss of common bird nests (not including raptor nests), the project proponent will document the reasons implementation of the avoidance strategies is infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those	nest is observed, implement avoidance strategies prior to and during treatment		

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). The following avoidance strategies may also be considered together with or in lieu of other actions for implementation by a project proponent to avoid disturbance to raptor nests: ▶ **Monitor Active Raptor Nest During Treatment**. A qualified RPF, biologist, or biological technician will monitor an active raptor nest during treatment activities to identify signs of agitation, nest defense, or other behaviors that signal disturbance of the active nest is likely (e.g., standing up from a brooding position, flying off the nest). If breeding raptors are showing signs of nest disturbance, one of the other avoidance strategies (establish buffer, modify treatment or defer treatment) will be implemented or a pause in the treatment activity will occur until the disturbance behavior ceases. ▶ **Retention of Raptor Nest Trees**. Trees with visible raptor nests, whether occupied or not, will be retained. This SPR applies to all treatment activities and treatment types, including treatment maintenance.			
Geology, Soils, Paleontology, and Mineral Resource Standard Project Requirements			
SPR GEO-1: Suspend Disturbance during Heavy Precipitation The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance. **Proposed Revision to SPR GEO-1** A revision to the SPR is proposed such that mechanical treatments would be suspended if (1) it is raining, (2) soils are saturated, or (3) soils are wet enough to be compacted by mechanical treatment activities and to suspend herbicide application if the National Weather Service forecast is a "chance" (30 percent or more averaged over each hour) of rain within the next operational day's 12-hour period between 6:00 a.m. and 6:00 p.m. An excerpt of the original language of SPR GEO-1 is as follows: The project proponent will suspend mechanical, prescribed herbivory, and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours. Activities that cause mechanical soil disturbance may resume when precipitation stops and soils are no longer saturated (i.e., when soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur). Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4)	During mechanical and herbicide treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials. This SPR applies only to mechanical, prescribed herbivory, and herbicide treatment activities and all treatment types, including treatment maintenance. The SPR revision modifies this sentence to state the following: The project proponent will suspend prescribed herbivory and herbicide treatments if the National Weather Service forecast is a "chance" (30 percent or more) of rain within the next 24 hours (from 12:00 am to 12:00 pm) and will suspend mechanical treatments when (1) it is raining, (2) soils are saturated, and/or, (3) soils are wet enough to be compacted by mechanical activities.			
SPR GEO-2: Limit High Ground Pressure Vehicles The project proponent will limit heavy equipment that could cause soil disturbance or compaction to be driven through treatment areas when soils are wet and saturated to avoid compaction and/or damage to soil structure. Saturated soil means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. If use of heavy equipment is required in saturated areas, other measures such as operating on organic debris, using low ground pressure vehicles, or operating on frozen soils/snow covered soils will be implemented to minimize soil compaction. Existing compacted road surfaces are exempted as they are already compacted from use. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	During mechanical treatment activities	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
SPR GEO-3: Stabilize Disturbed Soil Areas The project proponent will stabilize soil disturbed during mechanical, prescribed herbivory treatments, and prescribed burns that result in exposure of bare soil over 50 percent or more of the treatment area with mulch or equivalent immediately after treatment activities, to the maximum extent practicable, to minimize the potential for substantial sediment discharge. If mechanical, prescribed herbivory, or prescribed burn treatment activities could result in substantial sediment discharge from soil disturbed by machinery, animal hooves, or being bare, organic material from mastication or mulch will be incorporated onto at least 75 percent of the disturbed soil surface where the soil erosion hazard is moderate or high, and 50 percent of the disturbed soil surface where soil erosion hazard is low to help prevent erosion. Where slash mulch is used, it will be packed into the ground surface with heavy equipment so that it is sufficiently in contact with the soil surface. This SPR only applies to mechanical, prescribed herbivory, and prescribed burns that result in exposure of bare soil over 50 percent of the project area treatment activities and all treatment types, including treatment maintenance.	During mechanical and prescribed burn treatment activities that result in exposure of bare soil over 50 percent or more of the treatment area	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
SPR GEO-4: Erosion Monitoring The project proponent will inspect treatment areas for the proper implementation of erosion control SPRs and mitigations prior to the rainy season. If erosion control measures are not properly implemented, they will be remediated prior to the first rainfall event per SPR GEO-3 and GEO-8. Additionally, the project proponent will inspect for evidence of erosion after the first large storm or rainfall event (i.e., ≥ 1.5 inches in 24 hours) as soon as is feasible after the event. Any area of erosion that will result in substantial sediment discharge will be remediated within 48 hours per the methods stated in SPRs GEO-3 and GEO-8. This SPR applies only to mechanical, prescribed herbivory, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	Prior to and during mechanical and prescribed burning treatment activities	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR GEO-5: Drain Stormwater via Water Breaks The project proponent will drain compacted and/or bare linear treatment areas capable of generating storm runoff via water breaks using the spacing and erosion control guidelines contained in Sections 914.6, 934.6, and 954.6(c) of the California Forest Practice Rules (February 2019 version). Where waterbreaks cannot effectively disperse surface runoff, including where waterbreaks cause surface run-off to be concentrated on downslopes, other erosion controls will be installed as needed to maintain site productivity by minimizing soil loss. This SPR applies only to mechanical, manual, and prescribed burn treatment activities and all treatment types, including treatment maintenance.	During mechanical, manual, and prescribed burning treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR GEO-6: Minimize Burn Pile Size The project proponent will not create burn piles that exceed 20 feet in length, width, or diameter, except when on landings, road surfaces, or on contour to minimize the spatial extent of soil damage. In addition, burn piles will not occupy more than 15 percent of the total treatment area (Busse et al. 2014). The project proponent will not locate burn piles in a Watercourse and Lake Protection Zone as defined in SPR HYD-4. This SPR applies to mechanical, manual, and prescribed burning treatment activities and all treatment types, including treatment maintenance.	During mechanical, manual, and prescribed burning treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR GEO-7: Minimize Erosion To minimize erosion, the project proponent will: (1) Prohibit use of heavy equipment where any of the following conditions are present: (i) Slopes steeper than 65 percent. (ii) Slopes steeper than 50 percent where the erosion hazard rating is high or extreme. (iii) Slopes steeper than 50 percent that lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a watercourse or lake. (2) On slopes between 50 percent and 65 percent where the erosion hazard rating is moderate, and all slope percentages are for average slope steepness based on sample areas that are 20 acres, or less, heavy equipment will be limited to: (i) Existing tractor roads that do not require reconstruction, or (ii) New tractor roads flagged by the project proponent prior to the treatment activity. (3) Prescribed herbivory treatments will not be used in areas with over 50 percent slope. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR GEO-8: Steep Slopes The project proponent will require a Registered Professional Forester (RPF) or licensed geologist to evaluate treatment areas with slopes greater than 50 percent for unstable areas (areas with potential for landslide) and unstable soils (soil with moderate to high erosion hazard). If unstable areas or soils are identified within the treatment area, are unavoidable, and will be potentially directly or indirectly affected by the treatment, a licensed geologist (P.G. or C.E.G.) will determine the potential for landslide, erosion, of other issue related to unstable soils and identity measures (e.g., those in SPR GEO-7) that will be implemented by the project proponent such that substantial erosion or loss of topsoil would not occur. This SPR applies only to mechanical treatment activities and WUI fuel reduction, non-shaded fuel breaks, and ecological restoration treatment types, including treatment maintenance.	Prior to and during mechanical treatment on slopes greater than 50 percent	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Hazardous Material and Public Health and Safety Standard Project Requirements			
SPR HAZ-1: Maintain All Equipment The project proponent will maintain all diesel- and gasoline-powered equipment per manufacturer's specifications, and in compliance with all state and federal emissions requirements. Maintenance records will be available for verification. Prior to the start of treatment activities, the project proponent will inspect all equipment for leaks and inspect everyday thereafter until equipment is removed from the site. Any equipment found leaking will be promptly removed. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Proposed Revision to SPR HAZ-1** A revision to the SPR is proposed to promptly stabilize any equipment found leaking and fix it on-site or remove the leaking equipment from the treatment area, outside of the Watercourse and Lake Protection Zones (WLPZs). An excerpt of the original language of SPR HAZ-1 is as follows: Any equipment found leaking will be promptly removed. The SPR revision modifies the second to last sentence of the excerpt to state the following: Any equipment found leaking will be promptly stabilized and fixed onsite or removed.	Prior to and during all treatments.	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HAZ-2: Require Spark Arrestors The project proponent will require mechanized hand tools to have federal- or state-approved spark arrestors. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	During manual treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HAZ-3: Require Fire Extinguishers The project proponent will require tree cutting crews to carry one fire extinguisher per chainsaw. Each vehicle would be equipped with one long-handled shovel and one axe or Pulaski consistent with PRC Section 4428. This SPR applies only to manual treatment activities and all treatment types, including treatment maintenance.	During manual treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HAZ-4 Prohibit Smoking in Vegetated Areas The project proponent will require that smoking is only permitted in designated smoking areas barren or cleared to mineral soil at least 3 feet in diameter (PRC Section 4423.4). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HAZ-5: Spill Prevention and Response Plan The project proponent or licensed Pest Control Advisor (PCA) will prepare a Spill Prevention and Response Plan (SPRP) prior to beginning any herbicide treatment activities to provide protection to onsite workers, the public, and the environment from accidental leaks or spills of herbicides, adjuvants, or other potential contaminants. The SPRP will include (but not be limited to): ▶ a map that delineates staging areas, and storage, loading, and mixing areas for herbicides; ▶ a list of items required in an onsite spill kit that will be maintained throughout the life of the activity;	Prepare SPRP prior to beginning any herbicide treatment activities; implement measures during herbicide treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ procedures for the proper storage, use, and disposal of any herbicides, adjuvants, or other chemicals used in vegetation treatment. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.			
SPR HAZ-6: Comply with Herbicide Application Regulations The project proponent will coordinate pesticide use with the applicable County Agricultural Commissioner(s), and all required licenses and permits will be obtained prior to herbicide application. The project proponent will prepare all herbicide applications to do the following: ▶ Be implemented consistent with recommendations prepared annually by a licensed PCA. ▶ Comply with all appropriate laws and regulations pertaining to the use of pesticides and safety standards for employees and the public, as governed by the EPA, DPR, and applicable local jurisdictions. ▶ Adhere to label directions for application rates and methods, storage, transportation, mixing, container disposal, and weather limitations to application such as wind speed, humidity, temperature, and precipitation. ▶ Be applied by an applicator appropriately licensed by the State. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Prior to and during herbicide treatments	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HAZ-7: Triple Rinse Herbicide Containers The project proponent will triple rinse all herbicide and adjuvant containers with clean water at an approved site, and dispose of rinsate by placing it in the batch tank for application per 3 CCR Section 6684. The project proponent will puncture used containers on the top and bottom to render them unusable, unless said containers are part of a manufacturer's container recycling program, in which case the manufacturer's instructions will be followed. Disposal of non-recyclable containers will be at legal dumpsites. Equipment will not be cleaned, and personnel will not be washed in a manner that would allow contaminated water to directly enter any body of water within the treatment area or adjacent watersheds. Disposal of all herbicides will follow label requirements and waste disposal regulations. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	During and following herbicide treatments	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HAZ-8: Minimize Herbicide Drift to Public Areas The project proponent will employ the following herbicide application parameters during herbicide application to minimize drift into public areas: ▶ application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative); ▶ spray nozzles will be configured to produce the largest appropriate droplet size to minimize drift; ▶ low nozzle pressures (30-70 pounds per square inch) will be utilized to minimize drift; and ▶ spray nozzles will be kept within 24 inches of vegetation during spraying. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	During herbicide treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR HAZ-9: Notification of Herbicide Use in the Vicinity of Public Areas For herbicide applications occurring within or adjacent to public recreation areas, residential areas, schools, or any other public areas within 500 feet, the project proponent will post signs at each end of herbicide treatment areas and any intersecting trails notifying the public of the use of herbicides. The signs will include the signal word (i.e., Danger, Warning or Caution), product name, and manufacturer; active ingredient; EPA registration number; target pest; treatment location; date and time of application; restricted entry interval, if applicable per the label requirements; date which notification sign may be removed; and a contact person with a telephone number. Signs will be posted prior to the start of treatment and notification will remain in place for at least 72 hours after treatment ceases. This SPR applies only to herbicide treatment activities and all treatment types, including treatment maintenance.	Prior to, during, and 72 hours after herbicide treatment activities occurring within or adjacent to public recreation areas, residential areas, schools, or any other public areas within 500 feet	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Hydrology and Water Quality Standard Project Requirements			
SPR HYD-1: Comply with Water Quality Regulations Project proponents must also conduct proposed vegetation treatments in conformance with appropriate RWQCB timber, vegetation and land disturbance related Waste Discharge Requirements (WDRs) and/or related Conditional Waivers of Waste Discharge Requirements (Waivers), and appropriate Basin Plan Prohibitions. Where these regulatory requirements differ, the most restrictive will apply. If applicable, this includes compliance with the conditions of general waste discharge requirements (WDR) and waste discharge requirement waivers for timber or silviculture activities where these waivers are designed to apply to non-commercial fuel reduction and forest health projects. In general, WDR and Waivers of waste discharge requirements for fuel reduction and forest health activities require that wastes, including but not limited to petroleum products, soil, silt, sand, clay, rock, felled trees, slash, sawdust, bark, ash, and pesticides must not be discharged to surface waters or placed where it may be carried into surface waters; and that Water Board staff must be allowed reasonable access to the property in order to determine compliance with the waiver conditions. The specifications for each WDR and Waiver vary by region. Regions 2 (San Francisco Bay), 4 (Los Angeles), 8 (Santa Ana), and 7 (Colorado River) are highly urban or minimally forested and do not offer WDRs or Waivers for fuel reduction or vegetation management activities. The current applicable WDRs and Waivers for timber and vegetation management activities are included in Appendix HYD-1. This SPR applies to all treatment activities and treatment types, including treatment maintenance. **Project-Specific Guidance to Implement SPR HYD-1** Vegetation treatment activities may result in discharges to waters of the state; therefore; compliance with Water Code sections 13260(a)(1) and 13264 are required. The project proponent will use the State Water Board's Vegetation Treatment General Order, which provides a mechanism for Water Code compliance for projects that prepare a CalVTP PSA or PSA/Addendum. The project will be automatically enrolled (through implementation of SPR AD-7) in the State Water Board's Vegetation Treatment General Order. The project's automatic enrollment satisfies the requirements of SPR HYD-1.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HYD-2: Avoid Construction of New Roads The project proponent will not construct or reconstruct (i.e., cutting or filling involving less than 50 cubic yards/0.25 linear road miles) any new roads (including temporary roads). This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR HYD-3: Water Quality Protections for Prescribed Herbivory The project proponent will include the following water quality protections for all prescribed herbivory treatments: ▶ Environmentally sensitive areas such as waterbodies, wetlands, or riparian areas will be identified in the treatment prescription and excluded from prescribed herbivory project areas using temporary fencing or active herding. A buffer of approximately 50 feet will be maintained between sensitive and actively grazed areas. ▶ Water will be provided for grazing animals in the form of an on-site stock pond or a portable water source located outside of environmentally sensitive areas. ▶ Treatment prescriptions will be designed to protect soil stability. Grazing animals will be herded out of an area if accelerated soil erosion is observed. This SPR applies to prescribed herbivory treatment activities and all treatment types, including treatment maintenance.	Before and during prescribed herbivory treatments	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR HYD-4: Identify and Protect Watercourse and Lake Protection Zones The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). WLPZ's are classified based on the uses of the stream and the presence of aquatic life. Wider WLPZs are required for steep slopes.	Establish WLPZs during design of treatment project; implement WLPZ protections during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Procedures for Determining Watercourse and Lake Protection Zone (WLPZ) widths

Water Class	Class I	Class II	Class III	Class IV
Water Class Characteristics or Key Indicator Beneficial Use	1) Domestic supplies, including springs, on site and/or within 100 feet downstream of the operations area and/or 2) Fish always or seasonally present onsite, includes habitat to sustain fish migration and spawning.	1) Fish always or seasonally present offsite within 1000 feet downstream and/or 2) Aquatic habitat for nonfish aquatic species. 3) Excludes Class III waters that are tributary to Class I waters.	No aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after completion of timber operations.	Man-made watercourses, usually downstream, established domestic, agricultural, hydroelectric supply or other beneficial use.
WLPZ Width (ft) – Distance from top of bank to the edge of WLPZ				
< 30 % Slope	75	50	Sufficient to prevent the degradation of downstream beneficial uses of water. Determined on a site-specific basis.	
30-50 % Slope	100	75		
>50 % Slope	150	100		

Source: 14 CCR Section 916.5 [936.5, 956.5] (February 2019 version)

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
The following WLPZ protections will be applied for all treatments: ▶ Treatment activities with WLPZs will retain at least 75 percent surface cover and undisturbed area to act as a filter strip for raindrop energy dissipation and for wildlife habitat. If this percentage is reduced a qualified RPF will provide the project proponent with a site- and/or treatment activity-specific explanation for the percent surface cover reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced percent as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). This requirement is based on 14 CCR Section 916.4 [936.4, 956.4] Subsection (b)(6) (February 2019 version) and 14 CCR Section 916.5 (February 2019 version). ▶ Equipment, including tractors and vehicles, must not be driven in wet areas or WLPZs, except over existing roads or watercourse crossings where vehicle tires or tracks remain dry. ▶ Equipment used in vegetation removal operations will not be serviced in WLPZs, within wet meadows or other wet areas, or in locations that would allow grease, oil, or fuel to pass into lakes, watercourses, or wet areas. ▶ WLPZs will be kept free of slash, debris, and other material that harm the beneficial uses of water. Accidental deposits will be removed immediately. ▶ Burn piles will be located outside of WLPZs. ▶ No fire ignition (nor use of associated accelerants) will occur within WLPZs however low intensity backing fires may be allowed to enter or spread into WLPZs. ▶ Within Class I and Class II WLPZs, locations where project operations expose a continuous area of mineral soil 800 square feet or larger shall be treated for reduction of soil loss. Treatment shall occur prior to October 15th and disturbances that are created after October 15th shall be treated within 10 days. Stabilization measures shall be selected that will prevent significant movement of soil into water bodies and may include but are not limited to mulching, rip-rap, grass seeding, or chemical soil stabilizers. ▶ Where mineral soil has been exposed by project operations on approaches to watercourse crossings of Class I, II, or III within a WLPZ, the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into watercourses or lakes in amounts that would adversely affect the quality and beneficial uses of the watercourse. ▶ Where necessary to protect beneficial uses of water from project operations, protection measures such as seeding, mulching, or replanting shall be used to retain and improve the natural ability of the ground cover within the WLPZ to filter sediment, minimize soil erosion, and stabilize banks of watercourses and lakes. ▶ Equipment limitation zones (ELZs) will be designated adjacent to Class III and Class IV watercourses with minimum widths of 25 feet where side-slope is less than 30 percent and 50 feet where side-slope is 30 percent or greater. An RPF will describe the limitations of heavy equipment within the ELZ and, where appropriate, will include additional measures to protect the beneficial uses of water. This SPR applies to all treatment activities and treatment types, including treatment maintenance.		City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
Proposed Revision to SPR HYD-4 A revision to the SPR is proposed to establish the WLPZs for only the watercourses within 300 feet of the manual, mechanical, prescribed pile burning, and herbicide treatments. An excerpt of the original language of SPR HYD-4 is as follows: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version). The SPR revision modifies the SPR to state the following: The project proponent will establish Watercourse and Lake Protection Zones (WLPZs) within 300 feet of mechanical, manual, herbicide application, and prescribed pile burning treatment or staging areas on either side of watercourses as defined in the table below, which is based on 14 CCR Section 916 .5 of the California Forest Practice Rules (February 2019 version).			
SPR HYD-5: Protect Non-Target Vegetation and Special-status Species from Herbicides The project proponent will implement the following measures when applying herbicides: ▶ Locate herbicide mixing sites in areas devoid of vegetation and where there is no potential of a spill reaching non-target vegetation or a waterway. ▶ Use only herbicides labeled for use in aquatic environments when working in riparian habitats or other areas where there is a possibility the herbicide could come into direct contact with water. Only hand application of herbicides will be allowed in riparian habitats and only during low-flow periods or when seasonal streams are dry. ▶ No terrestrial or aquatic herbicides will be applied within WLPZs of Class I and II watercourses, if feasible. If this is not feasible, hand application of herbicides labeled for use in aquatic environments may be used within the WLPZ provided that the project proponent notifies the applicable regional water quality control board no fewer than 15 days prior to herbicide application. The feasibility of avoiding herbicide application within WLPZ of Class I and II watercourses will be determined by the project proponent and may be based on whether doing so will preclude achieving CalVTP program objectives, including, but not limited to, protection of vulnerable communities. The reasons for infeasibility will be documented in the PSA. ▶ No herbicides will be applied within a 50-foot buffer of ESA or CESA listed plant species or within 50 feet of dry vernal pools. ▶ For spray applications in and adjacent to habitats suitable for special-status species, use herbicides containing dye (registered for aquatic use by DPR, if warranted) to prevent overspray. ▶ Application will cease when weather parameters exceed label specifications or when sustained winds at the site of application exceeds 7 miles per hour (whichever is more conservative). ▶ No herbicide will be applied during precipitation events or if precipitation is forecast 24 hours before or after project activities. This SPR applies to herbicide treatment activities and all treatment types, including treatment maintenance.	During herbicide treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR HYD-6: Protect Existing Drainage Systems If a treatment activity is adjacent to a roadway with stormwater drainage infrastructure, the existing stormwater drainage infrastructure will be marked prior to ground disturbing activities. If a drainage structure or infiltration system is inadvertently disturbed or modified during project activities, the project proponent will coordinate with owner of the system or feature to repair any damage and restore pre-project drainage conditions. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	Mark existing stormwater drainage infrastructure prior to ground disturbing activities; if a drainage structure or infiltration system is inadvertently disturbed or modified during treatment, coordinate with owner to repair damage, and restore pre-project drainage conditions	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Noise Standard Project Requirements			
SPR NOI-1: Limit Heavy Equipment Use to Daytime Hours The project proponent will require that operation of heavy equipment associated with treatment activities (heavy off-road equipment, tools, and delivery of equipment and materials) will occur during daytime hours if such noise would be audible to receptors (e.g., residential land uses, schools, hospitals, places of worship). Cities and counties in the treatable landscape typically restrict construction-noise (which would apply to vegetation treatment noise) to particular daytime hours. If the project proponent is subject to local noise ordinance, it will adhere to those to the extent the project is subject to them. If the applicable jurisdiction does not have a noise ordinance or policy restricting the time-of-day when noise-generating activity can occur noise-generating vegetation treatment activity will be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday and federal holidays. If the project proponent is not subject to local ordinances (e.g., CAL FIRE), it will adhere to the restrictions stated above or may elect to adhere to the restrictions identified by the local ordinance encompassing the treatment area. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR NOI-2: Equipment Maintenance The project proponent will require that all powered treatment equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered treatment equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. This SPR applies to all activities and all treatment types, including treatment maintenance.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
SPR NOI-3: Engine Shroud Closure The project proponent will require that engine shrouds be closed during equipment operation. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	During mechanical treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
SPR NOI-4: Locate Staging Areas Away from Noise-Sensitive Land Uses The project proponent will locate treatment activities, equipment, and equipment staging areas away from nearby noise-sensitive land uses (e.g., residential land uses, schools, hospitals, places of worship), to the extent feasible, to minimize noise exposure. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	During treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
SPR NOI-5: Restrict Equipment Idle Time The project proponent will require that all motorized equipment be shut down when not in use. Idling of equipment and haul trucks will be limited to 5 minutes. This SPR applies to all treatment activities and all treatment types, including treatment maintenance.	During treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
SPR NOI-6: Notify Nearby Off-Site Noise-Sensitive Receptors For treatment activities utilizing heavy equipment, the project proponent will notify noise-sensitive receptors (e.g., residential land uses, schools, hospitals, places of worship) located within 1,500 feet of the treatment activity. Notification will include anticipated dates and hours during which treatment activities are anticipated to occur and contact information, including a daytime telephone number, of the project representative. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) will also be included in the notification. This SPR applies only to mechanical treatment activities and all treatment types, including treatment maintenance.	Prior to mechanical treatment activities within 1,500 feet of noise-sensitive receptors	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
Recreation Standard Project Requirements			
SPR REC-1: Notify Recreational Users of Temporary Closures If a treatment activity would require temporary closure of a public recreation area or facility, the project proponent will coordinate with the owner/manager of that recreation area or facility. If temporary closure of a recreation area or facility is required, the project proponent will work with the owner/manager to post notifications of the closure at least 2 weeks prior to the commencement of the treatment activities. Additionally, notification of the treatment activity will be provided to the Administrative Officer (or equivalent official responsible for distribution of public information) of the county(ies) in which the affected recreation area or facility is located. This SPR applies to all treatment activities and treatment types, including treatment maintenance.	If a temporary closure of a public recreation area or facility is required, post notifications at least 14 days prior to treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
Transportation Standard Project Requirements			
SPR TRAN-1: Implement Traffic Control during Treatments Prior to initiating vegetation treatment activities the project proponent will work with the agency(ies) with jurisdiction over affected roadways to determine if a Traffic Management Plan (TMP) is needed. A TMP will be needed if traffic generated by the project would result in obstructions, hazards, or delays exceeding applicable jurisdictional standards along access routes for individual vegetation treatments. If needed, a TMP will be prepared to provide measures to reduce potential traffic obstructions, hazards, and service level degradation along affected roadway facilities. The scope of the TMP will depend on the type, intensity, and duration of the	Prepare TMP prior to treatment and implement during treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Standard Project Requirements	Timing	Implementing Entity	Verifying/Monitoring Entity
specific treatment activities under the CalVTP. Measures included in the TMP could include (but are not be limited to) construction signage to provide motorists with notification and information when approaching or traveling along the affected roadway facilities, flaggers for lane closures to provide temporary traffic control along affected roadway facilities, treatment schedule restrictions to avoid seasons or time periods of peak vehicle traffic, haul-trip, delivery, and/or commute time restrictions that would be implemented to avoid peak traffic days and times along affected roadway facilities. If the TMP identifies impacts on transportation facilities outside of the jurisdiction of the project proponent, the TMP will be submitted to the agency with jurisdiction over the affected roadways prior to commencement of vegetation treatment projects. This SPR applies to all treatment activities and treatment types, including treatment maintenance. Smoke generated during prescribed burn operations could potentially affect driver visibility and traffic operations along nearby roadways. Direct smoke impacts to roadway visibility and indirect impacts related to driver distraction will be considered during the planning phase of burning operations. Smoke impacts and smoke management practices specific to traffic operations during prescribed fire operations will be identified and addressed within the TMP. The TMP will include measures to monitor smoke dispersion onto public roadways, and traffic control operations will be initiated in the event burning operations could affect traffic safety along any roadways. This SPR applies only to prescribed burn treatment activities and all treatment types, including treatment maintenance.			
Public Services and Utilities Standard Project Requirements			
SPR UTIL-1: Solid Organic Waste Disposition Plan For projects requiring the disposal of material outside of the treatment area, the project proponent will prepare an Organic Waste Disposition Plan prior to initiating treatment activities. The Solid Organic Waste Disposition Plan will include the amount (e.g., tons) of solid organic waste to be managed onsite (i.e., scattering of wood materials, generating unburned piles, and pile burning) and transported offsite for processing (i.e., biomass power plant, wood product processing facility, composting). If the project proponent intends to transport solid organic waste offsite, the Solid Organic Waste Disposition Plan will clearly identify the location and capacity of the intended processing facility, consistent with local and state regulations to demonstrate that adequate capacity exists to accept the treated materials. This SPR applies only to mechanical and manual treatment activities and all treatment types, including treatment maintenance.	Prepare an Organic Waste Disposition Plan prior to mechanical or manual treatment activities; implement plan during mechanical or manual treatment activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Aesthetics			
Mitigation Measure AES-3: Conduct Visual Reconnaissance for Non-Shaded Fuel Breaks and Relocate or Feather and Screen Publicly Visible Non-Shaded Fuel Breaks The project proponent will conduct a visual reconnaissance of the treatment area prior to implementing non-shaded fuel breaks to observe the surrounding landscape and determine if public viewing locations, including scenic vistas, public trails, and state scenic highways, have views of the proposed treatment area. If none are identified, the non-shaded fuel break may be implemented without additional visual mitigation. If the project proponent identifies public viewing points, including heavily used scenic vistas, public trails, recreation areas, and state scenic highways with lengthy views (i.e., longer than a few seconds) of a proposed non-shaded fuel break treatment area, the project proponent will, prior to implementation, attempt to identify any feasible change in location of the fuel break to reduce its visibility from public viewpoints. If no feasible location changes exist that would reduce impacts to public viewers and achieve the intended wildfire risk reduction objectives of the proposed non-shaded fuel break, the project proponent will implement, where feasible, a shaded fuel break rather than a non-shaded fuel break, if the shaded fuel break would achieve the intended wildfire risk reduction objectives. With the shaded fuel break, the project proponent will thin and feather adjacent vegetation to break up the linear edges of the fuel break and strategically preserve vegetation at the edge of the fuel break, as feasible, to help screen public views and minimize the contrast between the fuel break and surrounding vegetation.	Conduct visual reconnaissance prior to implementing non-shaded fuel breaks; if public viewing points identified, attempt to relocate, or implement a shaded fuel break, if feasible	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Air Quality			
Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques Where feasible, project proponents will implement emission reduction techniques to reduce exhaust emissions from off-road equipment. It is acknowledged that due to cost, availability, and the limits of current technology, there may be circumstances where implementation of certain emission reduction techniques will not feasible. The project proponent will document the emission reduction techniques that will be applied and will explain the reasons other techniques that could reduce emissions are infeasible. Techniques for reducing emissions may include, but are not limited to, the following: ▶ Diesel-powered off-road equipment used in construction will meet EPA's Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models can be used if a Tier 4 version of the equipment type is not yet produced by manufacturers. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. Prior to implementation of treatment activities, the project proponent will demonstrate the ability to supply the compliant equipment. A copy of each unit's certified tier specification or model year specification and operating permit (if applicable) will be available upon request at the time of mobilization of each unit of equipment.	During treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ Use renewable diesel fuel in diesel-powered construction equipment. Renewable diesel fuel must meet the following criteria: ▪ meet California's Low Carbon Fuel Standards and be certified by CARB Executive Officer; ▪ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables; ▪ contain no fatty acids or functionalized fatty acid esters; and ▪ have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines. ▶ Electric- and gasoline-powered equipment will be substituted for diesel-powered equipment. ▶ Workers will be encouraged to carpool to work sites, and/or use public transportation for their commutes. Off-road equipment, diesel trucks, and generators will be equipped with Best Available Control Technology for emission reductions of NO_X and PM.			
Archaeological, Historical, and Tribal Cultural Resources			
Mitigation Measure CUL-2: Protect Inadvertent Discoveries of Unique Archaeological Resources or Subsurface Historical Resources If any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during ground-disturbing activities, all ground-disturbing activity within 100 feet of the resources will be halted and a qualified archaeologist will assess the significance of the find. The qualified archaeologist will work with the project proponent to develop a primary records report that will comply with applicable state or local agency procedures. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan will be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find constitutes a unique archaeological resource, subsurface historical resource, or tribal cultural resource), the archaeologist will work with the project proponent to develop appropriate procedures to protect the integrity of the resource. Procedures could include preservation in place (which is the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or recovery of scientifically consequential information from and about the resource. Any find will be recorded standard DPR Primary Record forms (Form DPR 523) will be submitted to the appropriate regional information center.	During ground-disturbing activities	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Biological Resources			
Mitigation Measure BIO-1a: Avoid Loss of Special-Status Plants Listed under ESA or CESA If listed plants are determined to be present through application of SPR BIO-1 and SPR BIO-7, the project proponent will avoid and protect these species by establishing a no-disturbance buffer around the area occupied by listed plants and marking the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway), exceptions to this requirement are listed later in this measure.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
The no-disturbance buffers will generally be a minimum of 50 feet from listed plants, but the size and shape of the buffer zone may be adjusted if a qualified RPF or botanist determines that a smaller buffer will be sufficient to avoid killing or damaging listed plants or that a larger buffer is necessary to sufficiently protect plants from the treatment activity. The appropriate buffer size will be determined based on plant phenology at the time of treatment (e.g., whether the plants are in a dormant, vegetative, or flowering state), the individual species' vulnerability to the treatment method being used, and environmental conditions and terrain. For example, paint-on or wicking application of herbicides to invasive plants may be implemented within 50 feet of listed plant species without posing a risk, especially if the listed plants are dormant at the time of application. Consideration of factors such as site hydrology, changes in light, edge effects, and potential introduction of invasive plants and noxious weeds may inform the determination of buffer width. If a no-disturbance buffer is reduced below 50 feet from a listed plant, a qualified RPF or botanist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any deviation (e.g., further reduction) from the reduced buffer as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report) with a science-based justification for the deviation. No fire ignition (and associated use of accelerants) will occur within 50 feet of listed plants. For species listed under ESA or CESA, if the project proponent cannot avoid loss by implementing no-disturbance buffers, the project proponent will implement Mitigation Measure BIO-1c. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or botanist, in consultation with CDFW and USFWS, as appropriate depending on species status and location, that the listed plants would benefit from treatment in the occupied habitat area even though some of the listed plants may be lost during treatment activities. For a treatment to be considered beneficial to listed special-status plants, the qualified RPF or botanist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to listed plants, no compensatory mitigation for loss of individuals will be required.			
Mitigation Measure BIO-1b: Avoid Loss of Special-Status Plants Not Listed Under ESA or CESA If non-listed special-status plant species (i.e., species not listed under ESA or CESA, but meeting the definition of special-status as stated in Section 3.6.1 of the Program EIR) are determined to be present through application of SPR BIO-1 and SPR BIO-7, the project proponent will implement the following measures to avoid loss of individuals and maintain habitat function of occupied habitat: ▶ Physically avoid the area occupied by the special-status plants by establishing a no-disturbance buffer around the area occupied by species and marking the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The no-disturbance buffers will generally be a minimum of 50 feet from special-status plants, but the size and shape of the buffer zone may be adjusted if a	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
qualified RPF or botanist determines that a smaller buffer will be sufficient to avoid loss of or damaging to special-status plants or that a larger buffer is necessary to sufficiently protect plants from the treatment activity. The appropriate size and shape of the buffer zone will be determined by a qualified RPF or botanist and will depend on plant phenology at the time of treatment (e.g., whether the plants are in a dormant, vegetative, or flowering state), the individual species' vulnerability to the treatment method being used, and environmental conditions and terrain. Consideration of factors such as site hydrology, changes in light, edge effects, and potential introduction of invasive plants and noxious weeds may inform an appropriate buffer size and shape. ▶ Treatments may be conducted within this buffer if the potentially affected special-status plant species is a geophytic, stump-sprouting, or annual species, and the treatment can be conducted outside of the growing season (e.g., after it has completed its annual life cycle) or during the dormant season using only treatment activities that would not damage the stump, root system or other underground parts of special-status plants or destroy the seedbank. ▶ Treatments will be designed to maintain the function of special-status plant habitat. For example, for a fuel break proposed in treatment areas occupied by special-status plants, if the removal of shade cover would degrade the special-status plant habitat despite the requirement to physically or seasonally avoid the special-status plant itself, habitat function would be diminished and the treatment would need to be modified or precluded from implementation. ▶ No fire ignition (and associated use of accelerants) will occur within the special-status plant buffer. A qualified RPF or botanist with knowledge of the special-status plant species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment would not maintain habitat function of the special-status plant habitat (i.e., the habitat would be rendered unsuitable) or because the loss of special-status plants would substantially reduce the number or restrict the range of a special-status plant species. If the project proponent determines the impact on special-status plants would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status plants or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-1c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or botanist that the special-status plants would benefit from treatment in the occupied habitat area even though some of the non-listed special-status plants may be killed during treatment activities. For a treatment to be considered beneficial to non-listed special-status plants, the qualified RPF or botanist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status plants, no compensatory mitigation will be required.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-1c: Compensate for Unavoidable Loss of Special-Status Plants If significant impacts on listed or non-listed special-status plants cannot feasibly be avoided as specified under the circumstances described under Mitigation Measures BIO-1a and 1b, the project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant impacts that require compensatory mitigation and describes the compensatory mitigation strategy being implemented and how unavoidable losses of special-status plants will be compensated. The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. If the special-status plant taxa are listed under ESA or CESA, the plan will be submitted to CDFW and/or USFWS (as appropriate) for review and comment. The first priority for compensatory mitigation will be preserving and enhancing existing populations outside of the treatment area in perpetuity, or if that is not an option because existing populations that can be preserved in perpetuity are not available, one of the following mitigation options will be implemented by the project proponent instead: ▶ creating populations on mitigation sites outside of the treatment area through seed collection and dispersal (annual species) or transplantation (perennial species); ▶ purchasing mitigation credits from a CDFW- or USFWS-approved conservation or mitigation bank in sufficient quantities to offset the loss of occupied habitat; and ▶ if the affected special-status plants are not listed under ESA or CESA, compensatory mitigation may include restoring or enhancing degraded habitats so that they are made suitable to support special-status plant species in the future. If relocation efforts are part of the Compensatory Mitigation Plan, the plan will include details on the methods to be used, including collection, storage, propagation, receptor site preparation, installation, long-term protection and management, monitoring and reporting requirements, success criteria, and remedial action responsibilities should the initial effort fail to meet long-term monitoring requirements. The following performance standards will be applied for relocation: ▶ the extent of occupied area will be substantially similar to the affected occupied habitat and will be suitable for self-producing populations. Re-located/re-established populations will be considered suitable for self-producing when: ▶ habitat conditions allow for plants to reestablish annually for a minimum of 5 years with no human intervention, such as supplemental seeding; and ▶ reestablished habitats contain an occupied area comparable to existing occupied habitat areas in similar habitat types in the region. If preservation of existing populations or creation of new populations is part of the mitigation plan, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands and actions (e.g., the number and type of credits, location of mitigation bank or easement, restoration or enhancement actions), parties responsible for the long-term management of the land, and the legal and funding mechanisms (e.g.,	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory plant populations will be preserved in perpetuity. If mitigation includes dedication of conservation easements, purchase of mitigation credits, or other offsite conservation measures, the details of these measures will be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, funding assurances, and success criteria such as those listed above and other details, as appropriate to target the preservation of long term viable populations. If mitigation includes restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. If the loss of occupied habitat cannot be offset (e.g., if preservation of existing populations or creation of new populations through relocation efforts are not available for a certain species), and as a result treatment activities would substantially reduce the number or restrict the range of listed plant species, then the treatment will not qualify as within the scope of this Program EIR. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit for state-listed plants), if these requirements are equally or more effective than the mitigation identified above.			
Mitigation Measure BIO-2a: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Listed Wildlife Species and California Fully Protected Species (All Treatment Activities) If California Fully Protected Species or species listed under ESA or CESA are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid adverse effects to the species by implementing the following. <u>Avoid Mortality, Injury, or Disturbance of Individuals</u> The project proponent will implement one of the following two measures to avoid mortality, injury, or disturbance of individuals: 1. Treatment will not be implemented within the occupied habitat. Any treatment activities outside occupied habitat will be a sufficient distance from the occupied habitat such that mortality, injury, or disturbance of the species will not occur, as determined by a qualified RPF or biologist using the most current and commonly-accepted science and considering published agency guidance; OR 2. Treatment will be implemented outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, CDFW and/or USFWS/NOAA Fisheries	Prior to, during, and after treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
will be consulted to determine if there is a period of time within which treatment could occur that would avoid mortality, injury, or disturbance of the species. ▶ For species listed under ESA or CESA, if the project proponent cannot avoid mortality, injury or disturbance by implementing one of the two options listed above, the project proponent will implement Mitigation Measure BIO-2c. Injury or mortality of California Fully Protected Species is prohibited pursuant to Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code and will be avoided. Maintain Habitat Function ▶ The project proponent will design treatment activities to maintain the habitat function, by implementing the following: ▶ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; dens; tree snags; large raptor nests [including inactive nests]; downed woody debris; food sources). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science. ▶ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that listed or fully protected wildlife with specific requirements for high canopy cover (e.g., Humboldt marten, fisher, spotted owl, coastal California gnatcatcher, riparian woodrat) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted [e.g., 50 percent for coastal California gnatcatcher]) such that habitat function is maintained. A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. Because this measure pertains to species listed under CESA or ESA or fully protected species, the qualified RPF or biologist will consult with CDFW and/or USFWS/NOAA Fisheries regarding the determination that habitat function is maintained. If the responsible agency determines after consultation that the treatment will not maintain habitat function for the special-status species, the project proponent will implement Mitigation Measure BIO-2c. **Project-Specific Guidance to Implement Mitigation Measure BIO-2a** California Red-Legged Frog If California red-legged frog is assumed present or detected during protocol-level surveys (pursuant to SPR BIO-10), the following measures will be implemented: ▶ Pretreatment surveys and biological monitoring. Pretreatment visual surveys will be performed daily by a qualified RPF, biologist, biological technician, or trained designee prior to implementation of prescribed			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
burning, mechanical treatments, and manual treatments within 300 feet of Class I or Class II streams and within or adjacent to other sensitive habitat areas (e.g., wet intermittent streams, wet seeps) during the dispersal season (October 1–April 1) or within 24 hours following a rain event greater than one-quarter inch. Surveys and monitoring will be performed year-around prior to any activities within 30 feet of Class I or Class II streams and within or adjacent to other sensitive habitat areas (e.g., wet Class III streams, wet seeps). ▶ If a California red-legged frog is found during pretreatment surveys or enters the project site during treatment activities, all work will stop within a no-disturbance buffer of 100 feet around the individual unless it is determined by the qualified RPF or biologist that a different-sized buffer is appropriate to avoid disturbance, injury, or mortality. Treatment activities will cease within the buffer until the animal leaves on its own and the occurrence will be reported to the qualified biologist and USFWS. ▶ If California red-legged frog is found during pretreatment surveys or enters the project site during treatment activities, the specific habitat features used by the frog when detected will be evaluated by a qualified RPF or biologist for habitat retention, if habitat retention will meet the project goals. ▶ If operators need to move or treat large woody debris greater than 12 inches in diameter, that piece of woody debris (if located within 300 feet of a Class I or Class II water) will be evaluated for California red-legged frog by a qualified biologist, qualified professional, RPF, RPF-supervised designee, or a contractor who has been through the environmental awareness training. ▶ All mechanized equipment will shut down for 24 hours following any precipitation event of 0.20 inches to less than 1 inch, 48 hours following any precipitation event 1 inch to less than 2 inches, and 72 hours following any precipitation event greater or equal to 2 inches. Manual treatments, mechanical treatments where the machinery is operated on established roads and masticator heads are kept 12 inches from the ground, and stationary chipper operations from compacted surfaces may continue. ▶ No mechanized operations will occur year-round (including track chippers unless on an existing road) in a Watercourse and Lake Protection Zone (WLPZ) of a Class I or Class II watercourse, within 30 feet of a Class III watercourse, or adjacent to other potential sensitive habitat areas (e.g., wet seeps). Only manual treatments may occur in these areas. If manual treatments are proposed, a qualified RPF or biologist must conduct a pretreatment survey in the area no more than 7 days prior to operations. ▶ No heavy equipment shall be fueled within 65 feet of any watercourse. <u>California tiger salamander</u> If the treatment area includes California tiger salamander suitable upland habitat (as identified by a qualified RPF or biologist and defined in SPR BIO-1) and the species is assumed present or confirmed present based on the results of SPR BIO-10 surveys, the project proponent will implement the following measures: ▶ Pretreatment visual surveys will be performed daily by a qualified RPF, qualified biologist, or biological technician during the dispersal season (November 1–April 30) for manual tree and snag removal, mechanical treatments, prescribed burning, or herbicide application other than cut-stump and basal bark application within upland habitat suitable for the species.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ If a California tiger salamander is found during pretreatment surveys or enters the project site during treatment activities, all work will stop within a no-disturbance buffer of 100 feet around the individual unless it is determined by the qualified RPF or biologist that a different-sized buffer is appropriate to avoid disturbance, injury, or mortality. Treatment activities will cease within the buffer until the animal leaves on its own, the occurrence will be reported to the qualified RPF or biologist, and both CDFW and USFWS will be notified. ▶ Surveys for mammal burrows potentially suitable for use by California tiger salamander will be conducted by a qualified biologist or qualified RPF in upland habitat determined to be suitable for California tiger salamander prior to mechanical treatments conducted off of compacted surfaces or pile burning during any time of year. ▶ Mechanized equipment that may cause burrow collapse (tracked and other heavy equipment) will be driven on compacted surfaces or greater than 50 feet away from mammal burrows determined to be suitable for use by California tiger salamander by a qualified biologist or qualified RPF ▶ Burn piles will not be placed within 50 feet of mammal burrows within upland habitat suitable for California tiger salamander, as determined by a qualified biologist or qualified RPF. <u>Foothill yellow-legged frog</u> ▶ If focused surveys pursuant to SPR BIO-10 detect foothill yellow-legged frogs within the treatment area, or presence is assumed based on suitable habitat within the treatment area, daily inspections will be required. ▶ Daily inspection of the day's treatment area within suitable habitat will be performed by the qualified biologist, qualified RPF, biological technician, or trained designee. The training for designees will include identification of foothill yellow-legged frog, procedures to follow for daily inspection of appropriate habitat features immediately before treatment occurs, and proper procedures to implement if a frog is present (e.g., establish a no-disturbance buffer zone of a size that will appropriately avoid foothill yellow-legged frog where treatment will not occur until the frog has left the area, halt activities if a foothill yellow-legged frog is observed during treatment, allow foothill yellow-legged frogs to move out of the treatment area on their own accord, notify CDFW if foothill yellow-legged frogs are observed). <u>Bald eagle</u> ▶ If active bald eagle nests are detected during focused surveys, a no-disturbance buffer of at least 0.5 miles will be established for ground and aerial treatment activities. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer (0.5 miles of horizontal distance or 2,640 feet AGL). No treatment activities will occur within this buffer until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. The buffer may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. ▶ If active bald eagle communal roosts are detected during focused surveys, a vertical and horizontal no-disturbance buffer of 1,000 feet for helicopter and drone operations will be implemented. ▶ Trees where communal roosts are detected during focused surveys will be retained.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Burrowing owl ▶ If an active burrowing owl burrow or a potentially active burrow that is assumed to be occupied is detected in the overwintering season (September 1–January 31) during SPR BIO-10 surveys, a no-disturbance nest buffer of 250 feet will be placed around the burrow. No mechanical or manual treatments, or ground or human disturbance associated with prescribed burning (e.g., control lines, staging areas) and prescribed herbivory (e.g., fence lines, watering infrastructure, staging areas) would occur within this buffer until all burrowing owls have left the burrow (i.e., surveys indicate that no owls have used the burrow for 7 consecutive days) as determined by a qualified biologist or RPF. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, and expected treatment activities in coordination with CDFW. ▶ Within the year-round range of the species (in the far eastern portion of the WSCLRP area), if an active burrowing owl burrow is detected in the nesting season (February 1–August 31) during SPR BIO-10 surveys, a no-disturbance nest buffer of 1,640 feet will be established around active burrowing owl burrows. If the same burrow is active during the overwintering season (September 1–January 31), a no-disturbance nest buffer of 250 feet will be placed around the burrow during the overwintering season. No mechanical or manual treatments, or ground or human disturbance associated with prescribed burning (e.g., control lines, staging areas) and prescribed herbivory (e.g., fence lines, watering infrastructure, staging areas) would occur within this buffer until all burrowing owls have left the burrow (i.e., surveys indicate that no owls have used the burrow for 7 consecutive days) as determined by a qualified biologist or RPF. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above-ground, baseline levels of noise and human activity, and expected treatment activities in coordination with CDFW. California condor ▶ Project activities will be temporarily halted if any California condors are observed within the project area prior to the start of work. California condors will be allowed to depart on their own before project activities resume. California condors that arrive in the project area or approach work crews while work is on-going will be hazed (additional details regarding hazing are described under SPR BIO-2). Work crews will inform the project biologist should any California condor-related work stoppages take place. ▶ Garbage removal will be required in all contracts. Work crews involved in all project activities will remove all trash associated with this project and ensure that it is disposed of properly. ▶ All personnel involved in implementing the project will be briefed on the importance of not leaving hazardous materials exposed and daily removal of all garbage fragments to maintain condor health. ▶ Work crews will store all project materials, tools, hardware, equipment, and loose items in a manner that will prevent their removal or ingestion by California condors and other wildlife. ▶ Work crews will place all materials that are liquid, granular, or powder in sealed leak-proof containers and store in a manner that prevents access by California condors and other wildlife. ▶ Work crews will keep all parked vehicles and equipment free of leaks.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Least Bell's vireo To avoid impacts to least Bell's vireo, if protocol surveys for nests of least Bell's vireo detect an active nest, a no-disturbance buffer for ground and aerial treatment activities of at least 250 feet will be established around the active nest. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer, 250 feet above ground level (AGL). No treatment activities will occur within these buffers until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. These buffers may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. Tricolored blackbird To avoid impacts tricolored blackbird, if protocol surveys detect an active nest, a no-disturbance buffer for ground and aerial treatments activities of at least 250 feet will be established around the active nest. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer, 250 feet AGL. No treatment activities will occur within these buffers until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. These buffers may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. Other Special-Status Birds If active special-status bird nests are detected during focused surveys, a no-disturbance buffer for ground and aerial treatments activities of at least 1 mile will be established around active nests for golden eagle, 0.5 miles for bald eagle nests and Swainson's hawk nests, and 0.25 miles for white-tailed kite nests. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer (e.g., for golden eagle, 1 mile of horizontal distance or 5,280 feet AGL). No treatment activities will occur within these buffers until the chicks have fledged or the nest is otherwise no longer active as determined by a qualified RPF or biologist. These buffers may be adjusted by a qualified RPF or biologist based on vegetative and topographic screening and other factors. Mountain lion ▶ Within 14 days prior to the start of and manual tree and snag removal treatments, mechanical treatments, or prescribed burning, a qualified RPF or biologist will inspect suitable nursery habitat (as determined pursuant to SPR BIO-10) in the part of the treatment area scheduled to be treated during that 14-day period for mountain lion or signs of mountain lion nurseries. The qualified RPF or biologist will also use publicly available data on recent mountain lion sightings, or survey for signs of mountain lion (e.g., tracks, scat, prey items such as a fresh kill) in the vicinity of potential nursery habitat to help determine whether the area may contain an active mountain lion nursery. If no mountain lion or sign of a nursery is observed, treatment activities may begin. If signs of a mountain lion nursery are observed, further investigation will be required to determine if a mountain lion nursery is present (see below). ▶ If signs of a mountain lion nursery are found during review of publicly available data or during surveys, further investigation will be required to determine if a mountain lion nursery is present. No treatment will occur in the area while further investigation is occurring. Survey methods will include the use of trail cameras, listening for calling kittens and/or other noninvasive methods, as well as coordination with local experts tracking the			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
species (if available). Surveys using these noninvasive methods will be conducted for five days and five nights to determine whether a nursery may be present. ▶ If a nursery is known to occur in the area or further signs of a nursery are detected based on the surveys described above (e.g., lactating adult females or cubs on camera, repeated detections of an adult female in the area, growls or calls from kittens), no-disturbance buffer of at least 2,000 feet (Wilmers et al. 2013) will be applied for 10 weeks. The duration of the buffer may be shortened by the qualified biologist or RPF based on evidence (e.g., trail camera images) that kittens are old enough to move out of harm's way independently of the female. Treatment activities will not occur within this buffer during this time to avoid disturbance, injury, or mortality of mountain lion nurseries. <u>Northern California Ringtail</u> ▶ To avoid mortality or injury to ringtail the following will be implemented when manual and mechanical large snag (i.e., greater than 12 inches DBH) removal or broadcast burning are implemented during the maternity season (April 15–June 30). ▶ Within 14 days prior to the start of manual and mechanical tree and snag removal or broadcast burning conducted during the ringtail maternity season, a qualified RPF or biologist will conduct a den search in the treatment area to be treated during that 14-day period. The qualified RPF or biologist will search for den structures, such as hollow logs, snags, rock piles, and large trees and snags (i.e., greater than 12 inches DBH) with appropriate cavities (i.e., holes larger than 3 inches in diameter, with cavities extending approximately 12 inches down from the cavity hole). If found, the qualified biologist or RPF will inspect the cavity using a cell phone with a flash or other tools (e.g., borescopes) to determine whether ringtails are present, unless cavities are not safely accessible. Structures (e.g., large trees) with appropriate den habitat, whether verified as occupied or not, will be marked (e.g., with flagging), for avoidance during the maternity season. ▶ Any potential den structures, where the biologist or qualified RPF is not able to determine if the structure is occupied or not, due to safety or access issues, will be retained until the end of the ringtail maternity season (June 30). ▶ If active ringtail dens are discovered during a den survey or during treatment activities, a no-disturbance buffer of 0.25 mile will be implemented around the den, and manual and mechanical tree and snag removal or broadcast burning that may result in the destruction or disturbance of the den and associated foraging habitat as determined by a qualified biologist or RPF will not proceed within the buffer until at least the end of the ringtail maternity season (June 30). The qualified RPF or biologist will confirm that the den is unoccupied before treatment activities resume. If an active den is discovered, CDFW will be notified of the den and buffer location. CDFW will be provided an opportunity to visit the site and provide technical information on the size and shape of the den buffer. <u>San Joaquin kit fox</u> ▶ If the habitat within the treatment area is determined suitable for the species and contains potentially occupied dens (per SPR BIO-10), to avoid mortality, injury, or substantial disturbance to San Joaquin kit fox,			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
the following will be implemented during pile burning or mechanical treatments year-round and for all treatment activities implemented during the pupping/natal season (February 1–September 30). ▶ A spotlight survey following the procedures in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS 1999) will be conducted for 10 nights within a 15-day period prior to project implementation for the treatment area and habitat within a 1.0-mile buffer of the treatment area, or the habitat will be assumed to be occupied. If unidentified canids are detected during spotlighting surveys, camera and scent stations will be implemented to identify potential San Joaquin kit fox following the procedures in the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS 1999), or the habitat will be assumed to be occupied. ▶ If San Joaquin kit fox are found during walking transects, spotlighting, camera, or scent stations, or if the habitat is assumed to be occupied, all potential dens will be buffered by a minimum of 250 feet (Santa Clara County et al. 2012); pile burning and mechanical treatments will not be conducted within this buffer year-round; and all treatment activities will be avoided within this buffer during the pupping/natal season (February 1–September 30). ▶ If San Joaquin kit fox are found within the project area, the occurrence will be reported to CDFW and USFWS.			
Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities) If other special-status wildlife species (i.e., species not listed under CESA or ESA or California Fully Protected, but meeting the definition of special status as stated in Section 3.6.1 of the Program EIR) are observed during reconnaissance surveys (conducted pursuant to SPR BIO-1) or focused or protocol-level surveys (conducted pursuant to SPR BIO-10), the project proponent will avoid or minimize adverse effects to the species by implementing the following. Avoid Mortality, Injury, or Disturbance of Individuals The project proponent will implement the following to avoid mortality, injury, or disturbance of individuals: ▶ For all treatment activities except prescribed burning, the project proponent will establish a no-disturbance buffer around occupied sites (e.g., nests, dens, roosts, middens, burrows, nurseries). Buffer size will be determined by a qualified RPF or biologist using the most current, commonly accepted science and will consider published agency guidance; however, buffers will generally be a minimum of 100 feet, unless site conditions indicate a smaller buffer would be sufficient for protection or a larger buffer would be needed. Factors to be considered in determining buffer size will include, but not be limited to, the species' tolerance to disturbance; the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; baseline levels of noise and human activity; and treatment activity. Buffer size may be adjusted if the qualified RPF or biologist determines that such an adjustment would not be likely to adversely affect (i.e., cause mortality, injury, or disturbance to) the species within the nest, den, burrow, or other occupied site. If a no-disturbance buffer is reduced below 100 feet from an occupied site, a qualified RPF or biologist will provide the project proponent with a site- and/or treatment activity-specific explanation for the buffer reduction, which will be included in the PSA. After completion of the PSA and prior to or during	Prior to, during, and after treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
treatment implementation, if there is any deviation (e.g., further reduction) from the reduced buffer as explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). ▪ No-disturbance buffers will be marked with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). No activity will occur within the buffer areas until the qualified RPF or biologist has determined that the young have fledged or dispersed; the nest, den, or other occurrence is no longer active; or reducing the buffer would not likely result in disturbance, mortality, or injury. A qualified RPF, biologist, or biological technician will be required to monitor the effectiveness of the no-disturbance buffer around the nest, den, burrow, or other occurrence during treatment. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in mortality, injury or disturbance to special-status species. ▪ For prescribed burning, the project proponent will implement the treatment outside the sensitive period of the species' life history (e.g., outside the breeding or nesting season) during which the species may be more susceptible to disturbance, or disturbance could result in loss of eggs or young. For species present year-round, the qualified RPF or biologist will determine the period of time within which prescribed burning could occur that will avoid or minimize mortality, injury, or disturbance of the species. The project proponent may consult with CDFW and/or USFWS for technical information regarding appropriate limited operating periods. <u>Maintain Habitat Function</u> ▶ For all treatment activities, the project proponent will design treatment activities to maintain the habitat function by implementing the following: ▪ While performing review and surveys for SPR BIO-1 and SPR BIO-10, a qualified RPF or biologist will identify any habitat features that are necessary for survival (e.g., habitat necessary for breeding, foraging, shelter, movement) of the affected wildlife species (e.g., trees with complex structure, trees with large cavities, trees with nesting platforms; tree snags; large raptor nests [including inactive nests]; downed woody debris). These habitat features will be marked and treatments applied to the features will be designed to minimize or avoid the loss or degradation of suitable habitat for listed species during treatments. Identification and treatment of these features will be based on the life history and habitat requirements of the affected species and the most current, commonly accepted science. ▪ If it is determined during implementation of SPR BIO-1 and SPR BIO-10 that special-status wildlife with specific requirements for high canopy cover (e.g., northern goshawk, Sierra Nevada snowshoe hare) are present within a treatment area, then tree or shrub canopy cover within existing suitable areas will be retained at the percentage preferred by the species (as determined by expert opinion, published habitat association information, or other documented standards that are commonly accepted) such that the habitat function is maintained.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▶ A qualified RPF or biologist will determine if, after implementation of the impact avoidance measures listed above, the habitat function will remain for the affected species after implementation of the treatment. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding habitat function. A qualified RPF or biologist with knowledge of the special-status wildlife species habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status wildlife species' habitat or because the loss of special-status wildlife would substantially reduce the number or restrict the range of a special-status wildlife species. If the project proponent determines the impact on special-status wildlife would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status wildlife or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the non-listed special-status wildlife would benefit from treatment in the occupied habitat area even though some of the non-listed special-status wildlife may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to non-listed special-status wildlife, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status wildlife, no compensatory mitigation will be required. The qualified RPF or biologist may consult with CDFW and/or USFWS for technical information regarding the determination that a non-listed special-status species would benefit from the treatment. **Project-Specific Guidance to Implement Mitigation Measure BIO-2b** Southwestern pond turtle ▶ If southwestern pond turtles are detected during SPR BIO-10 focused surveys, biological monitoring by a qualified RPF, biologist, biological technician, or trainee during prescribed burning, mechanical treatments, manual tree and snag removal, and herbicide application other than cut-stump and basal bark application activities within or adjacent to sensitive habitat areas will be implemented to avoid injury to or mortality of individual southwestern pond turtle. ▶ If the qualified RPF or biologist detects a southwestern pond turtle during treatments, a no-disturbance buffer of 100 feet, or published agency distance, will be implemented around the individual unless it is determined by a qualified RPF, biologist, or RPF supervised designee that a different sized buffer is appropriate to avoid injury or mortality. Treatment activities will cease within the buffer until the animal has left the area or has been moved out of harm's way and to other nearby habitat suitable for the species by the qualified RPF or biologist.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Special-Status amphibians and reptiles ▶ If special-status reptiles or amphibians (i.e., California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard) are detected during SPR BIO-10 focused surveys, or if California giant salamander, Santa Cruz black salamander, red-bellied newt, coast horned lizard, and Northern California legless lizard is assumed to be present, biological monitoring by a qualified RPF, biologist, biological technician, or trainee during prescribed burning, mechanical treatments, manual tree and snag removal activities, and herbicide application treatments within or adjacent to sensitive habitat areas will be implemented to avoid injury to or mortality of individual special-status reptiles or amphibians. If the qualified RPF or biologist detects a special-status reptile or amphibian during treatments, a no-disturbance buffer of 100 feet, or published agency distance, will be implemented around the individual unless it is determined by a qualified RPF, biologist, or RPF supervised designee that a different sized buffer is appropriate to avoid injury or mortality. Treatment activities will cease within the buffer until the animal has left the area or has been moved out of harm's way and to other nearby habitat for the species by the qualified RPF or biologist. Other Special-Status Birds ▶ If an active grasshopper sparrow, short-eared owl, log-eared owl, Vaux's swift, northern harrier, olive-sided flycatcher, black swift, saltmarsh common yellowthroat, yellow breasted chat, loggerhead shrike, purple martin, or yellow warbler nest is detected during SPR BIO-10 focused surveys, a no-disturbance buffer of at least 100 feet will be established around the nest. For helicopter and drone operations, this buffer will be a vertical buffer as well as a horizontal buffer (i.e., 100 feet horizontal distance or 100 feet AGL). No treatment activities will occur within this buffer until the chicks have fledged as determined by a qualified RPF or biologist. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, and expected treatment activities. American Badger ▶ If an active American badger den is detected within treatment areas during SPR BIO-10 focused surveys, a no-disturbance buffer of 100 feet would be established around active maternity dens, and installation of control lines and staging areas for prescribed burning, pile burning, mechanical treatment, manual treatment, and the setup of infrastructure for prescribed herbivory activities would not occur within this buffer during the pupping season (February 15–July 1). If an active American badger den is detected within treatment areas outside of the pupping season, where mechanical treatments, pile burning, installation of control lines and staging areas for prescribed burning, or the setup of infrastructure for prescribed herbivory activities are to be conducted, a buffer of 50 feet will be placed around the den. San Francisco dusky-footed woodrat ▶ A no-disturbance buffer of approximately 10 feet in diameter will be established around San Francisco dusky-footed woodrat nests or clusters of nests, and no manual treatments, mechanical treatments, or pile burning will be conducted within that buffer if feasible. The buffer may be estimated by field crews for mechanical treatments using remote-controlled masticators, manual treatments, and pile burning. For traditional			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
mechanical treatments, a reasonable effort shall be made to electronically mark or physically flag the buffer; marking and/or flagging of nests may be reduced where there is a safety issue in accessing the nest. An electronic map will be provided to field crews and used for reference during traditional mechanical treatments. When visibility of a nest is limited, as determined by a qualified RPF or biologist during survey pursuant to SPR BIO-10, high-visibility flagging or other high visibility physical markers may be used to supplement electronic demarcation or visual estimation of the no-disturbance buffer. The buffer distances may be adjusted as needed by a qualified RPF or biologist to avoid impacts if needed. ▶ If San Francisco dusky-footed woodrat nests are located within prescribed burning treatment areas, or if presence of nests is assumed pursuant to SPR BIO-10, broadcast burning will not occur during the season when the majority of woodrat young are present in the nest (April through mid-July) to avoid loss of young woodrats, unless control lines can be established around the nest. ▶ In areas of existing woodrat habitat where pile burning would occur, pile burning will take place as soon as feasible following placement of the pile to reduce the risk of woodrats occupying the debris piles. Prior to burning, debris piles should be disturbed to ensure any woodrats inside of the piles have the opportunity to escape. <u>Special-Status Bats</u> If a special-status bat roost is detected during SPR BIO-10 focused surveys: ▶ A no-disturbance buffer of 250 feet will be established around the roost during the bat maternity season (April 1–August 31), and prescribed burning, mechanical treatments, and manual treatments and herbicide application using power equipment will not occur within this buffer until the roost is no longer being used as determined by a qualified RPF or biologist. The buffer distance may be modified by a qualified RPF or biologist based on presence of natural buffers provided by vegetation or topography, nest height above ground, baseline levels of noise and human activity, and expected treatment activities. ▶ During the overwintering season (October 15 – April 1) structures (e.g., trees and snags) containing roosts will be retained unless the tree or snag is hazardous and removal is required for heath and safety.			
Mitigation Measure BIO-2c: Compensate for Mortality, Injury, or Disturbance and Loss of Habitat Function for Special-Status Wildlife if Applicable (All Treatment Activities) If the provisions of Mitigation Measure BIO-2a, BIO-2b, BIO-2d, BIO-2e, BIO-2f, or BIO-2g cannot be implemented and the project proponent determines that additional mitigation is necessary to reduce significant impacts, the project proponent will compensate for such impacts to species or habitat by acquiring and/or protecting land that provides (or will provide in the case of restoration) habitat function for affected species that is at least equivalent to the habitat function removed or degraded as a result of the treatment. Compensation may include: 1. Preserving existing habitat outside of the treatment area in perpetuity; this may entail purchasing mitigation credits and/or lands from a CDFW- or USFWS-approved entity in sufficient quantity to offset the residual significant impacts, generally at a ratio of 1:1 for habitat; and	Prior to, during, and after treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
2. Restoring or enhancing existing habitat within the treatment area or outside of the treatment area (including decommissioning roads, adding perching structures, removing existing perching structures, or removing existing movement barriers or other existing features that are adversely affecting the species). The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanisms for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored habitat. Review requirements are as follows: ▶ The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. ▶ For species listed under ESA or CESA or a California Fully Protected Species, the project proponent will submit the mitigation plan to CDFW and/or USFWS/NOAA Fisheries for review and comment. ▶ For other special-status wildlife species the project proponent may consult with CDFW and/or USFWS regarding the availability and applicability of compensatory mitigation and other related technical information. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., incidental take permit), if these requirements are equally or more effective than the mitigation identified above.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-2e: Design Treatment to Retain Special-Status Butterfly Host Plants (All Treatment Activities) If federally listed butterflies are identified as occurring or having potential to occur during review and surveys for SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, then the following measures will be implemented: ▶ Treatment areas within the range of these species will be surveyed for the host plant for each species (Table 3.6-34). ▶ Host plants for federally listed butterflies within the occupied habitat will be marked with high-visibility flagging, fencing, or stakes, and no treatment activities will occur within 10 feet of these plants. ▶ Because prescribed herbivory could result in the indiscriminate removal of the host plants for federally listed butterflies, this treatment type will not be used within occupied habitat of any federally listed butterfly species, unless it is known that the host plant is unpalatable to the herbivore. ▶ Treatment areas that are not occupied but are within the range of the federally listed butterfly will be divided into as many treatment units as feasible such that the entirety of the habitat is not treated within the same year. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in areas that are not occupied but are within the range of the federally listed butterfly, such that the entirety of the habitat is not burned or removed and untreated portions of suitable habitat are retained. If the project proponent cannot implement the measures above to avoid mortality, injury, or disturbance of federally listed butterflies or degradation of occupied habitat (host plants) such that its function would not be maintained, the project proponent will implement Mitigation Measure BIO-2c. **CESA and ESA Listed Species.** A qualified RPF or biologist will determine if, after implementation of any feasible impact avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed butterflies or degradation of occupied habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Table 3.6-34 Special-status Butterflies and Associated Host Plants

Butterfly Species	Host Plants
bay checkerspot butterfly	dwarf plantain (*Plantago virginica*), purple owl's clover (*Castilleja exserta*)
Behren's silverspot butterfly	blue violet (*Viola adunca*)
callippe silverspot butterfly	California golden violet (*Viola pedunculata*)
Carson wandering skipper	salt grass (*Distichlis spicata*)
El Segundo blue butterfly	seacliff buckwheat (*Eriogonum parvifolium*)
Hermes copper butterfly	spiny redberry (*Rhamnus crocea*)
Kern primrose sphinx moth	plains evening-primrose (*Camissonia contorta*), field primrose (*Camissonia campestris*)
Laguna Mountains skipper	Cleveland's horkelia (*Horkelia clevelandii*), sticky cinquefoil (*Drymocallis glandulosa*)
Lange's metalmark butterfly	naked-stemmed buckwheat (*Eriogonum nudum*)
lotis blue butterfly	seaside bird's foot trefoil (*Hosackia gracilis*)
Mission blue butterfly	lupine (*Lupinus* spp.)
Myrtle's silverspot butterfly	blue violet
Oregon silverspot butterfly	blue violet
Palos Verdes blue butterfly	Santa Barbara milkvetch (*Astragalus trichopodus*), common deerweed (*Acmispon glaber*)
San Bruno elfin butterfly	broadleaf stonecrop (*Sedum spathulifolium*), manzanita (*Arctostaphylos* spp.), huckleberry (*Vaccinuum* spp.)
Smith's blue butterfly	seacliff buckwheat, seaside buckwheat (*Eriogonum latifolium*)
Quino checkerspot butterfly	dwarf plantain, purple owl's clover

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Other Special-status Species. A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA, because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status butterflies would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status butterflies or degradation of occupied habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status butterfly species would benefit from treatment in the occupied habitat area even though some may be killed, injured or disturbed during treatment activities. For a treatment to be considered beneficial to special-status butterfly species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources). If it is determined that treatment activities would be beneficial to special-status butterflies, no compensatory mitigation will be required. **Project-Specific Guidance to Implement Mitigation Measure BIO-2e** The following measures apply to habitat for bay checkerspot butterfly: ▶ Bay checkerspot butterfly host plants include dwarf plantain (*Plantago erecta),* purple owl's-clover *(Castilleja densiflorus,* formerly *Orthocarpus densiflorus)* and exserted paintbrush (*Castilleja exserta,* formerly *Orthocarpus purpurscens)*. The measures described above have been tailored to the proposed treatments for monarch butterfly and are as follows: ▶ If host plants for monarch butterfly are detected, and monarch eggs, larvae, and pupae are detected during focused surveys pursuant to SPR BIO-10 or assumed to be present, host plants will be marked with high-visibility flagging, fencing, or stakes, and no treatment activities (other than prescribed herbivory) will occur within 10 feet of these plants if feasible (unless, pursuant to SPR BIO-1, activities occur outside of the period March 15-October 31, when impacts to eggs, larvae, and pupae can be avoided). If monarch butterfly is detected during focused surveys pursuant to SPR BIO-10, or presence is assumed, treatments will be conducted in a patchy pattern to the extent feasible in grasslands, shrublands, and oak woodlands, such that the entirety of the habitat is not burned or removed and untreated portions of suitable habitat and floral resources are retained.		**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-2g: Design Treatment to Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Special-Status Bumble Bees (All Treatment Activities) If special-status bumble bees are identified as occurring during review and surveys under SPR BIO-1 and confirmed during protocol-level surveys per SPR BIO-10, or if suitable habitat for special-status bumble bees is identified during review and surveys under SPR BIO-1 (e.g., wet meadow, forest meadow, riparian, grassland, or coastal scrub habitat containing sufficient floral resources within the range of the species), then the project proponent will implement the following measures, as feasible: ▶ Prescribed burning within occupied or suitable habitat for special-status bumble bees will occur from October through February to avoid the bumble bee flight season. ▶ Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year; the objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area. ▶ Treatments will be conducted in a patchy pattern to the extent feasible in occupied or suitable habitat, such that the entirety of the habitat is not burned or removed and untreated portions of occupied or suitable habitat are retained (e.g., fire breaks will be aligned to allow for areas of unburned floral resources for special-status bumble bees within the treatment area). ▶ Herbicides will not be applied to flowering native plants within occupied or suitable habitat to the extent feasible during the flight season (March through September). **CESA and ESA Listed Species.** A qualified RPF or biologist will determine if, after implementation of feasible avoidance measures (potentially including others not listed above), the treatment will result in mortality, injury, or disturbance to the species, or if after implementation of the treatment, habitat function will remain for the affected species. For species listed under CESA or ESA or that are fully protected, the qualified RPF or biologist will consult with CDFW and/or USFWS regarding this determination. If consultation determines that mortality, injury, or disturbance of listed bumble bees (in the event the Candidate listing is confirmed) or degradation of occupied (or assumed to be occupied) habitat such that its function would not be maintained would occur, the project proponent will implement Mitigation Measure BIO-2c. **Other Special-status Species.** A qualified RPF or biologist with knowledge of the special-status species' habitat and life history will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat function of the special-status species' habitat or because the loss of special-status individuals would substantially reduce the number or restrict the range of a special-status species. If the project proponent determines the impact on special-status bumble bees would be less than significant, no further mitigation will be required. If the project proponent determines that the loss of special-status bumble bees or degradation of occupied (or assumed to be occupied) habitat would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-2c will be implemented.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or biologist that the special-status bumble bee species would benefit from treatment in the occupied (or assumed to be occupied) habitat area even though some of the non-listed special-status bumble bees may be killed, injured, or disturbed during treatment activities. For a treatment to be considered beneficial to special-status bumble bee species, the qualified RPF or biologist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the species (or similar species) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to special-status bumble bees, no compensatory mitigation will be required. **Project-Specific Guidance to Implement Mitigation Measure BIO-2g** To avoid impacts on Crotch's bumble bee, the following measures will be implemented when implementation of surveys under SPR BIO-10 results in identification of habitat suitable for the species and the species is detected or presence of the species is assumed: ▶ If Crotch's bumble bees are detected during focused surveys, a no-disturbance buffer of at least 50 feet will be established around any identified nest colonies, and no pile burning or mechanical treatment activities will occur within this buffer until the nesting colony is no longer occupied as determined by a qualified RPF or biologist. Buffer size may be reduced or adjusted if recommended by a qualified biologist in consultation with CDFW. ▶ If surveys for nest colonies are not conducted and presence is assumed, pile burning and mechanical treatment will not occur during the colony flight season (April through August) (CDFW 2023). Herbicides will not be applied to flowering native plants within occupied or suitable habitat during the colony flight season (April through August), and herbicide application will not target native flowering plants while blooming. Herbicide application will be conducted with ground-level application only (i.e., paint-on stems, backpack hand-applicator, hypo-hatchet tree injection, or hand placement of pellets). No aerial spray of herbicides will occur. ▶ Prescribed burning and biomass disposal will be designed to avoid nesting bumble bees and bumble bee floral resources. ▶ Chips will not fully block existing rodent burrows, which may provide habitat for bumble bees. ▶ Broadcast burning in habitat suitable for sensitive bumble bees will be restricted to the winter season prior to emergence of bumble bee floral resources. Generally, prescribed burning will be limited to September 1–March 31 (outside of the colony flight season). If conditions in a given year vary and the timing of floral resource emergence is altered by unusual conditions (e.g., heavy rains, extended cold season), the prescribed burning window may be altered with coordination from a qualified bumble bee biologist. Variation from the September 1–March 31 broadcast burning window will be documented in the post-project implementation report.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Treatment areas in occupied or suitable habitat will be divided into a sufficient number of treatment units such that the entirety of the habitat is not treated within the same year. The scale will be determined by a qualified biologist or RPF. The objective of this measure is to provide refuge for special-status bumble bees during treatment activities and temporary retention of suitable floral resources proximate to the treatment area.			
Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands The project proponent will implement the following measures when working in treatment areas that contain sensitive natural communities identified during surveys conducted pursuant to SPR BIO-3: ▶ Reference the *Manual of California Vegetation*, Appendix 2, Table A2, *Fire Characteristics* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/) or other best available information to determine the natural fire regime of the specific sensitive natural community type (i.e., alliance) present. The condition class and fire return interval departure of the vegetation alliances present will also be determined. ▶ Design treatments in sensitive natural communities and oak woodlands to restore the natural fire regime and return vegetation composition and structure to their natural condition to maintain or improve habitat function of the affected sensitive natural community. Treatments will be designed to replicate the fire regime attributes for the affected sensitive natural community or oak woodland type including seasonality, fire return interval, fire size, spatial complexity, fireline intensity, severity, and fire type as described in *Fire in California's Ecosystems* (Van Wagtendonk et al. 2018) and the *Manual of California Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/). Treatments will not be implemented in sensitive natural communities that are within their natural fire return interval (i.e., time since last burn is less than the average time required for that vegetation type to recover from fire) or within Condition Class 1. ▶ To the extent feasible, no fuel breaks will be created in sensitive natural communities with rarity ranks of S1 (critically imperiled) and S2 (imperiled). ▶ To the extent feasible, fuel breaks will not remove more than 20 percent of the native vegetation relative cover from a stand of sensitive natural community vegetation in sensitive natural communities with a rarity rank of S3 (vulnerable) or in oak woodlands. In forest and woodland sensitive natural communities with a rarity rank of S3, and in oak woodlands, only shaded fuel breaks will be installed, and they will not be installed in more than 20 percent of the stand of sensitive natural community or oak woodland vegetation (i.e., if the sensitive natural community covers 100 acres, no more than 20 acres will be converted to create the fuel break). ▶ Use prescribed burning as the primary treatment activity in sensitive natural communities that are fire dependent (e.g., closed-cone forest and woodland alliances, chaparral alliances characterized by fire-stimulated, obligate seeders), to the extent feasible and appropriate based on the fire regime attributes as described in *Fire in California's Ecosystems* (Van Wagtendonk et al. 2018) and the *Manual of California*	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Vegetation (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/). ▶ Time prescribed herbivory to occur when non-target vegetation is not susceptible to damage (e.g. non-target vegetation is dormant or has completed its reproductive cycle for the year). For example, use herbivores to control invasive plants growing in sensitive habitats or sensitive natural communities when sensitive vegetation is dormant but invasive plants are growing. Timing of herbivory to avoid non-target vegetation will be determined by a qualified botanist, RPF, or biologist based on the specific vegetation alliance being treated, the life forms and life conditions of its characteristic plant species, and the sensitivity of the non-target vegetation to the effects of herbivory. The feasibility of implementing the avoidance measures will be determined by the project proponent based on whether implementation of this mitigation measure will preclude completing the treatment project within the reasonable period of time necessary to meet CalVTP program objectives, including, but not limited to, protection of vulnerable communities. If the avoidance measures are determined by the project proponent to be infeasible, the project proponent will document the reasons implementation of the avoidance strategies are infeasible in the PSA. After completion of the PSA and prior to or during treatment implementation, if there is any change in the feasibility of avoidance strategies from those explained in the PSA, this will be documented in the post-project implementation report (referred to by CAL FIRE as a Completion Report). A qualified RPF or botanist with knowledge of the affected sensitive natural community will review the treatment design and applicable impact minimization measures (potentially including others not listed above) to determine if the anticipated residual effects of the treatment would be significant under CEQA because implementation of the treatment will not maintain habitat functions of the sensitive natural community or oak woodland. If the project proponent determines the impact on sensitive natural communities or oak woodlands would be less than significant, no further mitigation will be required. If the project proponent determines that the loss or degradation of sensitive natural communities or oak woodlands would be significant under CEQA after implementing feasible treatment design alternatives and impact minimization measures, then Mitigation Measure BIO-3b will be implemented. The only exception to this mitigation approach is in cases where it is determined by a qualified RPF or botanist that the sensitive natural community or oak woodland would benefit from treatment in the occupied habitat area even though some loss may occur during treatment activities. For a treatment to be considered beneficial to a sensitive natural community or oak woodland, the qualified RPF or botanist will demonstrate with substantial evidence that habitat function is reasonably expected to improve with implementation of the treatment (e.g., by citing scientific studies demonstrating that the community (or similar community) has benefitted from increased sunlight due to canopy opening, eradication of invasive species, or otherwise reduced competition for resources), and the substantial evidence will be included in the PSA. If it is determined that treatment activities would be beneficial to sensitive natural communities or oak woodlands, no compensatory mitigation will be required.			

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Mitigation Measure BIO-3b: Compensate for Loss of Sensitive Natural Communities and Oak Woodlands If significant impacts on sensitive natural communities or oak woodlands cannot feasibly be avoided or reduced as specified under Mitigation Measure BIO-3a, the project proponent will implement the following actions: ▶ Compensate for unavoidable losses of sensitive natural community and oak woodland acreage and function by: ▪ restoring sensitive natural community or oak woodland functions and acreage within the treatment area; ▪ restoring degraded sensitive natural communities or oak woodlands outside of the treatment area at a sufficient ratio to offset the loss of acreage and habitat function; or ▪ preserving existing sensitive natural communities or oak woodlands of equal or better value to the sensitive natural community lost through a conservation easement at a sufficient ratio to offset the loss of acreage and habitat function. ▶ The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects on sensitive natural communities or oak woodlands that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanism for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory habitat will be preserved in perpetuity. 2. For restoring or enhancing habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored or enhanced habitat. The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan in order to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan.	Prior to and during treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party
Mitigation Measure BIO-3c: Compensate for Unavoidable Loss of Riparian Habitat If, after implementation of SPR BIO-4, impacts to riparian habitat remain significant under CEQA, the project proponent will implement the following: ▶ Compensate for unavoidable losses of riparian habitat acreage and function by: ▪ restoring riparian habitat functions and acreage within the treatment area; ▪ restoring degraded riparian habitat outside of the treatment area;	Prior to and during treatment	City of Gilroy or Qualified Responsible Party	City of Gilroy or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
▪ purchasing riparian habitat credits at a CDFW-approved mitigation bank; or ▪ preserving existing riparian habitat of equal or better value to the riparian habitat lost through a conservation easement at a sufficient ratio to offset the loss of riparian habitat function and value. ▶ The project proponent will prepare a Compensatory Mitigation Plan that identifies the residual significant effects on riparian habitat that require compensatory mitigation and describes the compensatory mitigation strategy being implemented to reduce residual effects, and: 1. For preserving existing riparian habitat outside of the treatment area in perpetuity, the Compensatory Mitigation Plan will include a summary of the proposed compensation lands (e.g., the number and type of credits, location of mitigation bank or easement), parties responsible for the long-term management of the land, and the legal and funding mechanism for long-term conservation (e.g., holder of conservation easement or fee title). The project proponent will submit evidence that the necessary mitigation has been implemented or that the project proponent has entered into a legal agreement to implement it and that compensatory plant populations will be preserved in perpetuity. 2. For restoring or enhancing riparian habitat within the treatment area or outside of the treatment area, the Compensatory Mitigation Plan will include a description of the proposed habitat improvements, success criteria that demonstrate the performance standard of maintained habitat function has been met, legal and funding mechanisms, and parties responsible for long-term management and monitoring of the restored or enhanced habitat. The project proponent will consult with CDFW and/or any other applicable responsible agency prior to finalizing the Compensatory Mitigation Plan to satisfy that responsible agency's requirements (e.g., permits, approvals) within the plan. Compensatory mitigation may be satisfied through compliance with permit conditions, or other authorizations obtained by the project proponent (e.g., Lake and Streambed Alteration Agreement), if these requirements are equally or more effective than the mitigation identified above.			
Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands Impacts to wetlands will be avoided using the following measures: ▶ The qualified RPF or biologist will delineate the boundaries of federally protected wetlands according to methods established in the USACE wetlands delineation manual (Environmental Laboratory 1987) and the appropriate regional supplement for the ecoregion in which the treatment is being implemented. ▶ The qualified RPF or biologist will delineate the boundaries of wetlands that may not meet the definition of waters of the United States, but would qualify as waters of the state, according to the state wetland procedures (California Water Boards 2019 or current procedures). ▶ A qualified RPF or biologist will establish a buffer around wetlands and mark the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway). The buffer will be a minimum width of 25 feet but may be larger if deemed necessary. The appropriate size and shape of the buffer zone will be determined in coordination with the qualified RPF or biologist and will depend on the type of wetland present (e.g., seasonal wetland, wet meadow, freshwater marsh, vernal pool),	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
the timing of treatment (e.g., wet or dry time of year), whether any special-status species may occupy the wetland and the species' vulnerability to the treatment activities, environmental conditions and terrain, and the treatment activity being implemented. ▶ A qualified RPF or biological technician will periodically inspect the materials demarcating the buffer to confirm that they are intact and visible, and wetland impacts are being avoided. ▶ Within this buffer, herbicide application is prohibited. ▶ Within this buffer, soil disturbance is prohibited. Accordingly, the following activities are not allowed within the buffer zone: mechanical treatments, prescribed herbivory, equipment and vehicle access or staging. ▶ Only prescribed (broadcast) burning may be implemented in wetland habitats if it is determined by a qualified RPF or biologist that: ▪ No special-status species are present in the wetland habitat ▪ The wetland habitat function would be maintained. ▪ The prescribed burn is within the normal fire return interval for the wetland vegetation types present ▪ Fire containment lines and pile burning are prohibited within the buffer No fire ignition (and associated use of accelerants) will occur within the wetland buffer			
Mitigation Measure BIO-5: Retain Nursery Habitat and Implement Buffers to Avoid Nursery Sites The project proponent will implement the following measures while working in treatment areas that contain nursery sites identified in surveys conducted pursuant to SPR BIO-10: ▶ **Retain Known Nursery Sites**. A qualified RPF or biologist will identify the important habitat features of the wildlife nursery and, prior to treatment activities, will mark these features for avoidance and retention during treatment. **Establish Avoidance Buffers.** The project proponent will establish a no-disturbance buffer around the nursery site if activities are required while the nursery site is active/occupied. The appropriate size and shape of the buffer will be determined by a qualified RPF or biologist, based on potential effects of project-related habitat disturbance, noise, visual disturbance, and other factors. No treatment activity will commence within the buffer area until a qualified RPF or biologist confirms that the nursery site is no longer active/occupied. Monitoring of the effectiveness of the no-disturbance buffer around the nursery site by a qualified RPF, biologist, or biological technician during and after treatment activities will be required. If treatment activities cause agitated behavior of the individual(s), the buffer distance will be increased, or treatment activities modified until the agitated behavior stops. The qualified RPF, biologist, or biological technician will have the authority to stop any treatment activities that could result in potential adverse effects to special-status species.	Prior to and during treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

Mitigation Measures	Timing	Implementing Entity	Verifying/Monitoring Entity
Greenhouse Gas Emissions			
Mitigation Measure GHG-2: Implement GHG Emission Reduction Techniques During Prescribed Burns When planning for and conducting a prescribed burn, project proponents implementing a prescribed burn will incorporate feasible methods for reducing GHG emissions, including the following, which are identified in the *National Wildfire Coordinating Group Smoke Management Guide for Prescribed Fire* (NWCG 2018): ▶ reduce the total area burned by isolating and leaving large fuels (e.g., large logs, snags) unburned; ▶ reduce the total area burned through mosaic burning; ▶ burn when fuels have a higher fuel moisture content; ▶ reduce fuel loading by removing fuels before ignition. Methods to remove fuels include mechanical treatments, manual treatments, prescribed herbivory, and biomass utilization; and ▶ schedule burns before new fuels appear. As the science evolves, other feasible methods or technologies to sequester carbon could be incorporated, such as conservation burning, a technique for burning woody material that reduces the production of smoke particulates and carbon released into the atmosphere and generates more biochar. Biochar is produced from the material left over after the burn and spread with compost to increase soil organic matter and soil carbon sequestration. Technologies to reduce greenhouse gas emissions may also include portable units that perform gasification to produce electricity or pyrolysis that produces biooil that can be used as liquid fuel and/or syngas that can be used to generate electricity. The project proponent will document in the Burn Plan required pursuant to SPR AQ-3 which methods for reducing GHG emissions can feasibly be integrated into the treatment design.	Prior to and during prescribed burning treatment	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party
Hazardous Materials, Public Health and Safety			
Mitigation Measure HAZ-3: Identify and Avoid Known Hazardous Waste Sites Prior to the start of vegetation treatment activities requiring soil disturbance (i.e., mechanical treatments) or prescribed burning, CAL FIRE and other project proponents will make reasonable efforts to check with the landowner or other entity with jurisdiction (e.g., California Department of Parks and Recreation) to determine if there are any sites known to have previously used, stored, or disposed of hazardous materials. If it is determined that hazardous materials sites could be located within the boundary of a treatment site, the project proponent will conduct a DTSC EnviroStor web search (https://www.envirostor.dtsc.ca.gov/public/) and consult DTSC's Cortese List to identify any known contamination sites within the project site. If a proposed mechanical treatment or prescribed burn is located on a site included on the DTSC Cortese List as containing potential soil contamination that has not been cleaned up and deemed closed by DTSC, the area will be marked and no prescribed burning or soil disturbing treatment activities will occur within 100 feet of the site boundaries. If it is determined through coordination with landowners or after review of the Cortese List that no potential or known contamination is located on a project site, the project may proceed as planned.	During PSA preparation **Database searches are complete; see PSA/Addendum for results**	**City of Gilroy** or Qualified Responsible Party	**City of Gilroy** or Qualified Responsible Party

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Draft

City of Gilroy
CEQA Findings and Statement of Overriding Considerations for Project-Specific Analysis and Addendum West Santa Clara Landscape Resiliency Project Vegetation Treatment Project

INTRODUCTION

The City of Gilroy, in the exercise of its independent judgment, makes and adopts the following findings regarding its decision to approve the West Santa Clara Landscape Resiliency Project, referred to herein as "vegetation treatment project," "treatment project," or "project," as within the scope of the California Vegetation Treatment Program (CalVTP). In accordance with the California Environmental Quality Act (Pub. Resources Code, Sections 21000 et seq.) (CEQA) and the CEQA Guidelines (Cal. Code Regs., Tit. 14, Sections 15000 et seq.), the City of Gilroy has considered the Program Environmental Impact Report prepared for the CalVTP, State Clearinghouse Number 2019012052, which was certified by the California Board of Forestry and Fire Protection in December 2019 ("CalVTP Program EIR"), and the Project-Specific Analysis (PSA) and Addendum thereto, dated April 2026, for the City of Gilroy's approval of the project.

The CalVTP Program EIR, including the information contained in the PSA/Addendum dated April 2026, contains the environmental analysis and information necessary to support approval of the project, as set forth below.

STATUTORY REQUIREMENTS FOR FINDINGS

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same section provides that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." (Pub. Resources Code, Section 21002.) Section 21002 goes on to provide that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).) For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(CEQA Guidelines, Section 15091, subd. (a); Pub. Resources Code, Section 21081, subd. (a).) Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." (See also *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 565.)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b).) The California Board of Forestry and Fire Protection (the Board) adopted Findings and a Statement of Overriding Considerations on December 30, 2019.

Here, as explained in the Board's Findings and the Draft Program Environmental Impact Report (Draft Program EIR) and the Final Program EIR (collectively, the "Program EIR"), the CalVTP would result in significant and unavoidable or potentially significant and unavoidable environmental effects to the following: Aesthetics; Air Quality; Archaeological, Historical, and Tribal Cultural Resources; Biological Resources; Greenhouse Gas Emissions; Public Services, Utilities, and Service Systems; and Transportation. For reasons set forth in the Board's Statement of Overriding Considerations, however, the Board determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the CalVTP.

When an agency approves a vegetation treatment project using a within-the-scope finding for all environmental impacts, it must adopt its own CEQA findings pursuant to Section 15091 of the State CEQA Guidelines, and if needed, a statement of overriding considerations, pursuant to Section 15093 of the State CEQA Guidelines. (See CEQA Guidelines section 15096(h).) When an agency approves a vegetation treatment project using an addendum, it must also adopt its own CEQA findings pursuant to CEQA Guidelines Section 15164. Although each agency must adopt its own findings, such agencies have the option of reusing, incorporating, or adapting all or part of the findings adopted by the Board for the CalVTP Program EIR to meet the agency's own requirements to the extent the findings are applicable to the proposed vegetation treatment project. The following document sets forth the required findings for the City of Gilroy's project-specific approval that relies on and implements the CalVTP Program EIR.

The City of Gilroy adopts these findings to document its exercise of its independent judgment regarding the potential environmental effects analyzed in the Program EIR and to document its reasoning for approving the vegetation treatment project under the CalVTP in spite of these effects.

BACKGROUND AND PROJECT DESCRIPTION

The project consists of vegetation treatments for wildfire risk reduction and forest health improvements 143,375 acres within the WSCLRP area in Santa Clara County, California. Treatments would be developed under the CalVTP Program EIR and would use ecological restoration, WUI fuel reduction, and fuel breaks applied according to site conditions, wildfire risk, and proximity to roughly 47,000 structures within the project area. Defensible space actions consistent with PRC Section 4291 would occur where structures are present and may be implemented under this PSA/Addendum when part of coordinated large-scale hazard-mitigation work that may not otherwise qualify for an exemption under CEQA.

For all projects developed under the CalVTP Program EIR, proposed vegetation management actions must be categorized under one of three treatment types: ecological restoration, WUI fuels reduction, or fuel break. In addition to these treatment types, treatment may be characterized by specific treatment goals; defensible space treatments may be proposed in either WUI fuel reduction or fuel break areas, and post-fire treatments may be proposed in any area that previously experienced wildfire, regardless of the mapped treatment type. The WSCLRP would employ all three treatment types (ecological restoration, WUI fuel reduction, fuel break) in different areas across the approximately 143,375-acre project area.

Implementation of treatments in chaparral and coastal sage scrub under this PSA/Addendum will conform to the requirements of the Judgment After Appeal (judgment) and Peremptory Writ of Mandate (writ) issued by the San Diego Superior Court in *California Chaparral Institute et al. v. Board of Forestry and Fire Protection.* The requirements are presented in SPR CHAP/CSS-1 of the project's Mitigation Monitoring and Reporting Program.

Treatments would be implemented in phases by multiple agency partners based on priority rather than all at once. Phasing will be guided by the Landscape Level Prioritized Resilience Treatments (LLPRT) effort, which uses planning documents (e.g., unit fire plans, community wildfire protection plans), GIS data, wildfire modeling, and professional expertise to identify and rank treatment areas based on factors such as fire behavior, risk to structures, environmental constraints, and access, allowing partners to strategically plan and implement treatments over time as funding and resources allow.

GENERAL PRESCRIPTION

For all projects developed under the CalVTP Program EIR, proposed vegetation management actions must be categorized under one of three treatment types: ecological restoration, WUI fuels reduction, or fuel break. In addition to these treatment types, treatment may be characterized by specific treatment goals; defensible space treatments may be proposed in either WUI fuel reduction or fuel break areas, and post-fire treatments may be proposed in any area that previously experienced wildfire, regardless of the mapped treatment type. The WSCLRP would employ all three treatment

types (ecological restoration, WUI fuel reduction, fuel break) in different areas across the approximately 143,375-acre project area.

Because the three treatment types share a set of baseline prescription specifications, the general prescription outlined below describes the common elements that would be applied across the entire project pre- or post-fire, with the understanding that additional or modified prescriptions would apply based on site-specific objectives and requirements:

- Selectively remove trees less than or equal to 16 inches dbh[1] to increase crown spacing, reduce competition for available resources, and reduce horizontal and vertical fuel continuity:
  - retain select healthy, live trees less than or equal to 16 inches in diameter to achieve crown and bole spacing with less vertical and horizontal fuel continuity, promote the growth of residual trees, and promote habitat restoration:
  - retain healthy native hardwoods and conifers with appropriate canopy spacing, except where Douglas-fir trees and saplings are converting grassland, shrubland, or hardwood forest habitat types through shading; in which case, Douglas-fir up to 36 inches in diameter (i.e., seed trees, or trees that are outcompeting or otherwise supporting encroachment upon the existing vegetation type) would be removed to restore ecosystem conditions;
- remove any dead, dying, and diseased trees and hazard trees of any size:
  - where such trees do not present a safety hazard, retain existing standing habitat trees, consisting of standing dead, snags, or live trees with dead portions of stems or branches, that provide nesting and foraging habitat for birds and other wildlife;
- prune lower branches of trees 6–15 feet above the ground but not more than 33 percent of the trees crown where feasible;
- retain micro-stands of immature oak trees (i.e., young oak stands that do not have an established, dominant overstory) with a cluster radius of approximately 15–25 feet (30–50 feet in diameter) and spaced approximately 75–100 feet apart, where feasible, with consideration given to steepness or whether this retention could exacerbate fire behavior, or fire behavior proximal to key infrastructure and assets;
- retain 10–25 percent relative cover per acre, depending on the potential for exacerbated fire behavior, proximity to key infrastructure and assets, and the need to maintain micro-stands of understory vegetation that reflect the characteristic cover and composition of any sensitive natural communities, as described in *A Manual of California Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data[2]). Vegetation retention should emphasize

[1] Diameter limits for removal may be subject to local ordinances.

[2] Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. *A Manual of California Vegetation*, Second edition. California Native Plant Society, Sacramento, CA.

clumps or patches distributed across the treatment area to form a mosaic that supports habitat heterogeneity and quality (Strong et al. 2016[3]). Root systems should be left intact to allow for resprouting, with horizontal crown separation of approximately 25 to 75 feet between clusters, depending on site-specific conditions and vegetation alliance characteristics; for chaparral communities, retain vegetation at a minimum of approximately 35 percent and a target of 50 percent within the immediate contiguous stand boundary of the vegetation type within a treatment polygon. Vegetation retention should create a mosaic pattern of patches or shrub islands to maintain a varied level of habitat continuity and structural diversity throughout the polygon, and should be consistent with retention standards outlined by the treatment type, CalVTP SPRs, and applicable MMs. Additional considerations are required for sensitive natural communities:

- remove populations of nonnative vegetation:
  - apply herbicide to areas of removal to control reestablishment of nonnative species;
- process non-retained biomass for disposal (e.g., masticate, chip, lop and scatter, prescribed burning, prescribed herbivory, etc.); and
- when revegetating post-fire landscapes:
  - consider native forest conditions and desired future forest structure when determining planting spacing and species composition; and
  - install erosion control measures consisting of but not limited to mulching and straw application, hillside seeding with soil-stabilizing species, and erosion barriers such as silt fences.

TREATMENT TYPES

This section outlines the prescription specifications that are unique to each treatment type and would be implemented in conjunction with the general treatment prescription above. Table 1 below outlines the treatment types that would be implemented under this proposed project.

Table 1 Applicable Treatment Types

Treatment Type	Applicable Treatment Activities	Maximum Treatment Size (Acres)
Ecological restoration	Manual, mechanical, prescribed burning, targeted herbicide application, and prescribed herbivory.	74,738
WUI fuel reduction	Manual, mechanical, prescribed burning, targeted herbicide application, and prescribed herbivory.	56,818
Fuel break	Manual, mechanical, prescribed burning, targeted herbicide application, and prescribed herbivory.	11,819

[3] Strong, N., K. Bevis, and G. Bracher. 2016. "Wildlife-Friendly Fuels Reduction in Dry Forest of the Pacific Northwest." *Woodland Fish and Wildlife*.

Source: Compiled by Ascent in 2025.

Ecological Restoration

The goal of the ecological restoration treatment type is to restore ecosystem processes and reestablish resilience of the ecosystem and natural disturbance regimes to the landscape, relative to modern anthropogenic and climatic influences. Ecological restoration treatment involves selective vegetation removal to re-establish the composition, structure, pattern, integrity, and ecological processes necessary to facilitate terrestrial and aquatic ecosystem sustainability, resilience, and health currently and in the future. This would involve vegetation treatments that result in improvements to habitat quality, including habitat remediation where non-native, invasive plants have spread, and excess fire fuel buildup has occurred. It is also the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed by destructively intense wildfire.

Ecological restoration treatments would follow the general treatment prescription above while adhering to the following specifications, more specific to attaining the goals of this treatment type:

- Retain healthy trees less than 16 inches in diameter with the goal of achieving a 10- to 20-foot residual spacing:
  - stands made up of only trees less than 16 inches in diameter would be thinned to a spacing of approximately 10–20 feet apart to disconnect horizontal and vertical fuel continuity while maintaining vegetation communities.
- Where snags do not present a safety hazard, retain approximately four to six foraging snags (less than 12 inches in diameter) and one or two cavity nesting snags (greater than 12 inches in diameter) per acre.
- Retain downed woody debris in strategic locations to maintain forest floor complexity, with a preference for larger, complex logs, generally greater than 12 inches in diameter and totaling approximately 10 tons per acre, while reducing fuel continuity:
  - the target retention for downed woody debris would be retention of four larger logs (large end greater than 16 inches in diameter, approximately 15 feet long).
- Consistent with the writ and as reflected in SPR CHAP/CSS-1, ecological restoration treatment within chaparral and coastal sage scrub vegetation types will consist of removal of flammable, nonnative vegetation. However, in stands of chaparral or coastal sage scrub that have a state rarity ranking of S4 or S5 and have generated following a fire within the last 15 years in an area that was previously characterized as woodland, ecological restoration treatments would be implemented following the general ecological restoration treatment prescription.

Ecological restoration treatments would be established and maintained using varying combinations of prescribed burning, manual, mechanical, targeted herbicide, and prescribed herbivory treatments.

Wildland-Urban Interface Fuel Reduction

The WUI fuel reduction treatment type targets areas where the wildland and built environment intermix to prevent or slow the spread of nonwind-driven wildfire between structures and wildlands, and vice versa, to prioritize protection of structures and infrastructure.

WUI fuel reduction treatments constitute a middle ground between ecological restoration and fuel break treatments. They employ ecologically restorative standards similar to those listed in the ecological restoration treatment type across large areas while implementing more intensive vegetation removal along the margins of critical infrastructure to prioritize their protection in the event of wildfire. Like fuel break prescriptions, WUI fuel reduction treatments would be designed to improve ingress and egress on evacuation routes, create emergency access points, and reinforce staging areas for wildfire suppression equipment and operations in proximity to infrastructure. WUI fuel reduction treatments also promote ecosystem resilience through the strategic retention of vegetation and trees that increase habitat value and removal of nonnative species that compete with native vegetation. WUI fuels reduction treatments would adhere to the general prescription above and the following prescription parameters:

- Selectively remove trees less than or equal to 16 inches in diameter:
  - retain healthy trees and vegetation less than 16 inches in diameter with the goal of achieving a 10- to 20-foot spacing; and
  - prune tree canopies (above 6 feet) that make direct contact with infrastructure, neighboring tree canopies, or other flammable material.
- Remove or, in some cases, redistribute understory vegetation and downed woody debris to break up surface fuels and continuity to tree and shrub canopies:
  - remove surface biomass (approximately 0–3 feet from on the forest floor) within 100 feet of structures and other infrastructure to ensure adequate defensible space; and
  - when chipping material within 100 feet of structures, spread chips away from structures and the boles of retained vegetation to the extent feasible.
- Maintain the control of flammable, nonnative vegetation using manual treatment as a preferred activity.
- Remove vegetation or downed woody debris of any size within approximately 20 feet of the edge of roadways that impedes ingress or egress in the event of an emergency.
- Consistent with the writ and as reflected in SPR CHAP/CSS-1, WUI fuel reduction treatments within chaparral and coastal sage scrub habitat will be conducted only in chaparral and coastal sage scrub habitat that is located within 1,000 feet of the Interface layer mapped in the CAL FIRE WUI layer. Treatments will be implemented with a preference for hand thinning (manual treatments), and long-term maintenance of flammable, nonnative vegetation will be conducted. No WUI fuel

reduction treatment will occur in chaparral outside the 1,000-foot buffer of the CAL FIRE WUI Interface layer.

- In stands of chaparral or coastal sage scrub that have a state rarity ranking of S4 or S5 and have generated following a fire within the last 15 years in an area that was previously characterized as woodland, WUI fuel reduction treatments would be implemented as described in the general WUI fuel reduction treatment prescription (see the bullet points above).

WUI fuel reductions would be established and maintained using varying combinations of manual, mechanical, prescribed burning, targeted herbicide, and prescribed herbivory treatments.

Fuel Break

In strategic locations, fuel breaks create zones of vegetation removal, often in a linear layout, which reduce wildfire risk and support fire suppression efforts by providing emergency responders with a staging area or access to a remote landscape for fire control actions. They can also facilitate safe emergency egress during wildfires. Fuel breaks reduce the likelihood that a severe fire would occur within the treated area by minimizing ignition potential, reducing vegetative fuels, and managing regrowth. In all cases, flammable, nonnative invasive plants would be controlled in maintenance treatments of fuel breaks.

Consistent with the writ and as reflected in SPR CHAP/CSS-1, new fuel breaks within chaparral and coastal sage scrub habitat will not exceed 300 feet in width, and long-term maintenance of flammable nonnative vegetation will be included in treatment. In stands of chaparral or coastal sage scrub that have a state rarity ranking of S4 or S5 and have generated following a fire within the last 15 years in an area that was previously characterized as woodland, fuel breaks would be implemented as described in the fuel break treatment prescriptions.

NON-SHADED FUEL BREAKS

In areas designated as non-shaded fuel breaks, vegetation would be removed to the extent that canopy cover is eliminated or nearly eliminated to create new or maintain existing fuel breaks for the purposes of wildland fire control and prescribed burning management. For the purposes of this project, non-shaded fuel breaks would occur only in non-forested vegetation types. In fuel breaks and areas adjacent to existing paved and unpaved roads and trails, standing dead and dying, as well as live, vegetation would be cleared. The width of new and reestablished fuel break segments would vary depending on site-specific conditions but would not exceed 200 feet (i.e., for the purposes of the analysis in this PSA/Addendum, non-shaded fuel break has been mapped with a 100-foot buffer on either side of paved and unpaved roads, and ridgeline fuel breaks).

SHADED FUEL BREAKS

Areas designated as shaded fuel breaks would have similar levels of vegetation removal with the goal of providing similar intended benefits as non-shaded fuel breaks. However, shaded fuel breaks differ in that select live vegetation that provide canopy cover would be retained to a level that provides shade

and maintains the ecological benefits provided by the existing vegetation community while still reducing the potential spread of wildfire through the understory and into the canopy. Selective retention of overstory vegetation reduces light penetration to the soil surface, which can slow the regrowth of shrubs and sprouting hardwoods, benefit invasive plan management, and reduce erosion in posttreatment shaded fuel breaks. For the purposes of WSCLRP, shaded fuel breaks would occur in forested vegetation types.

Shaded fuel breaks would be mapped to the same 100-foot buffer off the edge of roadways as non-shaded fuel breaks, and within that area, all dead and the majority of live vegetation would be removed while select, prominent individual trees or shrubs would be retained. Retention standards in shaded fuel breaks would depend on the size, density, and distribution of vegetation, as well as the dominant vegetation types, to result in a residual mosaic of retained vegetation spaced to the extent that horizontal and vertical fuel continuity is thinned while leaving the original vegetation community intact. This treatment is targeted for areas in which fuel breaks are planned in ecologically sensitive vegetation types, such as sensitive natural communities, to limit impacts on existing vegetation composition. Strategic shaded fuel breaks would be established where the residual forest conditions support the establishment of control lines for prescribed burning or to improve ingress and egress for evacuation and emergency vehicle access.

TREATMENT ACTIVITIES

The proposed treatment activities for this project are manual treatments, mechanical treatments, prescribed burning, targeted herbicide application, and prescribed herbivory. Each treatment activity is consistent with the treatment activities described in the Program EIR. Table 2 provides a summary of treatments and the maximum acreage of each treatment activity in the project area.

Treatment activities could occur during any time of the year. Prescribed burning would occur any day of the week or time of day within identified burn prescription windows. Manual treatments, mechanical treatments, and targeted herbicide application could occur on any day of the week but would generally be limited to daylight hours. Prescribed herbivory in one fenced area could occur across the span of days, up to a week at the longest. Biomass would be disposed of through chipping, mastication, lop and scatter, pile burning, broadcast burning, air curtain burning and carbonator, or hauling to an area outside the treatment area.

Implementation of treatments would typically require between 1 and 20 crew members depending on the treatment activity, along with their associated vehicles to travel to and from the treatment areas. For select prescribed broadcast burns, treatments may require approximately 50 crew members on site over the course of a 1 day to 2-week period. The duration of treatments varies greatly depending on treatment area conditions (e.g., density of tree and shrub fuel types or slope), the acreage to be treated, and the size of the crew. Under this project, treatments could be implemented in little as a 1-week period to an 18-month window.

Table 2 Applicable Treatment Activities

Treatment Activity	Equipment Used for Treatments	Typical Duration of Treatments	Maximum Treatment Size (Acres) *
Manual treatment	Chainsaws, hand saws, brush cutters, pole saws, hand lopping tools, shovels, weed wrenches, weed whips, machetes, pruning shears, other hand tools and hand-operated power tools, and passenger vehicle(s)/all-terrain vehicle(s).	1 week–6 months	143,375
Mechanical treatment	Tracked or wheeled masticators (e.g., skid steers or excavators with masticating heads), tracked and tow-behind chippers, bulldozer or tractor with brush rake or ball-and-chain crushing apparatus, loader with bucket and thumb attachments to pile material for burns or chipping, wheeled skidders, fire suppression vehicles and equipment (e.g., water apparatus, hand tools), and passenger vehicle(s)/all-terrain vehicle(s).	1 week–6 months	93,158
Prescribed burning–broadcast burning **	Drip torch/terra torch, aerial ignition devices, water tender, excavator, fire suppression vehicles and equipment (e.g., water apparatus, fire engines, bulldozers, tractors, skidders, mowers, loader, excavator, hand tools), and passenger vehicle(s)/all-terrain vehicle(s).	1 day–1 week	143,375
Prescribed burning–pile burning**	Drip torch/terra torch, aerial ignition devices, water tender, excavator, fire suppression vehicles and equipment (e.g., water apparatus, fire engines, bulldozers, tractors, skidders, mowers, loader, excavator, hand tools), air curtain burner, carbonizer, and passenger vehicle(s)/all-terrain vehicle(s).	1 day–1 week	143,375
Targeted herbicide application	Batch truck, application devices (e.g., backpack sprayer, manual brush applicator), and passenger vehicle(s)/all-terrain vehicle(s).	1 day–2 weeks	143,375
Prescribed herbivory	Electric fencing, 10 to 500 head of livestock, water trailer, herding animals (e.g., dogs), and passenger vehicle(s)/all-terrain vehicle(s).	1 day–1 month	143,375

* The sum of acres in maximum treatment size is greater than the total treatment acreage because acreages are approximate, and more than one treatment activity may occur in a given area. While manual treatment, prescribed burning, herbicide application, and prescribed herbivory may occur throughout the entire project area, these treatment activities will be limited to a much smaller area based on feasibility, the scope of individual treatments, and restrictions of the standard project requirements and mitigation measures.

** Cultural burning activities are included under prescribed burning.

Source: Information provided by SCC FSC; compiled by Auten Resources Consulting in 2025.

TREATMENT MAINTENANCE

Maintenance treatments, or retreatments, would occur based on annual monitoring of the site conditions. Maintenance treatment is estimated to occur immediately following initial treatments (e.g., manual, mechanical, prescribed fire, targeted herbicide, or prescribed herbivory) or approximately every 2 to 10 years, or more frequently if the qualified professional/responsible agency determines that the initial treatment did not obtain the appropriate results (e.g., the prescribed fire treatment did not result in the appropriate treatment outcome representative of the results expected from the average fire return interval). Maintenance treatment methods employ the same vegetation treatment activities used in the initial treatment or introduce a new treatment activity presented in the WSCLRP

PSA/Addendum; for example, mechanical initial treatments may be maintained with prescribed fire treatments.

Retreatment in ecological restoration areas would consider the natural fire return interval (i.e., time since last burn is greater than or equal to the average fire return interval for the habitat type) of a given vegetation type and existing conditions, prior to implementing a maintenance treatment. Treatment activities that do not use fire (e.g., manual treatments, mechanical treatments) are considered "fire surrogates." In the absence of additional data regarding mechanical and manual treatment activities, fire return interval is used as a proxy to guide the frequency and intensity of these non-fire treatments. This approach assumes that, in some vegetation types, manual treatment functions similarly to low-severity fire, whereas mechanical treatment more closely resembles the effects of mixed severity fire. Follow-up maintenance treatment to target invasive species would occur at any time.

Maintenance treatments would generally be lower in intensity and scale than initial treatments. Prior to implementing maintenance treatments, the project proponent would determine the natural fire return interval of the habitat(s) to be retreated, and the project proponent would verify that the expected site conditions as described in the PSA/Addendum are present in the treatment area(s). Additionally, pursuant to SPR BIO-5, all treatments and the maintenance treatment interval would be designed to maintain habitat function of the specific chaparral vegetation alliance being treated and to avoid type conversion of chaparral. As a result, retreatment is generally anticipated to occur between 2 and 10 years following initial treatments in common vegetation types (e.g., annual grassland, Douglas-fir forest); maintenance treatment would be timed to retain habitat function and ensure the habitat is within the natural fire return interval in sensitive natural communities or sensitive habitats (e.g., wetland, riparian, oak woodland, chaparral). Prior to implementing maintenance treatments, the project proponent would determine the natural fire return interval of the habitat(s) to be retreated and would verify that the expected site conditions as described in the PSA/Addendum are present in the treatment area.

ENVIRONMENTAL REVIEW PROCESS

The project PSA/Addendum was prepared in compliance with CEQA to document the City of Gilroy's determination that the portions of the project area that are within the CalVTP treatable landscape are within the scope of the CalVTP Program EIR and that a subsequent or supplemental EIR is not required for the portions of the project area that extend outside of the CalVTP treatable landscape. The PSA/Addendum contains a detailed and comprehensive review of the project and the resulting impacts and concludes that implementation of the project would not cause any new significant environmental impacts nor an increase in the severity of significant impacts previously identified and studied in the CalVTP Program EIR. There have not been any substantial changes with respect to the circumstances under which implementation of the project would be undertaken that would require major revisions to

the previously certified CalVTP Program EIR. In addition, there is no new information of substantial importance, which was not known and could not have been known at the time that the CalVTP Program EIR was certified, showing that new or more severe environmental impacts not addressed in the CalVTP Program EIR would occur, that mitigation measures or alternatives found infeasible in the CalVTP Program EIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the CalVTP Program EIR would substantially reduce one or more significant impacts.

The PSA/Addendum analyzes the environmental effects of the project in relation to the environmental analysis in the CalVTP Program EIR with regard to the following environmental topic areas: Aesthetics; Agricultural and Forestry Resources; Air Quality; Archeological, Historical, and Tribal Cultural Resource; Biological Resources; Energy; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning and Population and Housing; Noise; Public Services, Utilities, and Service Systems; Recreation; Transportation; and Wildfire. It also identifies standard project requirements (SPRs) and mitigation measures adopted as part of the CalVTP Program EIR relevant to the project that have been incorporated into and must be implemented as part of the project. All SPRs and mitigation measures in the CalVTP Program EIR relevant to the project, as well as all components of the project described in the PSA/Addendum, are included in the Approval and are made conditions of the project.

The City of Gilroy followed the evaluation and reporting process outlined in the PSA and required under the CalVTP, as explained below.

On October 14, 2025, the Santa Clara County FireSafe Council submitted to CAL FIRE, on behalf of City of Gilroy, the required information regarding this project when it began preparing the PSA. The submittal included:

- GIS data that included project location (as a point);
- project size;
- planned treatment types and activities; and
- contact information for a representative of the project proponent.

Upon adoption of these findings and approval of the project, City of Gilroy will submit this completed PSA and associated geospatial data to CAL FIRE at the time a Notice of Determination is filed. The submittal will include the following:

- The completed PSA Environmental Checklist;
- The completed Mitigation Monitoring and Reporting Program (using Attachment A to the Environmental Checklist);
- GIS data that include:
  - a polygon(s) of the project area, showing the extent of each treatment type included in the project (ecological restoration, fuel break, WUI fuel reduction)

As required under the CalVTP, the following information will be submitted to CAL FIRE after implementation of treatments:

- GIS data that include a polygon(s) of the treated area, showing the extent of each treatment type implemented (ecological restoration, fuel break, WUI fuel reduction)
- A post-project implementation report (referred to by CAL FIRE as a Completion Report) that includes:
  - Size of treated area (typically acres);
  - Treatment types and activities;
  - Dates of work;
  - A list of the SPRs and mitigation measures that were implemented; and
  - Any explanations regarding implementation if required by SPRs and mitigation measures (e.g., explanation for feasibility determination required by SPR BIO-12; explanation for reduction of a no-disturbance buffer below the general minimum size described in Mitigation Measures BIO-1a and BIO-2b).

RECORD OF PROCEEDINGS

In accordance with Guidelines Section 15091 (b), the record of proceedings for the **City of Gilroy**'s decision to approve the vegetation treatment project under the CalVTP includes the following documents at a minimum:

- The certified Final Program EIR for the CalVTP, including the Draft Program EIR, responses to comments on the Draft Program EIR, and appendices;
- All recommendations and findings adopted by the Board in connection with the CalVTP and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the treatment project prepared by the Project Proponent, consultants to the Project Proponent, or responsible or trustee agencies with respect to the Project Proponent's compliance with the requirements of CEQA and with respect to the Project Proponent's action on the CalVTP;
- Matters of common knowledge to the Project Proponent, including but not limited to federal, state, and local laws and regulations; and
- Any documents expressly cited in these findings, in addition to those cited above.

After project approval, the substantial evidence in the record that supports the decision and the findings, in accordance with Guidelines Section 15091 (b), are available for review upon request during normal business hours at 7351 Rosanna Street, Gilroy, Ca, 95020 / (408) 846-0219. The certified Final CalVTP Program EIR and CalVTP Findings/Statement of Overriding Consideration are also available on the Board's CalVTP webpage.

MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) was adopted by the Board of Forestry and Fire Protection for the CalVTP, and the applicable SPRs and mitigation measures for this treatment project have been identified in the PSA/Addendum. The Santa Clara County Firesafe Council will use

the MMRP to track compliance with the CalVTP mitigation measures and SPRs on behalf of the **City of Gilroy**, as required. The MMRP will remain available for public review during the compliance period. The Final MMRP is attached to and is approved in conjunction with the approval of the treatment project and adoption of these Findings.

FINDINGS FOR DETERMINATIONS OF LESS THAN SIGNIFICANT

The City of Gilroy has reviewed and considered the information in the Final Program EIR for the CalVTP addressing potential environmental effects, proposed mitigation measures, and alternatives. The City of Gilroy, relying on the facts and analysis in the Final Program EIR and the treatment project PSA/Addendum, which were presented to the City of Gilroy City Council and reviewed and considered prior to any approvals, concurs with the conclusions of the Final Program EIR and the treatment project PSA/Addendum regarding the potential environmental effects of the CalVTP and the treatment project.

The City of Gilroy concurs with the conclusions in the Final Program EIR and treatment project PSA/Addendum that all of the following impacts will be less than significant or no impact:

AESTHETICS AND VISUAL RESOURCES

☒ **Impact AES-1:** Result in Short-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from Treatment Activities

☒ **Impact AES-2:** Result in Long-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from WUI Fuel Reduction, Ecological Restoration, or Shaded Fuel Break Treatment Types

AGRICULTURAL AND FORESTRY RESOURCES

☒ **Impact AG-1:** Directly Result in the Loss of Forest Land or Conversion of Forest Land to a Non-Forest Use or Involve Other Changes in the Existing Environment Which, Due to Their Location or Nature, Could Result in Conversion of Forest Land to Non-Forest Use

AIR QUALITY

☒ **Impact AQ-2:** Expose People to Diesel Particulate Matter Emissions and Related Health Risk

☒ **Impact AQ-3:** Expose People to Fugitive Dust Emissions Containing Naturally Occurring Asbestos and Related Health Risk

☒ **Impact AQ-5:** Expose People to Objectionable Odors from Diesel Exhaust

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

☒ **Impact CUL-1:** Cause a Substantial Adverse Change in the Significance of Built Historical Resources

☒ **Impact CUL-3:** Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource

☒ **Impact CUL-4:** Disturb Human Remains

BIOLOGICAL RESOURCES

☒ **Impact BIO-6:** Substantially Reduce Habitat or Abundance of Common Wildlife

☒ **Impact BIO-7:** Conflict with Local Policies or Ordinances Protecting Biological Resources

☒ **Impact BIO-8:** Conflict with the Provisions of an Adopted Natural Community Conservation Plan, Habitat Conservation Plan, or Other Approved Habitat Plan

ENERGY RESOURCES

☒ **Impact ENG-1:** Result in Wasteful, Inefficient, or Unnecessary Consumption of Energy

GEOLOGY, SOILS, AND MINERAL RESOURCES

☒ **Impact GEO-1:** Result in Substantial Erosion or Loss of Topsoil

☒ **Impact GEO-2:** Increase Risk of Landslide

GREENHOUSE GAS EMISSIONS

☒ **Impact GHG-1:** Conflict with Applicable Plan, Policy, or Regulation of an Agency Adopted for the Purpose of Reducing the Emissions of GHGs

HAZARDOUS MATERIALS, PUBLIC HEALTH AND SAFETY

☒ **Impact HAZ-1:** Create a Significant Health Hazard from the Use of Hazardous Materials

☒ **Impact HAZ-2:** Create a Significant Health Hazard from the Use of Herbicides

HYDROLOGY AND WATER QUALITY

☒ **Impact HYD-1:** Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Implementation of Prescribed Burning

☒ **Impact HYD-2:** Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Implementation of Manual or Mechanical Treatment Activities

☒ **Impact HYD-3:** Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through Prescribed Herbivory

☒ **Impact HYD-4:** Violate Water Quality Standards or Waste Discharge Requirements, Substantially Degrade Surface or Ground Water Quality, or Conflict with or Obstruct the Implementation of a Water Quality Control Plan Through the Ground Application of Herbicides

☒ **Impact HYD-5:** Substantially Alter the Existing Drainage Pattern of a Treatment Site or Area

LAND USE AND PLANNING, POPULATION AND HOUSING

☒ **Impact LU-1:** Cause a Significant Environmental Impact Due to a Conflict with a Land Use Plan, Policy, or Regulation

☒ **Impact LU-2:** Induce Substantial Unplanned Population Growth

NOISE

☒ **Impact NOI-1:** Result in a Substantial Short-Term Increase in Exterior Ambient Noise Levels During Treatment Implementation

☒ **Impact NOI-2:** Result in a Substantial Short-Term Increase in Truck-Generated SENL's During Treatment Activities

PUBLIC SERVICES, UTILITIES, AND SERVICE SYSTEMS

☒ **Impact UTIL-1**: Result in Physical Impacts Associated with Provision of Sufficient Water Supplies, Including Related Infrastructure Needs

☒ **Impact UTIL-3**: Comply with Federal, State, and Local Management and Reduction Goals, Statutes, and Regulations Related to Solid Waste

RECREATION

☒ **Impact REC-1:** Directly or Indirectly Disrupt Recreational Activities within Designated Recreation Areas

TRANSPORTATION

☒ **Impact TRAN-1:** Result in Temporary Traffic Operations Impacts by Conflicting with a Program, Plan, Ordinance, or Policy Addressing Roadway Facilities or Prolonged Road Closures

☒ **Impact TRAN-2:** Substantially Increase Hazards due to a Design Feature or Incompatible Uses

WILDFIRE

☒ **Impact WIL-1**: Substantially Exacerbate Fire Risk and Expose People to Uncontrolled Spread of a Wildfire

☒ **Impact WIL-2**: Expose People or Structures to Substantial Risks Related to Post-Fire Flooding or Landslides

SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Program EIR identified significant and potentially significant effects on the environment that the CalVTP will contribute to or cause. The Board determined that some of these significant effects can be fully avoided through the application of feasible mitigation measures. Other effects, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives and thus will be significant or potentially significant and unavoidable. For reasons set forth in the Board's Findings and Statement of Overriding Considerations (Section 10.2), however, the Board determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the CalVTP.

The Board adopted the findings required by CEQA for all direct and indirect significant impacts. The findings provided a summary description of each impact, described the applicable mitigation measures identified in the Program EIR and adopted by the Board, and stated the Board's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final Program EIR; and the Board incorporated by reference into its findings the discussion in those documents supporting the Final Program EIR's determinations. In making those findings, the Board ratified, adopted, and incorporated into the findings the analyses and explanations in the Draft Program EIR and Final Program EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions were specifically and expressly modified by the findings.

Not every individual treatment project will have all of the significant environmental impacts that the CalVTP was determined to contribute to or cause. The impacts and mitigation measures identified below reflect the conclusions of the PSA by indicating which of the CalVTP's impacts that this treatment project will contribute to or cause. By indicating the project-specific effects of this treatment project as follows, the City of Gilroy's City Council is hereby making the required findings under CEQA regarding the application or feasibility of mitigation measures to reduce those impacts.

FINDINGS FOR IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The **City of Gilroy** finds that changes or alterations have been required in, or incorporated into, the treatment project which avoid or substantially lessen the significant environmental effects indicated below, as identified in the Final Program EIR and the PSA. Implementation of the mitigation measures indicated below to be applicable to the treatment project, which have been required or incorporated into the project, will reduce these impacts to a less than significant level. The **City of Gilroy** hereby directs that these mitigation measures be adopted.

Biological Resources

☒ **Impact BIO-1: Substantially Affect Special-Status Plant Species Either Directly or Through Habitat Modifications**

- ☒ Mitigation Measure BIO-1a: Avoid Loss of Special-Status Plants Listed under ESA or CESA
- ☒ Mitigation Measure BIO-1b: Avoid Loss of Special-Status Plants Not Listed Under ESA or CESA
- ☒ Mitigation Measure BIO-1c: Compensate for Unavoidable Loss of Special-Status Plants

☒ **Impact BIO-2: Substantially Affect Special-Status Wildlife Species Either Directly or Through Habitat Modifications (all wildlife species except bumble bees)**

- ☒ Mitigation Measure BIO-2a: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Listed Wildlife Species and California Fully Protected Species (All Treatment Activities)
- ☒ Mitigation Measure BIO-2b: Avoid Mortality, Injury, or Disturbance and Maintain Habitat Function for Other Special-Status Wildlife Species (All Treatment Activities)
- ☒ Mitigation Measure BIO-2c: Compensate for Mortality, Injury, or Disturbance and Loss of Habitat Function for Special-Status Wildlife if Applicable (All Treatment Activities)
- ☒ Mitigation Measure BIO-2e: Design Treatment to Retain Special-Status Butterfly Host Plants (All Treatment Activities)
- ☒ Mitigation Measure BIO-2g: Avoid prescribed burning and targeted herbicide application during the flight/ nesting season and retention of habitat in the range of special-status bumble bee species, or compensation for unavoidable loss of special-status bumble bees or habitat function.
- ☒ Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands
- ☒ Mitigation Measure BIO-3b: Compensate for Loss of Sensitive Natural Communities and Oak Woodlands
- ☒ Mitigation Measure BIO-3c: Compensate for Unavoidable Loss of Riparian Habitat
- ☒ Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands
- ☒ Mitigation Measure BIO-5: Retain Nursery Habitat and Implement Buffers to Avoid Nursery Sites

☒ **Impact BIO-3: Substantially Affect Riparian Habitat or Other Sensitive Natural Community Through Direct Loss or Degradation that Leads to Loss of Habitat Function**

☒ Mitigation Measure BIO-3a: Design Treatments to Avoid Loss of Sensitive Natural Communities and Oak Woodlands

☒ Mitigation Measure BIO-3b: Compensate for Loss of Sensitive Natural Communities and Oak Woodlands

☒ Mitigation Measure BIO-3c: Compensate for Unavoidable Loss of Riparian Habitat

☒ **Impact BIO-4: Substantially Affect State or Federally Protected Wetlands**

☒ Mitigation Measure BIO-4: Avoid State and Federally Protected Wetlands

☒ **Impact BIO-5: Interfere Substantially with Wildlife Movement Corridors or Impede Use of Nurseries**

☒ Mitigation Measure BIO-5: Retain Nursery Habitat and Implement Buffers to Avoid Nursery Sites

Hazardous Materials, Public Health and Safety

☒ **Impact HAZ-3: Expose the Public or Environment to Significant Hazards from Disturbance to Known Hazardous Material Sites**

☒ Mitigation Measure HAZ-3: Identify and Avoid Known Hazardous Waste Sites

FINDINGS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS

The CalVTP Program EIR determined that some impacts of the program would be significant and unavoidable or potentially significant and unavoidable, even after implementation of all feasible mitigation. The Program EIR noted that the majority of qualifying treatments under the CalVTP would result in less-than-significant impacts or be potentially beneficial; however, because of uncertainty related to future predictions of environmental conditions or implementation of mitigation by other agencies, the Program EIR noted for CEQA purposes of good-faith disclosure that the possibility exists for impacts to be significant and unavoidable, although the expected outcome would be less than significant or potentially beneficial. Despite the expected less-than-significant outcomes or benefits of treatments, impacts determined to be significant or potentially significant and unavoidable in the Program EIR because of the uncertainties, are recognized as significant and unavoidable or potentially significant and unavoidable for the purpose of these Findings.

The City of Gilroy finds that the treatment project would contribute to or cause the following significant and unavoidable or potentially significant and unavoidable impacts. Incorporating and implementing the following feasible mitigation measures indicated to be applicable to the treatment project will reduce the severity of this impact, but not to a less-than-significant level. The City of Gilroy will adopt and implement these mitigation measures. The City of Gilroy therefore finds that changes or

alterations have been required in, or incorporated into, the treatment project that will substantially lessen, but not avoid, the significant environmental effect as identified in the Program EIR and PSA/Addendum.

The City of Gilroy finds that fully mitigating these impacts to a less-than-significant level is not feasible; there are no feasible mitigation measures beyond those described below to reduce these impacts. These impacts will remain significant and unavoidable or potentially significant and unavoidable. The City of Gilroy concludes, however, that the benefits of the CalVTP and the vegetation treatment project outweigh the significant or potentially significant unavoidable impacts of the Program and treatment project, as set forth in the Board's Statement of Overriding Considerations and the City of Gilroy's own Statement of Overriding Considerations, below.

SIGNIFICANT AND UNAVOIDABLE IMPACTS

Aesthetics and Visual Resources

☒ **Impact AES-3:** Result in long-term substantial degradation of a scenic vista or visual character or quality of public views, or damage to scenic resources in a state scenic highway from the non-shaded fuel break treatment type

☒ Mitigation Measure AES-3: Conduct Visual Reconnaissance for Non-Shaded Fuel Breaks and Relocate or Feather and Screen Publicly Visible Non-Shaded Fuel Breaks

Refer to Section 8.2.1, "Aesthetics and Visual Resources," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

Archaeological, Historical, and Tribal Cultural Resources

☒ **Impact CUL-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Subsurface Historical Resources**

☒ Mitigation Measure CUL-2: Protect Inadvertent Discoveries of Unique Archaeological Resources or Subsurface Historical Resources

Refer to Section 8.2.3, "Archaeological, Historical, and Tribal Cultural Resources," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

SIGNIFICANT AND UNAVOIDABLE IMPACTS

Air Quality

☒ **Impact AQ-1:** Generate Emissions of Criteria Air Pollutants and Precursors During Treatment Activities that Would Exceed CAAQS Or NAAQS and Conflict with Regional Air Quality Plans

☒ Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques

Refer to Section 8.2.2, "Air Quality," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

☒ **Impact AQ-4: Expose People to Toxic Air Contaminants Emitted by Prescribed Burns and Related Health Risk**

☒ No feasible mitigation is available

Refer to Section 8.2.2, "Air Quality," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

☒ **Impact AQ-6: Expose People to Objectionable Odors from Smoke During Prescribed Burning**

☒ No feasible mitigation is available

Refer to Section 8.2.2, "Air Quality," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

Greenhouse Gas Emissions

☒ **Impact GHG-2: Generate GHG Emissions through Treatment Activities**

☒ Mitigation Measure GHG-2: Implement GHG Emission Reduction Techniques During Prescribed Burns

Refer to Section 8.2.5, "Greenhouse Gas Emissions," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

Transportation

☒ **Impact TRAN-3: Result in a Net Increase in VMT for the Proposed CalVTP**

☒ Mitigation Measure AQ-1: Implement On-Road Vehicle and Off-Road Equipment Exhaust Emission Reduction Techniques

Refer to Section 8.2.6, "Transportation," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

Public Services, Utilities and Service Systems

☒ **Impact UTIL-2: Generate Solid Waste in Excess of State Standards or Exceed Local Infrastructure Capacity**

☒ No feasible mitigation is available

Refer to Section 8.2.7, "Public Services, Utilities, and Service Systems," of the CalVTP CEQA Findings of Fact and Statement of Overriding Considerations for the CalVTP findings. The City of Gilroy incorporates by reference the Board of Forestry and Fire Protection's CEQA findings for this impact.

STATEMENT OF OVERRIDING CONSIDERATIONS[4]

As set forth in the Board's adopted Findings, the Board determined that the CalVTP will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures, and there are no feasible project alternatives that would mitigate or substantially lessen the impacts. Despite these effects, however, the Board, in accordance with CEQA Guidelines Section 15093, chose to approve the CalVTP because, in its view, the benefits to life, property, and other resources, and the other benefits of the CalVTP, will render the significant effects acceptable.

In the Board's judgment, the CalVTP and its benefits outweigh its unavoidable significant effects. The Board's Findings were based on substantial evidence in the record. The Board's Statement of Overriding Considerations identified the specific reasons why, in the Board's judgment, the benefits of the CalVTP as approved outweigh its unavoidable significant effects.

Exercising its independent judgment and review, the City of Gilroy concurs that the benefits of the CalVTP and the treatment project outweigh the significant environmental effects and hereby incorporates by reference and adopts the Board's Statement of Overriding Considerations for the CalVTP. The certified Final CalVTP Program EIR and CalVTP Findings/Statement of Overriding Consideration are available on the Board's CalVTP webpage.

Any one of the reasons listed in the Statement of Overriding Considerations is sufficient to justify approval of the treatment project. Thus, even if a court were to conclude that not every reason is

[4] If the PSA indicates that the project proponent's treatment project will not contribute to or cause any of the significant and unavoidable impacts determined in the Program EIR, the proponent need not adopt a statement of overriding considerations.

supported by substantial evidence, the City of Gilroy would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and the documents found in the Record of Proceedings, which are described and defined under "Record of Proceedings," above.

- The West Santa Clara Landscape Resiliency Project, as an implementation action of the CalVTP, will reduce dire risks to life, property, and natural resources in California.
- The West Santa Clara Landscape Resiliency Project, as an implementation action of the CalVTP, reflects the most current and commonly accepted science and conditions in California and allows for adaptation in response to potential evolution and changes in science and conditions.
- The West Santa Clara Landscape Resiliency Project, as an implementation action of the CalVTP, reflects the Board's and CAL FIRE's goals. The CalVTP will help the Board and CAL FIRE achieve their central goals for reducing and preventing the impacts of fire in the state, as outlined in the *2018 Strategic Fire Plan for California*. The CalVTP will help to establish a natural environment that is more resilient and built assets that are more resistant to the occurrence and effects of wildland fire.
- The West Santa Clara Landscape Resiliency Project, as an implementation action of the CalVTP, will help implement Executive Orders, including:
  - EO B-42-17: Governor Brown's order issued to bolster the state's response to unprecedented tree die-off through further expediting removal of millions of dead and dying trees across the state; and
  - EO B-52-18: Governor Brown's order to improve forest management and restoration, provide regulatory relief, and reduce barriers for prescribed fire.
- The Board is required by law to comply with SB 1260, signed into law by Governor Brown in February 2018, which improves California forest management practices to reduce the risk of wildfire in light of the changing climate and includes provisions for the CalVTP Program EIR to serve as the programmatic CEQA coverage for prescribed burns within the SRA. The West Santa Clara Landscape Resiliency Project, as an implementation action of the CalVTP, will bring the Board into compliance with these requirements.
- The West Santa Clara Landscape Resiliency Project, as an implementation action of the CalVTP, will help to meet California's GHG emission goals consistent with the California Forest Carbon Plan, California's 2017 Climate Change Scoping Plan, and California 2030 Natural and Working Lands Climate Change Implementation Plan.

Notice of Determination

To: ☒ Office of Land Use and Climate Innovation
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

☒ Santa Clara County
Clerk-Recorder Office
110 West Tasman Drive, 1st Floor
San Jose, CA 95134
(408) 299-5688

From: City of Gilroy
7351 Rosanna Street, Gilroy, Ca, 95020
Matt Morley, City Administrator
(408) 846-0219

Subject: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resource Code.

State Clearinghouse Number: 2019012052

Project Title: West Santa Clara Landscape Resiliency Project, California Vegetation Treatment Program (CalVTP)

Project Location: West Santa Clara County. The project area consists of a discontinuous collection of public and private parcels roughly bound by San Mateo County to the north, major thoroughfares that run to the east (from north to south: Foothill Expressway, State Route [SR] 85, and SR 101), the intersection of SR 101 and SR 129 to the south, and San Mateo and Santa Cruz Counties to the west, primarily along Skyline Boulevard (SR 35) and Summit Road.

Project Description:

Located along the western boundary of Santa Clara County, the West Santa Clara Landscape Resiliency Project (WSCLRP) covers approximately 143,375 acres, from the wildland-urban interface (WUI) of the Santa Clara Valley and southern Bay Area west into the Santa Cruz Mountains. The proposed treatment types are ecological restoration, WUI fuel reduction treatments, and fuel breaks. Proposed treatment activities consist of prescribed burning, manual treatments, mechanical treatments, targeted herbicide application, and prescribed herbivory. The majority of treatment coverage in the project area would be ecological restoration treatments across approximately 74,738 acres, with significant sections of WUI fuel reduction treatments across approximately 56,818 acres, and a network of strategically planned fuel breaks occupying approximately 11,819 acres primarily along ridgetops and important ingress and egress routes throughout the project area. These treatments would be phased and maintained over time based on availability of funding, resources, community outreach opportunities, and partner collaboration.

This project serves to facilitate future landscape-scale wildfire resilience treatments across a variety of settings and land ownership types (e.g., landscape-scale treatments on public land in primarily wildland conditions, small-scale treatments conducted adjacent to urban homes that combine vegetation management efforts with defensible space treatments). This work aims to mitigate wildfire risk, increasing community and ecological wildfire resiliency and enhancing biological diversity.

A Project-Specific Analysis and Addendum (PSA/Addendum) has been prepared for the project as a later activity covered by the California Vegetation Treatment Project (CalVTP) Program Environmental Impact Report (EIR). The proposed treatment types and the treatment activities are consistent with those evaluated in the CalVTP Program EIR.

This Notice of Determination is to advise that the City of Gilroy (Responsible Agency) considered the PSA/Addendum as prepared by the Saratoga Fire Protection District (lead agency), approved the above-described project on August 3, 2026, and has made the following determinations related to the PSA/Addendum:

Commented [HB1]: This addition is from 15096(i)

1. The project will have a significant effect on the environment.
2. The West Santa Clara County Landscape Resiliency Project PSA/Addendum PSA/Addendum to the CalVTP Program EIR (SCH# 2019012052) was prepared for this project pursuant to the provisions of CEQA.

3. The CalVTP Program EIR sufficiently analyzes and addresses potential environmental impacts from the project, and the project will not trigger any of the criteria requiring additional CEQA review pursuant to CEQA Guidelines Section 15162. The project will not result in new significant impacts or a substantial increase in the severity of the significant environmental impacts identified in the CalVTP Program EIR.
    a. The elements of the proposed project that would be implemented in project areas within the CalVTP treatable landscape are within the scope of the CalVTP Program EIR consistent with CEQA Guidelines Section 15168(c)(2), as documented in the PSA.
    b. The elements of the proposed project that would be implemented in areas outside the CalVTP treatable landscape and revisions to four standard project requirements from the CalVTP Program EIR would not result in the occurrence of any of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR; therefore, an Addendum has been adopted to address these changes to the program.
4. Mitigation measures and standard project requirements from the CalVTP Program EIR were made a condition of the approval of the project; no new project-specific mitigation measures are required.
5. A mitigation monitoring and reporting program was adopted by the City of Gilroy for this project.
6. A statement of overriding considerations was adopted by the City of Gilroy for this project, which reaffirmed the previous statement of overriding considerations in the CalVTP Program EIR.
7. Findings were made pursuant to the provisions of State CEQA Guidelines Section 15091 as applicable to a responsible agency pursuant to State CEQA Guidelines Section 15096.

This is to certify that the West Santa Clara Landscape Resilience Project PSA/Addendum to the CalVTP Program EIR and record of project approval is available to the general public at the City Clerks office. The custodian of these documents is Kim Mancera, (408) 846-0219 / CityClerk@cityofgilroy.org, who is managing the documents.

Matt Morley, City Administrator Date

Dated Received for filing at LCI:
Authority cited: Sections 21083 and 21087, Public Resources Code Reference: Sections 21000-21174, Public Resources Code.

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Approval of City's Response to 2025-26 Civil Grand Jury Final Report "Pothole Damage: Improving Claims Processes within Santa Clara County"**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Administration
Submitted by:	Harjot Sangha, Assistant City Administrator
Prepared by:	Harjot Sangha, Assistant City Administrator

STRATEGIC PLAN GOALS:

RECOMMENDATION

Approve the City's response to the 2025-26 Civil Grand Jury Final Report "Pothole Damage: Improving Claims Processes within Santa Clara County" and authorize the City Administrator to submit the response.

EXECUTIVE SUMMARY

On June 12, 2026, the 2025-2026 Santa Clara County Civil Grand Jury released its final report, "Pothole Damage: Improving Claims Processes within Santa Clara County." The report examined how the County of Santa Clara and the fifteen cities and towns within the county receive, investigate, and resolve claims for pothole-related vehicle damage, and found that 92% of pothole claims filed countywide between 2020 and 2025 were rejected.

Pursuant to California Penal Code sections 933(c) and 933.05, the City of Gilroy is required to respond to Findings 1, 2, and 3 and Recommendations 2a, 2b, and 3b of the report, with the response due to the Presiding Judge of the Superior Court no later than September 10, 2026. The attached response, prepared in accordance with Penal Code section 933.05, agrees with Findings 1 and 2, partially disagrees with Finding 3, commits to implementing Recommendations 2a and 2b by the Civil Grand Jury's recommended deadline of December 15, 2026, and reports Recommendation 3b as implemented.

BACKGROUND

The Civil Grand Jury is a judicial body empowered under California law to investigate and report on the operations of local government agencies. When a Civil Grand Jury final report contains findings and recommendations pertaining to a public agency, California Penal Code section 933(c) requires the agency's governing body to respond to the Presiding Judge of the Superior Court within 90 days of the report's release. Penal Code section 933.05 prescribes the format of that response: the agency must agree or disagree (wholly or partially, with an explanation) with each applicable finding, and must report one of four specified actions for each applicable recommendation.

The City received the report and 90-day notice through the City Clerk on June 12, 2026. The Civil Grand Jury analyzed claims data from 2020 to 2025 provided by all sixteen jurisdictions responsible for road maintenance in Santa Clara County, reviewed each jurisdiction's claims webpages, and interviewed representatives from four jurisdictions. The report concluded that the claims process is often complex and opaque, that claims are most commonly rejected because they were filed with the wrong jurisdiction or because the agency had no prior notice of the pothole, and that jurisdictions should improve online claims information, jurisdictional mapping, language access, and rejection notices.

The City of Gilroy compared favorably in the Civil Grand Jury's review. The report identified Gilroy as one of only five jurisdictions providing adequate claims process information on its website, and noted that Gilroy settled 50% of the pothole claims filed against it during the review period (averaging one to two claims per year, among the smallest claim volumes in the county). Gilroy is not named in Finding 4 concerning vague rejection letters, and is not asked to respond to Recommendations 3a or 4. The City is required to respond only to Findings 1, 2, and 3 and Recommendations 2a, 2b, and 3b.

ANALYSIS

The draft response letter, included as an attachment to this report, addresses each required finding and recommendation in the format prescribed by Penal Code section 933.05, summarized below.

Finding 1 (92% countywide rejection rate) – Agree. The finding reflects aggregate claims data reported by the sixteen jurisdictions across Santa Clara County, which the City has no basis to dispute.

Finding 2 (jurisdictional confusion) – Agree. The City's own claims experience confirms that jurisdictional boundaries are a common source of confusion for claimants, particularly where state routes and county facilities intersect local streets.

Finding 3 (website deficiencies) – Partially Disagree. The City disagrees with the characterization of its website as having deficiencies that make it difficult to file a claim, noting that the Civil Grand Jury's own investigation found Gilroy to be one of only five

jurisdictions providing adequate claims process information. The response also notes that the Government Claims Act does not require electronic filing, and that the City's claim volume of one to two claims per year does not indicate a process that deters or burdens claimants. The City does agree that its website did not include a direct link to a downloadable claim form, and has added one as a customer service improvement.

Recommendation 2a (link to map or list of maintained roads) – Will be implemented. Staff will publish a map or list of City-maintained roads on the claims webpage by December 15, 2026, consistent with the Civil Grand Jury's recommended timeframe.

Recommendation 2b (identify commonly mistaken roads) – Will be implemented. Staff will update the claims webpage by December 15, 2026 to identify roadways commonly mistaken as being within the City's jurisdiction, such as segments of State Route 152 and U.S. Route 101 that are maintained by Caltrans.

Recommendation 3b (multilingual claim forms) – Has been implemented. The City has implemented DocAccess software on its website, which translates all PDF documents, including claim forms, into multiple languages. The City has also added a direct link to a downloadable claim form.

ALTERNATIVES

1. The City Council may direct staff to modify the response to any finding or recommendation, provided the revised response continues to comply with the format requirements of Penal Code section 933.05 and is submitted by the September 10, 2026 statutory deadline.
2. The City Council could decline to approve a response. This alternative is not recommended, as it would place the City out of compliance with the mandatory response requirements of Penal Code section 933(c).

FISCAL IMPACT/FUNDING SOURCE

There is no direct fiscal impact associated with approving the response. The website updates required to implement Recommendations 2a and 2b will be completed with existing staff resources within the adopted budget. The DocAccess translation software referenced in the response to Recommendation 3b has already been implemented.

PUBLIC OUTREACH

This agenda item was posted in accordance with the Brown Act. The Civil Grand Jury's final report is publicly available on the Superior Court's website, and the City's response, once submitted, will be placed on file with the Clerk of the Court as a public record.

NEXT STEPS

Upon City Council approval, the City Administrator will transmit the response to the Superior Court of California, County of Santa Clara, via email and U.S. Mail in advance of the September 10, 2026 deadline. Staff will complete the website updates associated with Recommendations 2a and 2b by December 15, 2026.

Attachments:

1. 2025-2026 Civil Grand Jury Final Report – "Pothole Damage: Improving Claims Processes within Santa Clara County"

2. Draft City of Gilroy Response Letter

GRAND JURY
SANTA CLARA COUNTY

June 12, 2026

City of Gilroy
c/o Ms. Kim Mancera, City Clerk
7351 Rosanna Street
Gilroy, California 95020

Sent via email: Kim.Mancera@cityofgilroy.org

Dear Ms. Mancera,

The 2025-26 Santa Clara County Civil Grand Jury is transmitting to you its Final Report, ***Pothole Damage: Improving claims processes within Santa Clara County***.

California Penal Code section 933(c) requires that a governing body of the particular public agency or department that has been the subject of a Grand Jury final report shall respond within 90 days to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. California Penal Code section 933.05 contains guidelines for responses to Grand Jury findings and recommendations and is attached to this transmission.

Please note:

1. As stated in Penal Code section 933.05(a), attached, you are required to "Agree" or "Disagree" with each applicable Finding: 1, 2, and 3. If you disagree, in whole or part, you must include an explanation of the reasons you disagree.

2. As stated in Penal Code section 933.05(b), attached, you are required to respond with one of four possible actions to each applicable Recommendation: 2a, 2b, and 3b.

Your comments are due to the office of the Honorable Julie A. Emede, Presiding Judge, Superior Court of California, County of Santa Clara, 191 North First Street, San José, CA 95113, no later than **Thursday, September 10, 2026.** You may transmit these via email to CGJ@scscourt.org. Copies of all responses shall be placed on file with the Clerk of the Court.

If you have any questions, please contact Britney Huelbig, Deputy Manager for the Civil Grand Jury, at (408) 882-2721 or CGJ@scscourt.org.

Sincerely,

Dinesh Ramde
Foreperson
2025-2026 Civil Grand Jury

Enclosures
cc: Kavita Narayan, Chief Assistant County Counsel, County of Santa Clara
Matt Morley, City Administrator

State of California

PENAL CODE

Section 933.05

933.05. (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

(Amended by Stats. 1997, Ch. 443, Sec. 5. Effective January 1, 1998.)

2025-2026 Santa Clara County Civil Grand Jury

Pothole Damage:

Improving claims processes within Santa Clara County

June 12, 2026

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SUMMARY

If you hit a pothole within Santa Clara County and damage your vehicle, chances are that your local government will decline to reimburse you for repairs. According to data analyzed by the 2025-26 Santa Clara County Civil Grand Jury (Civil Grand Jury), 92% of pothole claims filed with the County of Santa Clara (County) and the 15 cities and towns in Santa Clara County from 2020 to 2025 were rejected.

People who file claims may find this high rejection rate disappointing. They may also be frustrated by the state law that establishes the claims process, which can often be complex and opaque.

For example, in some jurisdictions, it's not easy to figure out how to file a claim. Also, while the City of Palo Alto (Palo Alto) and the City of Saratoga (Saratoga) offer e-filing options, claims filed in other jurisdictions must be mailed in or returned in person. And when a claim is denied, the rejection notice often provides little or no explanation.

The County, cities, and towns can and should do better. Specifically, they should:

- Make online claim forms available or easier to find, and include clearer instructions and timelines;
- Provide forms in multiple languages that reflect their specific demographics;
- Make it easier for claimants to determine which jurisdiction is responsible for a given roadway;
- Update their rejection letters to specify why claims were denied.

Implementing these changes would make the claims process simpler and more accessible. It would also minimize at least one source of frustration for residents who are already burdened by unexpected repair costs.

BACKGROUND

For the purposes of this report, a pothole is defined as a depression or hole in the road that forms when pavement breaks apart due to traffic stress and weather conditions.

Potholes can cause severe damage to tires and the underside of vehicles, with a particular risk to two-wheeled vehicles. If drivers believe the local government is responsible for their damage, they can file a claim seeking reimbursement.

According to local media reports, Bay Area drivers in 2022 filed more than 1,000 claims for potholes and other road damages. According to data that the California Department of Transportation (Caltrans) provided to CBS News, it rejected more than 95% of Bay Area claims (Feingold and Manthey, 2024; Manthey and Watts, 2024).

Who Is Responsible for Pothole Damage

Claims for road-related damage must be filed with the state, county, or city agency that has jurisdiction over the road where the damage occurred.

For example:

- Caltrans is generally responsible for major freeways and highways, such as US-101, I-280, and State Route 87.
- The County is responsible for expressways and county roads, such as Capitol and Lawrence Expressways.
- Cities and towns are generally responsible for local streets within their boundaries, including residential neighborhoods.

Why So Many Claims Are Rejected

The Civil Grand Jury requested and received claims data from the County and the 15 cities and towns in Santa Clara County covering the period from 2020 to 2025. The Civil Grand Jury's analysis of that data revealed that only 9% of pothole claims across Santa Clara County were settled.

Under the California Government Claims Act (Cal. Gov. Code §§ 810 et seq.), local agencies have wide discretion to reject a pothole claim for reasons including but not limited to:

- The claim form was incomplete or not filed by the required deadline;

- It was filed in the wrong jurisdiction;
- The responsible county, city, or town either was not aware of the pothole or was aware but had not had sufficient time to repair it.

These laws make it difficult for a claimant to dispute a denial. For example, if an agency rejects a claim on the grounds that it was not aware of the pothole, the law does not require it to provide evidence to back up its assertion.

In addition, because different agencies can have jurisdiction over different sections of the same road, it can be difficult for a claimant to determine which agency is responsible for the specific location where the damage occurred. If the person files with the wrong jurisdiction, the agency can reject the claim with no obligation to specify the reason or redirect the claimant to the correct jurisdiction.

If a claim is rejected, the claimant can pursue legal action according to the California Government Claims Act.

The California Government Claims Act

The California Government Claims Act (Cal. Gov. Code §§ 810 et seq.) establishes timelines and procedures for filing lawsuits seeking money or damages from a public entity.

In general, the Government Claims Act specifies that a claim must be filed no later than six months from the date of the incident. The claim must include what happened, what harm occurred, and the amount of compensation requested.

Once the public entity receives the claim, it has 45 days to review, investigate, and decide whether to settle or reject it. If a claim is rejected, the claimant has six months to file a lawsuit.

Why the Civil Grand Jury Conducted This Investigation

The Civil Grand Jury believes that claims processes should be consistent, accessible, and transparent. It also believes the public interest is served by highlighting when processes fall short of that standard.

The Civil Grand Jury conducted this investigation to:

- Examine how local government agencies manage pothole claims;
- Understand why so many claims are denied;

- Recommend how jurisdictions can make it easier for potential claimants to engage in the process.

METHODOLOGY

The Civil Grand Jury requested data from all 16 jurisdictions responsible for road maintenance within Santa Clara County. The data excluded state routes and interstate highways because Caltrans, a state agency, is not subject to Civil Grand Jury review. Jurisdictions provided data about all claims filed against them for road-related damages between 2020 and 2025. Information provided included the number of pothole claims, the amount claimed, the resolution, and the reason for rejection. Three jurisdictions provided response letters sent to claimants.

The Civil Grand Jury reviewed the websites of the following 16 agencies to analyze what content was included and how clearly it was presented:

- County of Santa Clara (County)
- City of Campbell (Campbell)
- City of Cupertino (Cupertino)
- City of Gilroy (Gilroy)
- City of Los Altos (Los Altos)
- Town of Los Altos Hills (Los Altos Hills)
- Town of Los Gatos (Los Gatos)
- City of Milpitas (Milpitas)
- City of Monte Sereno (Monte Sereno)
- City of Morgan Hill (Morgan Hill)
- City of Mountain View (Mountain View)
- City of Palo Alto (Palo Alto)
- City of San José (San José)
- City of Santa Clara (Santa Clara)
- City of Saratoga (Saratoga)
- City of Sunnyvale (Sunnyvale)

The Civil Grand Jury also interviewed representatives from four jurisdictions that together account for about two-thirds of the roads in Santa Clara County. These interviews provided further insight into the agencies' processes and decision-making practices.

INVESTIGATION

There are over 10,000 miles of locally maintained lanes in Santa Clara County (Metropolitan Transportation Commission, 2026). Between 2020 and 2025, the agencies received exactly 400 claims specifically due to potholes.

Of the pothole claims, the Civil Grand Jury determined that the jurisdictions collectively settled 34 claims, or 8.5%. The percentage of settlements for damages varied among the individual entities. The data showed that during that five-year period:

- Gilroy and Saratoga each settled 50% of claims filed (however, they each averaged 1-2 claims per year, among the smallest sample sizes in Santa Clara County).
- Four jurisdictions paid at least 10% of claims: Morgan Hill (17%), the County (11%), Santa Clara (11%), and Milpitas (10%).
- The remaining jurisdictions paid 9% of claims or fewer.

The Civil Grand Jury acknowledges that the significance of this data is limited; if an entity received a high volume of claims filed in the wrong jurisdiction, it will not settle those claims.

How Jurisdictions Investigate Claims

Jurisdictions within Santa Clara County generally follow a similar process for receiving and evaluating a claim.

First, the claim gets submitted to a city clerk, city manager, or equivalent official, who logs it along with any accompanying documents. Next, the official notifies the local public works department so it can investigate the incident site as needed.

In the meantime, the official assigns the claim to an investigator, usually in the city attorney's or county counsel's office. The investigator verifies whether the agency has jurisdiction, ensures the form was filled out correctly, and reviews any photographs and receipts that were submitted.

If the jurisdiction agrees to pay out the claim, it will often mail a check. But if the claim involves injuries or death, or the claimant is seeking tens of thousands of dollars, the settlement may need approval from the respective city council or the County Board of Supervisors.

If the jurisdiction rejects the claim, it will inform the claimant via a form letter or email. The California Government Claims Act does not require jurisdictions to specify the reason for denial.

Two Common Reasons for Rejection

According to the data provided to the Civil Grand Jury, claims are frequently denied for one of two reasons: The claim was out of the entity's jurisdiction, or the County, city, or town had no prior notice of the pothole.

Out of Jurisdiction
A claim must be filed with the agency that has jurisdiction over the specific location where the incident occurred. According to interviews conducted by the Civil Grand Jury, claims that are filed with the wrong jurisdiction will almost certainly be rejected as outside of jurisdiction.

A road's location within an agency's boundaries does not necessarily mean that agency is responsible for receiving or resolving related claims. Jurisdiction over road maintenance can shift multiple times as roads cross between state, county, and municipal boundaries. This patchwork of responsibility can be confusing, making it hard for claimants to figure out which agency has jurisdiction over the specific location of their incident.

Agencies typically verify their jurisdiction by consulting their local public works, utilities, or roads departments.

No Prior Notice
The Government Claims Act also establishes limits to the public entities' liability for the condition of its roadways. One of those limitations is the issue of notice to the public entity. The Civil Grand Jury found this was one of the two most common reasons pothole claims are rejected.

Notice typically requires evidence that at least one of four circumstances exists:

1. The public entity created the condition;
2. The pothole had been reported prior to an incident in which a vehicle was damaged;
3. An agency's employee observed the pothole and reported it;
4. The pothole existed long enough that the jurisdiction should have known about it through regular inspections.

If none of these circumstances applies, the agency can declare it had no prior notice and deny the claim.

When an agency receives notice of a pothole, state law allows for a reasonable period to address the hazard. It does not specify what constitutes a reasonable timeframe.

Drivers can help ensure that a jurisdiction receives prior notice by promptly reporting any potholes. All jurisdictions have a mechanism for reporting potholes and other issues (see Appendix A).

Rejection Notices are Often Vague

As noted above, it is not unusual for an agency to withhold its reason for rejecting a claim. A rejection notice would contain this language, in part, which is required by the California Government Claims Act (Cal. Gov. Code § 913):

NOTICE OF REJECTION OF CLAIM

Dear Claimant,

Notice is hereby given that the claim you presented to (insert title of board or officer) on (date) was rejected on (date).

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Agencies may provide further information, such as the reason for rejection. A notice of denial can be aggravating enough, but when it is written in minimal legalistic terms, claimants may feel even more frustrated. The Civil Grand Jury learned about rejection letters from the County, Los Altos, Los Gatos, Mountain View, Palo Alto, and San José and found that some but not all rejection letters provide a reason for rejection. Rejection letters from other jurisdictions may follow this same approach.

In Civil Grand Jury interviews, one agency official suggested that people who receive a letter like this contact the agency and see if it will share the reason for rejection. Although the reason for rejection is recorded by the agency, there is no legal obligation to provide this information, and agencies may limit this information.

Filing a Claim: Determining which Jurisdiction is Responsible

Caltrans Jurisdiction

If a pothole is located on a state route or interstate highway, the claim would generally fall under Caltrans's jurisdiction. These routes, which, according to Caltrans, cover about 250 miles throughout Santa Clara County (California Department of Transportation, 2025) include:

- U.S. Route 101 (US-101)
- Interstate 280 (I-280)
- Interstate 680 (I-680)
- Interstate 880 (I-880)
- State Route 17 (SR-17)
- State Route 35 (SR-35)
- State Route 82 (SR-82), which includes El Camino Real
- State Route 85 (SR-85)
- State Route 87 (SR-87)
- State Route 130 (SR-130), which includes part of Alum Rock Road and Mount Hamilton Road
- State Route 152 (SR-152)
- State Route 237 (SR-237)

Residents may not realize that some common local routes fall under Caltrans jurisdiction. These include SR-82, a large part of which includes El Camino Real; Mount Hamilton Road; and SR-130, which is part of Alum Rock Avenue.

When a local road crosses or overlaps a state route or interstate, that portion is generally under Caltrans jurisdiction.

County Jurisdiction

Expressways and many county roads are maintained by the County Roads and Airports Department.

Major roads include:

- Almaden Expressway
- Capitol Expressway
- Central Expressway
- Foothill Expressway
- Lawrence Expressway

- Montague Expressway
- Oregon Expressway
- San Tomas Expressway
- Southwest Expressway

Complicated Exceptions
Further complicating efforts to determine which agency has jurisdiction over a particular area, cities, Caltrans, the County, and even the federal government (such as near Moffett Federal Airfield) have maintenance agreements that specify which agency is responsible for certain roadway segments – such as onramps, offramps, and other defined areas (City of Mountain View, 2019). It is not always easy to determine which agency is responsible for which segments.

Complicated Maps
Some jurisdictions have no public maps indicating which roads they are responsible for. The County and some cities, including San José, Campbell, and Mountain View, do post searchable maps online that can help the public narrow down which jurisdiction is responsible for a particular road. However, the maps often use complicated interfaces rather than a simple image or printout, and many maps are not specific to just the roads maintained by the jurisdictions.

San José, which maintains more than 4,000 miles of locally maintained lanes within its borders, has its own mapping website (Metropolitan Transportation Commission, 2026; City of San José, 2020). It shows whether a particular street within its boundaries is maintained by San José, the County, a private entity, or another agency. The website provides a large amount of information, although it is complicated for the average user to navigate.

An alternative source of information is pavement management plans that some agencies make available. These plans may list all roads maintained by the jurisdiction and can be used as a reference. As an example, Morgan Hill has a link to its latest 2024 Pavement Management Report with a list of streets at the end. However, there is no direct link from the claim forms webpage, so claimants would not be aware of this reference (AMS Consulting, 2025).

Filing a Claim: Obtaining and Submitting a Claim Form

Once a person has found the proper jurisdiction, the next step is to download the claim form from the local agency's website.

Of the 16 jurisdictions, the Civil Grand Jury found that only Gilroy, Los Gatos, Palo Alto, Santa Clara, and Sunnyvale provide adequate claims process information on their webpages or on the claim form itself.

Most jurisdictions provide forms only in English. This is an omission that could potentially disenfranchise community members who have limited proficiency in English.

The Civil Grand Jury identified three cities that took the helpful step of providing additional language options:

- Morgan Hill provides a PDF of its claim form in English and Spanish.
- Sunnyvale has a translation feature that allows claimants to translate the form into one of 200+ languages. Users can either fill out the translated form online and print a copy or print out a blank translated form and fill it out by hand.
- Saratoga's website uses a third-party widget to translate its website in addition to an online form to many other languages.

The Civil Grand Jury also investigated how easy it is to find claim forms on each jurisdiction's website by searching for the term "claim form."

The Civil Grand Jury could not find any information about submitting a pothole claim in four entities: Campbell, Los Altos, Los Altos Hills, and Monte Sereno.

Cupertino provides a claim form, but users must use the website's search function to find it.

Gilroy does not link directly to a claim form, although it does provide instructions on how to request a form by email or in person.

Table 1: Access to online claim process instructions and link to claim form
(See References for links)

Jurisdiction	Online Claims Process Instructions	Link to Claim Form
Caltrans	Yes	Yes
County of Santa Clara	No	Yes
Campbell	No	No
Cupertino	No	Yes
Gilroy	Yes	No
Los Altos	No	No
Los Altos Hills	No	No
Los Gatos	Yes	Yes
Milpitas	No	Yes
Monte Sereno	No	No
Morgan Hill	No	Yes
Mountain View	No	Yes
Palo Alto	Yes	Yes
San José	No	Yes
Santa Clara	Yes	Yes
Saratoga	No	Yes
Sunnyvale	Yes	Yes

Many jurisdictions recommend that claimants deliver the claim form in person, including all relevant information, such as photos, receipts, and witness statements. The claimant should retain a signed copy.

Some agencies allow for email submission, but this is the exception. Alternatively, a claimant could submit the claim by mail to the city or town clerk (or, for the County, the Clerk of the Board).

According to the California Government Claims Act, the agency has 45 days from the date the claim form was mailed or delivered in person to respond to the claimant.

CONCLUSION

Even though state law sets strict rules for filing and reviewing claims, local government agencies retain significant discretion over their processes. By offering clearer online information, improving access to claim forms, expanding language options, and providing more detailed explanations when claims are denied, jurisdictions can significantly improve public trust, reduce frustration, and increase fairness.

Implementing the recommended updates is not only feasible, but it also aligns with the spirit of responsive and transparent public service. The Civil Grand Jury urges all jurisdictions to adopt these improvements by the recommended deadlines to ensure that the claims process is fairer, more consistent, and easier for the public to navigate.

FINDINGS AND RECOMMENDATIONS

Finding 1
Jurisdictions within Santa Clara County rejected 92% of pothole claims from 2020 to 2025 due to reasons including missed deadlines, incorrect jurisdiction, and lack of prior notice.

Recommendation 1
No recommendation.

Finding 2
Claims are often rejected because the claimant filed with the incorrect jurisdiction, which can happen because jurisdictional lines are often unclear or poorly communicated. The claims websites of all jurisdictions within Santa Clara County lack information about how to determine if a road is in its jurisdiction.

Recommendation 2a
All jurisdictions within Santa Clara County should include a link to a map or list of roads they maintain on their claims website.

The jurisdictions should implement this by December 15, 2026.

Recommendation 2b
All jurisdictions within Santa Clara County should update their claims websites to identify roads that are commonly mistaken as being in their jurisdictions.

The jurisdictions should implement this by December 15, 2026.

Finding 3
Fifteen jurisdictions – the County, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, Santa Clara, and Saratoga – have websites with deficiencies that make it difficult to file a claim.

Recommendation 3a
Eleven jurisdictions – the County, Campbell, Cupertino, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill, Mountain View, San José, and Saratoga – should update their websites to provide clear instructions and information about how to file a claim in addition to a link to the claim form.

The jurisdictions should implement this by December 15, 2026.

Recommendation 3b

Fourteen jurisdictions – the County, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, and Santa Clara – should incorporate useable software on their websites that can translate claim forms into multiple languages or provide claim forms in multiple languages based on the demographics they serve.

The jurisdictions should implement this by December 15, 2026.

Finding 4

When pothole claims are rejected, claimants filing claims against the County, Los Altos, Los Gatos, Mountain View, Palo Alto, and San José receive a notice that provides little or sometimes no explanation for the rejection. Although jurisdictions within Santa Clara County are not legally obligated to provide a reason for rejection, the lack of clarity in the decisions made on the claims can add to a claimant's frustration.

Recommendation 4

The County, Los Altos, Los Gatos, Mountain View, Palo Alto, and San José should update their rejection letters to specify whether the decision was due to lack of timeliness, incorrect jurisdiction, lack of prior notice, or other reason and to provide a specific contact to call or email if the claimant has further questions about the reason for rejection.

The jurisdictions should implement this by December 15, 2026.

REQUIRED RESPONSES

Pursuant to California Penal Code section 933(a) et seq. and California Penal Code section 933.05, the 2025-2026 Santa Clara County Civil Grand Jury requests responses from the following governing body:

Responding Agency	Findings	Recommendations
County of Santa Clara	1, 2, 3, 4	2a, 2b, 3a, 3b, 4
City of Campbell	1, 2, 3	2a, 2b, 3a, 3b
City of Cupertino	1, 2, 3	2a, 2b, 3a, 3b
City of Gilroy	1, 2, 3	2a, 2b, 3b
City of Los Altos	1, 2, 3, 4	2a, 2b, 3a, 3b, 4
Town of Los Altos Hills	1, 2, 3	2a, 2b, 3a, 3b
Town of Los Gatos	1, 2, 3, 4	2a, 2b, 3b, 4
City of Milpitas	1, 2, 3	2a, 2b, 3a, 3b
City of Monte Sereno	1, 2, 3	2a, 2b, 3a, 3b
City of Morgan Hill	1, 2, 3	2a, 2b, 3a, 3b
City of Mountain View	1, 2, 3, 4	2a, 2b, 3a, 3b, 4
City of Palo Alto	1, 2, 3, 4	2a, 2b, 3b, 4
City of San José	1, 2, 3, 4	2a, 2b, 3a, 3b, 4
City of Santa Clara	1, 2, 3	2a, 2b, 3b
City of Saratoga	1, 2, 3	2a, 2b, 3a
City of Sunnyvale	1, 2	2a, 2b

APPENDIX A: Reporting a Pothole

Residents who see a pothole can report it so the jurisdiction can repair it in a timely manner.

Based on a Civil Grand Jury review, here is a list of contacts (as of April 15, 2026) where potholes or other needed street repairs can be reported:

Jurisdiction	Website to report a pothole
Caltrans	https://csr.dot.ca.gov/index.php/Msrsubmit
County of Santa Clara	https://roads.santaclaracounty.gov/services/service-requests
Campbell	https://www.campbellca.gov/requesttracker.aspx
Cupertino	https://cupertinoca.citysourced.com/servicerequests/create
Gilroy	https://seeclickfix.com/gilroy
Los Altos	https://www.losaltosca.gov/FormCenter/Public-Works-6/Maintenance-Service-Request-46
Los Altos Hills	https://www.losaltoshills.ca.gov/requesttracker.aspx
Los Gatos	https://www.losgatosca.gov/FormCenter/PPW-15/Report-a-Parks-Public-Works-Concern-87
Milpitas	https://seeclickfix.com/web_portal/chZ2d7WdKoe4V2BriJxUCFqd/report/category
Monte Sereno	https://www.montesereno.org/forms.aspx?FID=80
Morgan Hill	https://www.morganhill.ca.gov/509/Maintenance
Mountain View	https://www.mountainview.gov/our-city/departments/public-works/roads-and-transportation/street-maintenance
Palo Alto	https://www.paloalto.gov/Residents/Services/Report-an-Issue
San José	https://311.sanjoseca.gov/
Santa Clara	https://www.santaclaraca.gov/our-city/government/mayor-and-council/contact-city-council
Saratoga	https://www.saratoga.ca.us/FormCenter/Report-a-Concern-6/Fix-It-Form-45
Sunnyvale	https://sunnyvale.dynamics365portals.us/neighborhood-complaints/

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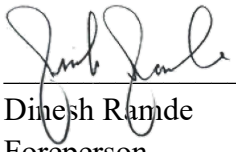
This report was **ADOPTED** by the 2025-2026 Santa Clara County Civil Grand Jury on this 12th day of June, 2026.



Dinesh Ramde
Foreperson

City of Gilroy
7351 Rosanna Street
Gilroy, California
95020-6197

Administration Department

Telephone (408) 846-0202
http://www.cityofgilroy.org

August XX, 2026

Via Email (CGJ@scscourt.org) and U.S. Mail

The Honorable Julie A. Emede,
Presiding Judge
Superior Court of California, County of Santa Clara
191 North First Street
San Jose, CA 95113

Re: City of Gilroy Response to the 2025–2026 Civil Grand Jury Final Report — "Pothole Damage: Improving Claims Processes within Santa Clara County"

Dear Judge Emede:

Pursuant to California Penal Code sections 933(c) and 933.05, the City of Gilroy respectfully submits its response to the findings and recommendations directed to the City in the 2025–2026 Santa Clara County Civil Grand Jury's final report, "Pothole Damage: Improving Claims Processes within Santa Clara County," released June 12, 2026. The City is required to respond to Findings 1, 2, and 3 and Recommendations 2a, 2b, and 3b, and does so below in accordance with the response requirements of Penal Code section 933.05.

Response to Findings

Finding 1: *"Jurisdictions within Santa Clara County rejected 92% of pothole claims from 2020 to 2025 due to reasons including missed deadlines, incorrect jurisdiction, and lack of prior notice."*

> **Response**: The City of Gilroy agrees with the finding. According to the report, the finding reflects aggregate claims data reported by the sixteen jurisdictions across Santa Clara County.

Finding 2: *"Claims are often rejected because the claimant filed with the incorrect jurisdiction, which can happen because jurisdictional lines are often unclear or poorly communicated. The claims websites of all jurisdictions within Santa Clara County lack information about how to determine if a road is in its jurisdiction."*

> **Response**: The City of Gilroy agrees with the finding. The City's own claims experience confirms that jurisdictional boundaries are a common source of confusion.

Finding 3: *"Fifteen jurisdictions – the County, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, Santa Clara, and Saratoga – have websites with deficiencies that make it difficult to file a claim."*

Response: The City of Gilroy partially disagrees with the finding. The City disagrees with the characterization of its website as having deficiencies that make it difficult to file a claim. The Civil Grand Jury's own investigation found that Gilroy is one of only five jurisdictions in Santa Clara County that provide adequate claims process information on their website.

The City is concerned that the finding measures fifteen jurisdictions against the electronic filing solutions adopted by a small number of agencies, and treats the absence of comparable features as a "deficiency." The Government Claims Act does not require electronic filing, and the appropriate filing method for each jurisdiction reflects local resources, claim volume, and records management practices. In Gilroy's case, an average of one to two pothole claims per year does not indicate a process that deters or burdens claimants.

The City does agree that its website does not currently include a direct link to a downloadable claim form, and it will add such a link to its claims webpages as a customer service improvement.

Responses to Recommendations

Recommendation 2a: *"All jurisdictions within Santa Clara County should include a link to a map or list of roads they maintain on their claims website. The jurisdictions should implement this by December 15, 2026."*

Response: The recommendation has not yet been implemented but will be implemented by December 15, 2026, consistent with the Civil Grand Jury's recommended timeframe.

Recommendation 2b: *"All jurisdictions within Santa Clara County should update their claims websites to identify roads that are commonly mistaken as being in their jurisdictions. The jurisdictions should implement this by December 15, 2026."*

Response: The recommendation has not yet been implemented but will be implemented by December 15, 2026, consistent with the Civil Grand Jury's recommended timeframe.

Recommendation 3b: *"Fourteen jurisdictions – the County, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, and Santa Clara – should incorporate useable software on their websites that can translate claim forms into multiple languages or provide claim forms in multiple languages based on the demographics they serve. The jurisdictions should implement this by December 15, 2026."*

Response: The recommendation has been implemented. The City has implemented the DocAccess software on its website, which translates all PDF documents, including forms, into multiple languages. The City has also added a direct link to a downloadable claim form.

The City of Gilroy thanks the Civil Grand Jury for its review and its recommendations to improve the accessibility and transparency of the claims process. Please contact the City Clerk's Office at (408) 846-0204 with any questions regarding this response.

Respectfully submitted,

Matt Morley, City Administrator
On Behalf of Gilroy City Council
City of Gilroy

DRAFT

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Approval of City's Response to 2025-26 Civil Grand Jury Final Report "VTA's Management and Oversight of BART Silicon Valley Phase II"**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Administration
Submitted by:	Harjot Sangha, Assistant City Administrator
Prepared by:	Harjot Sangha, Assistant City Administrator

STRATEGIC PLAN GOALS:

RECOMMENDATION

Approve the City's response to the 2025-26 Civil Grand Jury Final Report "VTA's Management and Oversight of BART Silicon Valley Phase II" and authorize the City Administrator to submit the response.

EXECUTIVE SUMMARY

On June 17, 2026, the 2025-26 Santa Clara County Civil Grand Jury released its final report, "VTA's Management and Oversight of BART Silicon Valley Phase II." The report examined the Santa Clara Valley Transportation Authority's (VTA) management and oversight of the $12.7 billion BART Silicon Valley Phase II (BSVII) project, including its funding strategy, oversight structure, coordination with BART, and Board governance. While most of the report's findings and recommendations are directed to the VTA Board of Directors, the City of Gilroy is required to respond only to Findings 6 and 7 and Recommendations 6 and 7, which concern how the VTA Board Appointing Authority Groups 2 through 5 make and manage their Board appointments.

Pursuant to California Penal Code sections 933(c) and 933.05, the City's response is due no later than September 15, 2026. The attached response disagrees with Finding 6 and partially disagrees with Finding 7 as they apply to Appointing Authority Group 4 (Gilroy and Morgan Hill), citing the structured South County rotation framework the two cities jointly adopted by resolution in 2024. The response states that Recommendation

6 will not be implemented because the established Group 4 process meets the needs of both cities, and reports Recommendation 7 as implemented for Group 4, noting that a uniform process spanning Groups 2 through 5 would require coordination among fourteen cities and cannot be accomplished unilaterally by Gilroy.

BACKGROUND

The Civil Grand Jury is a judicial body empowered under California law to investigate and report on the operations of local government agencies. When a Civil Grand Jury final report contains findings and recommendations pertaining to a public agency, California Penal Code section 933(c) requires the agency's governing body to respond to the Presiding Judge of the Superior Court within 90 days of the report's release. Penal Code section 933.05 prescribes the format of that response: the agency must agree or disagree (wholly or partially, with an explanation) with each applicable finding, and must report one of four specified actions for each applicable recommendation. The City received the report and 90-day notice through the City Clerk on June 17, 2026.

The report reviewed the BSVII project's financial risks, the role of the VTA Board and its Oversight Committee, coordination between VTA and BART, and the experience and continuity of the VTA Board. Among its governance observations, the report noted that VTA directors serve two-year terms and average 3.7 years of service, shorter than directors at peer agencies, and that prior audits have recommended reforms to Board terms and appointment practices. The VTA Board is composed of twelve elected officials appointed by six appointing authority groups. Gilroy and Morgan Hill together constitute Group 4, which appoints one Board member and one alternate on behalf of South County.

In 2024, the Cities of Gilroy and Morgan Hill adopted joint resolutions (Gilroy Resolution No. 2024-50 and Morgan Hill Resolution No. 24-035) establishing a structured South County rotation schedule for the Group 4 seat. Under that framework, the Board member is appointed from one city and the alternate from the other, rotating on a fixed schedule. The City is required to respond only to Findings 6 and 7 and Recommendations 6 and 7, which address whether Appointing Authority Groups 2 through 5 follow the VTA Administrative Code admonitions on transportation experience and consecutive-term reappointments, and whether the groups should adopt a uniform appointment process. Staff coordinated the City's draft response with the City of Morgan Hill, whose parallel response is anticipated to be considered by its City Council at an upcoming regularly scheduled August City Council meeting.

ANALYSIS

The draft response letter, included as an attachment to this report, addresses each required finding and recommendation in the format prescribed by Penal Code section 933.05, summarized below.

Finding 6 (adherence to Administrative Code admonitions) – Disagree. The City

responds only as to Group 4 and expresses no position on the practices of Groups 2, 3, and 5. The 2024 joint resolutions established a deliberate, publicly adopted framework that promotes continuity and predictability in Group 4 appointments. While the joint resolution does not contain express language addressing the Administrative Code admonitions, the Mayor and Council take transportation experience and qualifications into consideration when selecting the City's representative, and the member/alternate pairing across the two cities builds experience so that incoming Board members are informed of their role.

Recommendation 6 (certification to the VTA Board) – Will not be implemented. The established process meets the needs of the Group 4 cities. The City will continue to consider opportunities to facilitate consistency in representation.

Finding 7 (differing appointment processes among groups) – Partially Disagree. The City understands that the processes used by Groups 2 through 5 differ from one another. Within Group 4, however, Gilroy and Morgan Hill have already adopted a uniform, documented process through the 2024 joint resolutions and rotation schedule.

Recommendation 7 (uniform process across Groups 2 through 5) – Has been implemented for Group 4. The 2024 joint resolutions remain in effect and govern how the Group 4 appointment is made and rotates between the two cities. A single uniform process across Groups 2 through 5 would require agreement among fourteen cities in four appointing groups and cannot be implemented unilaterally by Gilroy. The City is willing to participate in any coordinated effort among those cities, or facilitated by VTA, to develop a common appointment process.

The South County Approach

Group 4 is distinct from the other appointing authority groups in ways that support its approach. It is the only two-city group, representing South County's shared interests on a Board otherwise dominated by larger jurisdictions. The rotation framework guarantees each city a predictable path to the Board seat, keeps both cities engaged at all times through the member/alternate pairing, and creates a pipeline in which the alternate gains familiarity with VTA matters before assuming the seat. The larger groups, by contrast, comprise three to five cities that negotiate appointments each cycle without a comparable documented framework. The response reflects the City's position that this structure achieves the continuity and preparation objectives underlying the Civil Grand Jury's recommendations without the certification mechanism proposed in Recommendation 6.

Rotation Cycle Discussion

The joint resolutions currently rotate the Group 4 seat on a fixed two-year cycle, matching the two-year VTA director term. The Civil Grand Jury's report observes that short director tenures limit Board experience and continuity, and notes broad support among elected officials for four-year terms. Council may wish to discuss whether a

longer rotation interval for the Group 4 seat would strengthen South County's continuity and influence on the VTA Board, recognizing that any change would require coordination with the City of Morgan Hill and an amendment to the joint resolutions. Direction from Council on this question could result in revisions to the final response prior to submittal.

ALTERNATIVES

The City Council may direct staff to modify the response to any finding or recommendation, including revisions reflecting Council direction on the Group 4 rotation cycle, provided the revised response continues to comply with the format requirements of Penal Code section 933.05 and is submitted by the September 15, 2026 statutory deadline.

The City Council could decline to approve a response. This alternative is not recommended, as it would place the City out of compliance with the mandatory response requirements of Penal Code section 933(c).

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact associated with approving and submitting the response.

PUBLIC OUTREACH

This agenda item was posted in accordance with the Brown Act. The Civil Grand Jury's final report is publicly available on the Superior Court's website, and the City's response, once submitted, will be placed on file with the Clerk of the Court as a public record.

NEXT STEPS

Upon City Council approval, staff will incorporate any Council direction, including any revisions arising from the rotation cycle discussion, into the final response. The City Administrator will then transmit the response to the Superior Court of California, County of Santa Clara, via email and U.S. Mail in advance of the September 15, 2026 deadline.

Attachments:

1. 2025-2026 Civil Grand Jury Final Report – "VTA's Management and Oversight of BART Silicon Valley Phase II"

2. Draft City of Gilroy Response Letter

3. Exhibit 1 – Gilroy Resolution No. 2024-50 / Morgan Hill Resolution No. 24-035

GRAND JURY
SANTA CLARA COUNTY

June 17, 2026

City of Gilroy
c/o Ms. Kim Mancera, City Clerk
7351 Rosanna Street
Gilroy, California 95020

Sent via email: Kim.Mancera@cityofgilroy.org

Dear Ms. Mancera,

The 2025-26 Santa Clara County Civil Grand Jury is transmitting to you its Final Report, ***VTA's Management and Oversight of BART Silicon Valley Phase II***.

California Penal Code section 933(c) requires that a governing body of the particular public agency or department that has been the subject of a Grand Jury final report shall respond within 90 days to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. California Penal Code section 933.05 contains guidelines for responses to Grand Jury findings and recommendations and is attached to this transmission.

Please note:

1. As stated in Penal Code section 933.05(a), attached, you are required to "Agree" or "Disagree" with each applicable Finding: 6 and 7. If you disagree, in whole or part, you must include an explanation of the reasons you disagree.

2. As stated in Penal Code section 933.05(b), attached, you are required to respond with one of four possible actions to each applicable Recommendation: 6 and 7.

Your comments are due to the office of the Honorable Julie A. Emede, Presiding Judge, Superior Court of California, County of Santa Clara, 191 North First Street, San José, CA 95113, no later than **Tuesday, September 15, 2026.** You may transmit these via email to CGJ@scscourt.org. Copies of all responses shall be placed on file with the Clerk of the Court.

If you have any questions, please contact Britney Huelbig, Deputy Manager for the Civil Grand Jury, at (408) 882-2721 or CGJ@scscourt.org.

Sincerely,

Dinesh Ramde
Foreperson
2025-2026 Civil Grand Jury

Enclosures
cc: Matt Morley, City Administrator
Kavita Narayan, Chief Assistant County Counsel, County of Santa Clara

State of California

PENAL CODE

Section 933.05

933.05. (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

(Amended by Stats. 1997, Ch. 443, Sec. 5. Effective January 1, 1998.)

2025-2026 Santa Clara County Civil Grand Jury

VTA's Management and Oversight of BART Silicon Valley Phase II

June 17, 2026

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SUMMARY

The Santa Clara Valley Transportation Authority (VTA) project to extend rapid transit rail service through downtown San José is controversial and the most costly and complex project it has ever undertaken. Known as BART Silicon Valley Phase II (BSVII), the $12.7 billion project extends rail service six miles and includes a large, single-bore underground tunnel and will take 10 years or more from 2026 to complete (VTA, March 2024).

Despite significantly reduced ridership projections and uncertainty about funding sources for both capital and operating costs, VTA has awarded major construction contracts, including for the construction of a launch structure to stage a specialized one-of-a-kind Tunnel Boring Machine (TBM), which will be owned by VTA. Over the next few years, VTA anticipates awarding further construction contracts worth billions of dollars. To reduce uncertainty, the spokesperson for an independent peer review of the project urged VTA to move quickly to "build as much as you can, as fast as you can" (VTA Special Board Meeting, 2025). Such an approach assumes that there will be political will and taxpayer support to finish an incomplete project regardless of cost increases, delays, or reduced ridership.

The VTA's Board of Directors (Board) has recognized the need for additional oversight and guidance, but the Board has failed to exercise its obligation to provide the strategic direction needed for a successful project. The Oversight Committee it created has been left to define its own role. It was not required to, and does not, provide reports that share available independent analyses of critical issues. The Oversight Committee does not routinely make policy recommendations to the Board and does not hold VTA staff accountable for providing the timely analysis it has requested.

The 2025-26 Santa Clara County Civil Grand Jury (Civil Grand Jury) investigated the role of the VTA Board, its Oversight Committee, its staff, and officials in the management and oversight of the BSVII project.

This report identifies financial challenges, risks, and accountability issues that VTA must address to earn the public's trust in delivering the Bay Area Rapid Transit (BART) extension to Silicon Valley and to secure support for future sales tax measures.

BACKGROUND

The Valley Transportation Authority is a transportation agency established by state law. It is responsible for operating public transit services, including buses, light rail, and paratransit within Santa Clara County. In addition to public transit, VTA is a planning and funding agency for transportation infrastructure projects throughout Santa Clara County. As established by the California Public Utilities Code Sections 100060-100070, the VTA is governed by a 12-person Board of Directors composed of elected officials appointed by the County of Santa Clara (County) and the cities in Santa Clara County, who each serve two-year terms. The Board has many responsibilities and its monthly meeting agendas are lengthy.

The San Francisco Bay Area Rapid Transit District provides regional commuter rail service and is governed by a nine-person Board of Directors elected to four-year terms from districts representing San Francisco, Alameda, and Contra Costa counties. As part of its larger regional system, BART operates the commuter rail service within Santa Clara County.

By contract with BART, VTA is solely responsible for paying the capital and net operating costs of extending commuter rail service into Santa Clara County (BART and VTA, Comprehensive Agreement, 2001). Although the County was not included in the legislation establishing BART, voters of Santa Clara County supported three sales tax measures which provided funds to plan, build, and operate the extension of BART to Santa Clara County. Today, 1.625% of sales tax collected in Santa Clara County supports VTA and other local jurisdictions (see Table 1). If a currently proposed measure qualifies for the ballot, in November 2026, voters will decide whether to approve an additional 0.5% sales tax to fund local transit, which would increase the County's base sales tax rate from the current 9.75% to 10.25%.

Table 1: Countywide Sales Tax in Santa Clara County, Effective April 2026

Description	Sales Tax %	Expiration	Funding Purpose
California Base	7.250%	No Expiration	State General Fund
			Local Revenue Fund
			Local Public Safety
			Health & Social Services
1976 Measure A	0.500%	No Expiration	Transit: VTA
2000 Measure A	0.500%	2036	Transit: VTA, BART Silicon Valley
2008 Measure B	0.125%	2042	Transit: BART Silicon Valley
2016 Measure B	0.500%	2047	Transit: VTA + County/City/Caltrain/Caltrans Infrastructure
2012 Measure A	0.125%	No Expiration	County General Fund
2020 Measure RR	0.125%	2050	Transit: Caltrain
2026 Measure A	0.625%	2031	General incl. Healthcare
Total Base Sales Tax Rate	**9.750%**		

Data extracted from: California Department of Tax and Fee Administration. 2026. (https://cdtfa.ca.gov/formspubs/cdtfa105.pdf); VTA Annual Comprehensive Financial Report. Page 3-10. 2024. (https://www.vta.org/sites/default/files/2024-12/Annual-Comprehensive-Financial-Report-ACRF-FY-2024.pdf).

Note: Some cities have higher voter-approved rates in addition to the County base rate; Highlighted section of the table refers to sales tax measures that fund VTA.

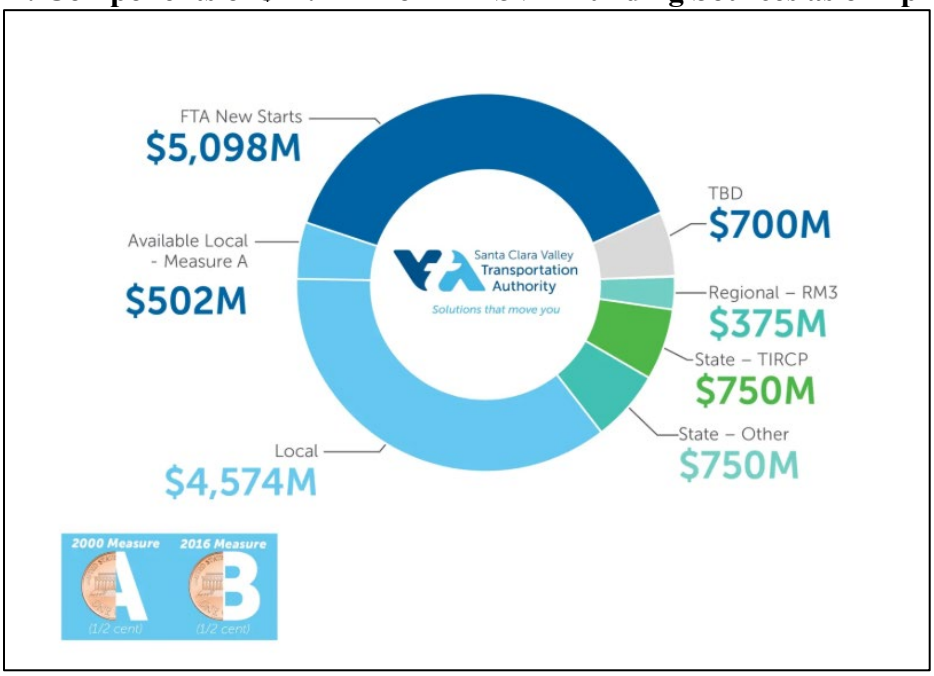
The first phase of BART to Silicon Valley extended service to Milpitas and then to the Berryessa Transit Center (Berryessa). Construction started in 2012 and was completed in 2020. Ridership for Phase I has not met forecasts, and due to operational, maintenance, and depreciation expenses, VTA has experienced significant financial losses. According to data reviewed by the Civil Grand Jury, BART to Silicon Valley Phase I has lost an average of $69 million annually during the first five years of operation.

The second phase consists of a six-mile, four-station extension from Berryessa through downtown San José to the City of Santa Clara. For this phase, VTA is targeting completion by 2037. As a condition of federal funding, the Federal Transit Administration (FTA) has appointed a Project Management Oversight Consultant (PMOC). The PMOC uses a more conservative schedule and forecasts completion in 2039 (AtkinsRéalis USA Holdings LLC, 2026).

At an early planning stage in 2014, the BSVII project cost was estimated at $4.7 billion. By 2020, the cost estimate increased to $6.9 billion. In 2022, based on the PMOC's projected cost analysis, VTA submitted an estimate of $9.1 billion to the federal government for an Early Start Grant. In October 2023, VTA estimated the construction cost at $12.2 billion with operations to begin in 2036. The most recent estimate is $12.7 billion, and operations are pushed back to 2037 (VTA Auditor General Report, January 2024).

The project's funding sources include federal and state grants, as well as local revenues from voter-approved sales tax measures. All the funding sources are subject to risks, which are identified in this report. Figure 1 shows the funding sources with $700 million to be determined (TBD) and $375 million from a potential ballot measure in November 2026.

Figure 1: Components of $12.7 Billion in BSVII Funding Sources as of April 2026



Source: vtabart.org website (accessed April 9, 2026)

Although two years earlier, VTA had asked for a federal commitment of $6.3 billion, in August 2024, the FTA announced that its share of funding would be capped at $5.1 billion (Geha, 2024). VTA was forced to increase its reliance on local sales tax revenue and still faced a gap of approximately $700 million (VTA, Summer 2025). To reduce project costs, VTA has been studying design changes while maintaining the full six-mile extension with four stations. Options discussed by VTA staff and officials include (VTA, November 11, 2024):

- Simplifying station configurations;

- Modifying the Santa Clara Newhall Yard and Maintenance Facility;
- Modifying the tunnel and station ventilation systems;
- Substituting a surface parking lot for a parking structure;
- Reconfiguring the tunnel to use less concrete and steel.

In addition, the funding strategy assumes $375 million from the yet-to-be-approved regional sales tax measure for a total outstanding gap of $1.075 billion.

Due in part to the significant increase in estimated cost and a perceived lack of communication about the project's cost, risks, and schedule, the Board conducted a workshop in October 2023 to review the project's status. At this workshop, individual Board members expressed a lack of confidence in the VTA staff's management of the project and requested a new system of oversight and project management.

In response, the Board chair established an Ad Hoc BART Silicon Valley Phase II oversight committee (Oversight Committee) responsible for overseeing all aspects of the project, focusing on a full, independent, and transparent review of costs, funding, risks, and completion schedule. The Oversight Committee's bylaws later stated that its purpose was to provide "guidance and oversight" of the project (VTA, April 4, 2024).

The VTA independent auditor general was tasked with providing staff support to the Oversight Committee and was authorized to contract with Subject Matter Experts (SMEs) to independently review and comment on VTA staff recommendations regarding costs, risks, and schedule. In turn, the Oversight Committee authorized the SME firm, Gall Zeidler (GZ), to independently assess the risks and viability of cost-saving alternatives.

In a 2001 Agreement, VTA and BART agreed to cooperate in the project's planning, design, and construction. They established a series of interagency committees, the latest of which is the Joint VTA/BART Working Committee, which depending on the availability of its members, is scheduled to meet quarterly. BART staff members have been assigned to co-locate with VTA engineers to participate in the preparation and review of BSVII designs in accordance with the agreed Project Design Criteria Manual. According to the BART Inspector General, VTA has reimbursed BART $19.2 million through 2025 for the cost of the assigned employees (BART, December 19, 2025). In August 2025, the BART assistant general manager, operations, rejected some of VTA's proposed design changes and scope reductions and complained about inadequate coordination (see Appendix A). The BART inspector general issued a report in December 2025 that also raised concerns about inadequate coordination and criticized VTA's communication with BART officials (*Id.*).

METHODOLOGY

The Civil Grand Jury reviewed every meeting of the BSVII Oversight Committee, as well as select VTA Board meetings. This included reviewing agendas, minutes, agenda item reports, public comment submittals, and associated discussions.

In addition, the Civil Grand Jury conducted 17 interviews of officials from VTA, BART, and the State of California. The Civil Grand Jury also reviewed publicly available documents as described in the reference section, as well as documents requested from VTA and submitted to the Civil Grand Jury.

INVESTIGATION

The Civil Grand Jury investigation of the BSVII project covered critical aspects of VTA's management and oversight, including:

- VTA's funding strategy and its reliance on voter-approved sales tax measures, some of which expire before completion of the project, and some of which have yet to be approved;
- The establishment of a separate Oversight Committee which provides guidance on the BSVII project and how it evaluates independent analyses provided by the VTA auditor general, contracted SMEs, and the federally mandated PMOC;
- The contractual and practical requirement to closely coordinate with BART, which will serve as the system operator;
- The impact of the VTA Board's governance structure on the effectiveness of strategic direction, management, and oversight of the project;
- VTA's approach for keeping the public informed of costs, risks, and schedule.

Financial Risks

The 10-year project completion timeline of BSVII exposes VTA to financial risks that require careful, ongoing assessment of capital and operating costs, including that:

- Rising labor and material costs, combined with aggressive construction methods and schedules, may increase total project costs and strain the budget's contingency for unforeseen risks and unexpected expenses;
- Delays or reductions in state and federal funding will create greater pressure to rely on local funding sources or scale back the scope of the project;
- Lower ridership levels will increase VTA's ongoing obligation to pay net operating costs, which would necessitate service level reductions or voter approval of new or extended sales tax measures;
- Failure to maintain a cash-flow model exclusive to BSVII, means that contracting options for accelerating work may not be able to be financed with available resources.

Risk of Increased Costs of Labor and Materials

The FTA fiscal year 2025 New Starts Financial Assessment report for BSVII stated the VTA inflation estimate was optimistic. If labor and material costs were to rise above those estimated in VTA's budget, it could lead to funding shortfalls (FTA, 2024).

The VTA auditor general's May 1, 2025, report to the Board also identified BSVII financial risks associated with project construction costs. The report found that the assumptions and historical data underlying VTA's financial plan could be more robust to enable the Board and the public to evaluate the financial risk associated with the potential cost increases (VTA, 2025).

Another factor that increases the difficulty in predicting materials and labor costs is the possible extension of the 2037 project completion date. The longer timeline for BSVII increases the likelihood that future costs will differ from current estimates, thereby increasing financial risk.

Local, State, and Federal Funding Risks

The capital cost of construction and the net operating costs are to be paid by VTA from specific revenue sources, some of which are grants with fixed amounts.

The financial risks identified by the Civil Grand Jury have been experienced by other major transit agencies. For example, the various rail projects of the Los Angeles County Metropolitan Transportation Authority (LA Metro) faced escalating cost estimates, reductions in federal funding, cuts into smaller construction segments to match available funding, and shifting agency priorities (Shalby, 2026).

Local Funding Risks

VTA's capital financing plan calls for the 2016 Measure B to pay $2.5 billion and for the 2000 Measure A to pay $2.0 billion of the estimated $12.7 billion BSVII project. Measure A expires in 2036, before BSVII is expected to be completed. Measure B expires in 2047 (VTA, About 2016 Measure B, n.d.). As the project's cost estimates have evolved, so have the planned funding sources. Measure B has become a much more significant source of proposed funding.

Because Measure B also funds bus transit, local streets, and highway projects, there are built-in limitations on the amount available to close a BSVII financing gap. Measure B limits spending on BSVII to 23.8% of net sales tax revenue over its 30-year life (FTA, 2024). Net sales tax revenue (defined as Program Tax Revenue in the measure) is calculated as the amount remaining after deducting administrative costs and any debt service.

To close current and potential future funding gaps, VTA could issue bonds to be repaid from Measure B sales tax revenue. However, this would reduce the revenue available for other voter-approved projects. Every dollar spent on debt service for BSVII is a dollar that cannot be spent on

the other transportation projects approved by the voters. Because of bond issuance and interest costs, the total project costs would exceed the current estimate of $12.7 billion.

Another risky approach to filling funding gaps would allow the Board to change the rules and permit a greater percentage of Measure B net sales tax revenue to be used for BSVII. One VTA official acknowledged to the Civil Grand Jury that this would be a "heavy lift" because VTA would first have to notify all the local agencies of the proposed increase in the percentage limit and then approve it by a ¾ vote of the Board (9 of 12 Board members). The County and the cities that have planned other transportation measures are likely to object to reduced funding for their projects.

Of course, more Measure B funds could become available to support the capital costs of BSVII if the expected sales tax revenue exceeds previously anticipated levels. While early projections were based on 2016 economic conditions, it is important for the strategic funding plan that the sales tax forecast be updated regularly. The Civil Grand Jury was informed that VTA has ordered an updated forecast.

Because two key sales tax measures are set to expire, several VTA officials stated in interviews that they would simply place a measure on a future ballot for voter consideration if an extension were needed. Given the current sales tax rates applicable within Santa Clara County and the need for management and oversight reforms identified in this report, there is a risk that voters may not approve such a measure.

State Funding Risk

As of April 2026, the capital construction funding strategy required $1.5 billion from two State of California grants. The VTA has received commitments for nearly $200 million of that total. The sources of funding are the Transit and Intercity Rail Capital Program (TIRCP) and transportation funds administered by the Metropolitan Transportation Commission (MTC), both of which may be affected by a recent state decision to provide a bridge loan to Bay Area transit agencies (MTC, 2026).

In February 2026, the California legislature appropriated $590 million from the same TIRCP account to provide a 12-year loan to MTC. These loan proceeds will be made available to San Francisco Municipal Transportation Agency, AC Transit, BART, and Caltrain to help address a greater need for public transit subsidies. The agencies are required to repay the loan over 12 years (MTC, 2026).

The state justified the loan on the basis that the transit agencies would be able to stabilize their financial situations and avoid service reductions pending the anticipated approval in November of a regional sales tax measure. If the regional measure does not pass, or if for any other reason the agencies do not repay the loans on time, the timing of the receipt of funding to VTA might create some cash flow risk for the project.

Further, the TIRCP account itself is funded by payments from private parties who agree to purchase pollution credits in the state's Cap and Invest program. The program's future is uncertain in light of federal changes to environmental regulations and pending legal challenges from the State of California (California State Transportation Agency, n.d.).

Federal Funding Risk

In August 2024, the FTA advised VTA that the federal government's total contribution to the project would be limited to $5.1 billion. To receive these funds, VTA plans to apply for a Full Funding Grant Agreement (FFGA) by the end of 2026.

Federal support for large-scale rail projects is uncertain. In 2025, the FTA canceled a $4.2 billion commitment to the California High-Speed Rail Project (Shalby, 2025). VTA's lobbyists have suggested delaying the FFGA application until similar requests from other states are resolved. Considering the political, economic, and budgetary conditions of the United States, approval of VTA's request for an FFGA is highly uncertain. It may be delayed, reduced, or denied.

Low Levels of Ridership Could Increase VTA's Future Costs

BART ridership on the current regional system has not recovered to pre-pandemic levels. Ridership in January 2026 remains only 48% of the levels in January 2019 (BART, January 2026; BART, 2019). Recovering ridership may prove difficult due to the growth of hybrid work patterns.

The Civil Grand Jury also reviewed the forecasts for the first phase of the project, which included the new Milpitas and Berryessa stations. For January 2026, ridership was 86% below estimates (see Table 2).

Table 2: BART Ridership at Milpitas and Berryessa Stations

	Forecast for Average Daily Weekday Ridership for June 2021 at launch	Actual Ridership, January 2026
Ridership/Day	20,110	2,789

Source: Joint VTA/BART Working Committee Meeting, December 4, 2020; BART February 2026 Monthly Ridership Snapshot.

Note: VTA created forecasts in 2020, expressed as rides per day. BART actuals are based on recorded station entries and exits. To normalize BART actuals to the VTA forecast, entries and exits were averaged to produce a daily ridership figure.

An overall decrease in ridership has led BART to project a $376 million budget deficit for FY2026-27. To seek additional revenue, BART is relying on a 0.5% additional sales tax measure on the November 2026 ballot that would begin in 2027 and remain in place for 14 years. If the ballot measure does not pass, BART has proposed closing up to 15 stations and reducing service hours and train frequency (BART, February 26, 2026). Ironically, the proposed station closures would not affect Santa Clara County because VTA is solely responsible for the net operating costs.

According to VTA records reviewed by the Civil Grand Jury, for the first three years of operation, VTA forecasts annual average costs of $274 million for operations, maintenance, and capital costs. Average fare revenue is forecast at $60 million, offsetting VTA's financial obligation to BART, resulting in an average annual financial loss of $214 million. Any drop in ridership will lead to further financial losses.

The Need for a BSVII Cash Flow Model

With a price tag of $12.7 billion, BSVII is the largest public infrastructure project in Santa Clara County (Aragon, 2025). Nearly 60% of the planned funding sources include revenue from grants that will not be distributed in advance but will be reimbursed in accordance with each grant's draw schedule (See Figure 1). The timing of those cash inflows must be carefully matched with the timing of payment schedules for construction contracts worth billions of dollars.

VTA staff is evaluating different approaches to contracting the construction work. Alternatives are being evaluated for the following reasons: 1) to identify segments of work that could be bid out separately to accelerate the overall schedule; and 2) to identify segments for which there is a greater likelihood of strong competitive bids. For each contract, the cash outflows will be specified and must be carefully matched with the cash inflows.

A cash flow model that matches receipts and expenditures for BSVII would enable VTA decision-makers to fully evaluate the alternative approaches being studied. However, VTA officials have advised the Civil Grand Jury that such a model has not yet been developed. A cash flow model is necessary to avoid unplanned delays from cash shortfalls.

Oversight Concerns

VTA Board Recognizes That Oversight Must be Improved

Independent reports and audits have identified problems with project management and VTA Board oversight, including those identified by a prior Civil Grand Jury, the California State Auditor, and the PMOC (AtkinsRéalis USA Holdings LLC, 2026). VTA's cost-estimation practices, along with its lack of transparency around changes to project scope and cost, were identified as significant deficiencies. VTA's oversight and management of the BSVII project have also been heavily criticized by the media, in public comments presented at Board meetings, and in letters to the editor of multiple local publications.

VTA Board Outsources Guidance and Oversight of the BSVII Project

Following a workshop on the project's direction in October 2023, the VTA Board Chairman announced the creation of an Ad Hoc BART Silicon Valley Phase II Oversight Committee (VTA, 2023).

However, only the Board can make binding decisions on the project's scope, funding, risks, schedule, and contracting approach. While ultimately accountable itself, the Board nonetheless effectively delegated oversight to a committee without providing clear direction. By abdicating its responsibility to set its expectations of how the Oversight Committee can best support the Board, the committee has been left to set its own course. That course does not keep the Board fully informed of issues raised by independent experts or the PMOC, hampering its ability to make the best decisions about the project's funding and schedule.

At its meeting on January 15, 2026, the Oversight Committee adopted what it called a revised charter intended to clarify the lines of communication and relationships among the auditor general, SME, VTA staff, and Oversight Committee (VTA, January 15, 2026). Members of the Oversight Committee had expressed concern about a perceived lack of coordination between VTA staff and the SME. Nonetheless, the question remains: Is the role of an SME to provide the Board with an independent review of VTA staff recommendations as originally intended, or is it to help VTA staff improve their recommendations? Notably, in the following excerpt, the Charter requires the

auditor general to document issues raised by the SME and the VTA staff but does not require that the full Board be advised of the critical issues:

> To ensure transparency and balanced oversight, selected advisory input from SME will be documented in Oversight Committee materials. Where consensus exists between the SME and the Project Team, it will be noted. Where minority or dissenting views are expressed, the AG [auditor general] will explicitly record final input received alongside the majority view (VTA Oversight Committee Charter, 2026).

During Oversight Committee meetings, there are few deliberations or actions to provide collective guidance or oversight, leaving individual members to raise questions and propose guidance for VTA staff to consider. VTA staff also receives input from individual members in private pre-meeting briefings. As a result, the full Board does not benefit from Oversight Committee analysis, and the public is not fully informed about individual Board member perspectives.

The Committee Has Two Purposes: Guidance and Oversight

"Guidance" suggests that the committee helps the Board establish a strategic direction and recommend actions to keep the project on track. "Oversight," on the other hand, is a separate function that ensures VTA staff is accountable for following the Board's direction in an efficient and effective manner. "Guidance" looks forward. "Oversight" monitors implementation as it happens.

Better at Oversight than Guidance

The Oversight Committee requires VTA staff to produce a comprehensive monthly report detailing the financing and construction progress of the BSVII project. The auditor general provides insightful periodic reports on his independent review of the project's costs, risks, and schedule. The VTA staff's monthly reports address the information gap identified in the auditor general's January 2024 report. As a result, the Oversight Committee can effectively monitor compliance with the Board's direction.

However, the Oversight Committee often fails to provide guidance on issues critical to future strategic direction.

Strategic Guidance on Critical Issues is Informal, Intermittent, and Often Late

VTA staff routinely provide private briefings to Oversight Committee members prior to meetings. Those briefings allow VTA staff to explain and advocate for their recommendations and to receive input and questions from individual members. Occasionally, some agenda materials for an Oversight Committee meeting are not published with the rest of the agenda because VTA staff members will modify presentations up to the last minute based on what they have heard in private briefings.

The Oversight Committee has established an informal standard of limiting its once-monthly meetings to no more than two hours, and meetings often do not begin on time. At the meetings, VTA staff often deliver lengthy presentations on issues for which it will subsequently seek Board approval, leaving little time for committee deliberations.

During these presentations, only a few members ask questions, and rarely does a committee member propose a policy recommendation that the Oversight Committee might take action on. Individual Oversight Committee members are given the opportunity to express support or concern about a proposed VTA staff position, providing VTA staff with some insight into how to frame their recommendations to the Board.

The Oversight Committee receives independent analyses from the VTA auditor general, its contracted SME, and the PMOC. The committee often receives lengthy written comments from the public but limits oral comments to one minute. Members of the committee rarely comment on materials received from the public, many of which are extensive critiques of the VTA staff recommendations. Following each meeting, the Oversight Committee chair submits a short report summarizing discussion topics, which is placed on the VTA Board's consent calendar.

Following presentation to the Oversight Committee, formal VTA staff recommendations are made to the VTA Board, but without the benefit of a summary or synthesis of the alternative perspectives from the auditor general, SME, PMOC, or informed public comment.

The Civil Grand Jury identified three examples of policy issues for which guidance was needed but delivered inadequately. One of the examples, the single-bore versus twin-bore issue, illustrates both the failure of the committee to make recommendations and the VTA staff's failure to follow through on committee requests in a timely manner.

Example of Inadequate Guidance: The KST Contract Decision

The Oversight Committee endorsed a major contract change without providing independent analysis, articulating its rationale, or conveying identified risks to the Board.

VTA had issued a contract to a construction consortium, Kiewit Shea Traylor (KST), using a "progressive/design/build" approach, under which KST would design the tunnel project and, after reviews by VTA and its construction management consultant, KST would build it. By the spring of 2025, VTA believed that KST's proposed design could significantly increase the project's estimated cost by up to $1 billion and that it would be preferable to engage in a competitive bidding process for the remaining tunnel work. In a more traditional contract approach, VTA would prepare the design specifications and contract conditions. To accomplish this, it was necessary to limit the contract with KST to only the work required to prepare for the TBM, which VTA would own but make available to the tunneling contractor to operate and maintain.

At its June 12, 2025, meeting, VTA staff presented its proposal to modify the KST contract to the Oversight Committee, which unanimously endorsed it. Two weeks later, the VTA Board met and approved VTA staff recommendations. Although the VTA staff agenda report did include a reference to the Committee's recommendation, it did not include the risk analysis that had been reviewed by the Committee. The Oversight Committee's regular report to the VTA Board was placed on the consent calendar and simply reported the committee's concurrence with the VTA staff recommendation. There was no report or analysis laying out the reasons for the Oversight Committee's concurrence or the SME's risk assessment. Therefore, the Board made its decision without a complete understanding of the risks.

Example of Inadequate Guidance: The Twin-Bore versus Single-Bore Decision

The Oversight Committee retroactively requested a side-by-side analysis of tunnel options through Downtown San José.

A preliminary design controversy was whether to tunnel two smaller bores for the downtown San José underground tracks or to tunnel a single larger bore at greater depth. Downtown businesses had raised concerns that the twin-bore approach would require additional work and disrupt their operations during construction.

BART initially opposed the single-bore tunnel approach because it differed from its existing, smaller twin-bore tunnels. However, the BART inspector general reported that in the spirit of

cooperation, BART officials consented to the single-bore approach after being assured that operational and safety concerns would be met (BART, December 19, 2025).

In December 2022, VTA approved the fabrication and purchase of a large TBM for $76 million, effectively locking in the single-bore approach. In a news article dated November 7, 2023, in the Mountain View Voice, San José Mayor Matt Mahan was quoted as saying: "There is no turning back now" (Hicks, 2023).

Nonetheless, individual Board members and informed public commenters continued to raise questions about whether a twin-bore approach might be cheaper, faster, and safer for BART operations. In response, members of the Oversight Committee commissioned an analysis of the two options for costs, risks, and impact on schedules.

In September 2025, more than 18 months after the request, VTA and its engineering consultants presented their analysis to the Oversight Committee, confirming the single-bore approach. Although it had requested the analysis, the Oversight Committee did not make a recommendation to the Board. In October 2025, the Board was presented with the VTA staff and consultants' analysis and confirmed the single-bore approach by declining to take steps to amend the environmental documents or modify the tunneling contracts.

Example of Inadequate Guidance: Scenario 1 versus 1a Decision

In October 2025, VTA decided on an approach to the construction of the tunnel without the benefit of the SME's analysis that the Oversight Committee had requested.

Before design work could progress to a more advanced level, the VTA Board needed to decide between two alternatives for staging the actual tunneling work. The SME had suggested that concurrent tunneling from both ends could reduce costs and accelerate the schedule (VTA, June 12, 2025). The two options were labeled "Scenario 1" (a straight-through tunneling using the larger TBM from west-to-east) and "Scenario 1a" (an option of concurrent tunneling starting at both the east and west portals using two TBMs).

Although this would require two TBMs, the east-to-west work could be done simultaneously with a smaller-bore tunneling machine. Further, the SME reported that a smaller-bore TBM was readily available and would require less lead time than the TBM being fabricated in Germany.

Because the Oversight Committee considered the potential benefits significant, the committee asked both VTA staff and the SME to analyze the options and prepare a recommendation. On

August 4, 2025, the Oversight Committee authorized an expenditure of $110,000 and directed the auditor general to contract with GZ for the requested work. GZ presented interim reports on September 11, 2025, and October 9, 2025, and promised to deliver its completed report at the November 2025 meeting of the Oversight Committee.

VTA staff subsequently presented its analysis and recommendations to the Oversight Committee on October 9, 2025. Although the Project Manager stated that the VTA staff was aware of some of GZ's preliminary analysis (especially differing assumptions about the rate at which each of the two TBMs can move forward when digging a tunnel), VTA staff requested a Board meeting to decide between the two alternatives. In prior presentations to the Oversight Committee, VTA staff said that the analysis would be presented at a Board "workshop" (at which no formal action could be taken). However, a special meeting of the Board was called for October 17, 2025, and VTA staff made its recommendations to the Board, neglecting to advise the Board that the Oversight Committee was still awaiting the GZ analysis that the Committee had authorized.

The Oversight Committee failed to present any report or recommendation at the special meeting. As a result, the Board adopted 'Scenario 1' without the benefit of an independent analysis of the risks.

On February 12, 2026, four months after the Board made its decision, the SME presented his written report analyzing the options and raising concerns that should have been considered before the decision.

VTA Staff Accountability for Responding to Oversight Committee Member Requests

The auditor general maintains two types of monitoring reports: a tracking report that lists the requests of individual committee members for information or analysis, and a work plan that lists the schedule for upcoming formal reports, including risk assessments such as financing and procurement risks. Both monitoring reports establish a due date, but the deadlines are often not met.

During public meetings, Oversight Committee members rarely discuss the tracking report or the work plan and do not publicly comment on changes to the expected date in subsequent reports. More importantly, neither the auditor general nor the Oversight Committee holds VTA staff accountable for late responses to issues raised in the tracking report. Below, the Civil Grand Jury presents two examples:

Example of Lack of Accountability: Prolonged Delay in Analysis of Single-Bore versus Twin-Bore

The side-by-side analysis of two design options was not provided until more than 18 months after it was first requested.

At the Oversight Committee's first meeting in November 2023, a member of the public requested that the committee order a cost and risk analysis of the single-bore versus twin-bore options, which remained controversial following the VTA Board's selection of the single-bore option in 2018. In 2023, the Chair of the Oversight Committee responded that such an "apples-to-apples" (side-by-side) analysis would be one of the committee's first tasks. Here are some of the subsequent activities:

- At the committee's meeting on January 19, 2023, two committee members formally requested the "apples-to-apples" analysis and placed it on the committee's tracking list. (VTA, March 2025). At its meeting on June 13, 2024, the Project Manager reported that the scope of the twin-bore analysis would be worked on and reported to the Board "over the course of the summer."
- At its meeting on August 8, 2024, a member of the public asked about the status of the "apples-to-apples" analysis.
- At the September 12, 2024, Oversight Committee, the auditor general announced that VTA staff had asked engineering design contractor Mott Macdonald to conduct the "apples-to-apples" review.
- The March 2025 tracking report included a comment regarding the "apples-to-apples" comparison: "These items are being evaluated as part of cost savings task force efforts with participation from GZ" (VTA, April 2024).
- One year later, on September 11, 2025, Mott Macdonald presented its analysis of the twin-bore versus single-bore options – nearly 22 months after the request was first discussed at an Oversight Committee meeting – concluding that the single-bore option was preferred (VTA, September 11, 2025).

Example of Lack of Accountability: An Alternative Strategy Some Call "Plan B"

Despite multiple requests for an alternative strategy to address risks associated with the federal funding decision, VTA staff advised the Oversight Committee that it would wait until after the federal decision.

Since the Oversight Committee meeting on October 9, 2025, committee members have stressed the need for an alternative strategy in the event the federal government delays or denies the FFGA

for the promised $5.1 billion. Some committee members asked whether a "Plan B" might include reducing the number of planned stations or revising the funding strategy. VTA staff reported to the Civil Grand Jury that there was reluctance to discuss a "Plan B" out of concern that the discussion itself might jeopardize the FFGA. At public meetings, VTA staff dismissed requests for an alternative funding strategy, instead reporting that an alternative plan should not be prepared until the FTA made its decision in 2027. This is an example of the VTA staff's dismissal of the Oversight Committee direction.

Expediency of Decisions versus Rigorous Analysis

The Civil Grand Jury identified tension between VTA Board members' competing goals: avoiding delays in decision-making and requiring rigorous, independent analysis of costs, risks, and schedule. In public meetings, the Project Manager has often stated that each month of delay adds $20 to $30 million to the overall project cost (Dorsey, 2025).

There is a strong financial incentive to keep the project moving by advancing decisions incrementally—approving one component at a time to show visible progress—without fully evaluating how each step alters the project's overall cost, scope, and risk. For a project of this size, complexity, and cost, this piecemeal approach masks cumulative effects, increasing the likelihood of cost escalation and delays. These should be identified and addressed through rigorous, front-end analysis.

With two-year terms and constituencies limited to portions of the County, Board members may understandably focus on immediate actions rather than the long-term, systemwide implications that demand a coherent strategic plan.

The Role Assigned to the Auditor General

The Oversight Committee benefits from periodic risk assessments and audits performed by the VTA auditor general on the BSVII project. However, by assigning the auditor general the responsibility to also provide staff support to the Oversight Committee, VTA has created a situation in which the auditor general is asked to provide an independent audit of prior decisions while also assisting the committee in evaluating future policy and management decisions.

At the June 2025 public Board meeting, the auditor general stated that he sometimes feels like a referee among the analyses provided by VTA staff, the SME, the public, and the PMOC. However, the VTA Board is the final arbiter, not the auditor general.

The Board is best served when it hears all relevant views on an upcoming decision and is presented with options and a recommendation. The auditor general's participation and input are critical, but he should not be placed in the position of having to synthesize all the competing views, including his own.

The auditor general is better placed to assist the Oversight Committee in its role of "oversight" and less so in commenting on the Oversight Committee's "guidance" functions. Accordingly, the Oversight Committee and the VTA Board would be better served if a VTA staff person were assigned responsibility for staffing the committee. This person could be part of the General Manager's Office and should not report to the Project Manager. The position would be like that of the chief of staff, which was recently assigned to support the chair of the Board.

Coordination with BART

Because the County of Santa Clara is not part of the BART District, the extension of rail service to San José required a contract that established both VTA's and BART's commitment to cooperate. Under the 2001 Cooperative Agreement, VTA is financially responsible for paying for the design, construction, and operation of the segment in Santa Clara County (BART and VTA, Comprehensive Agreement, 2001). BART retained approval authority over design elements that affect operations, maintenance, and safety. To date, this has been accomplished through the joint preparation of a Design Criteria Manual.

As recently as December 2025, BART's Independent Office of the Inspector General (OIG) issued a report titled: "Transparency & Communication Gaps in the BSVII Project." The report summarizes years of controversy over the single-bore versus twin-bore approach but acknowledges that BART eventually agreed to the single-bore concept evaluated in the final environmental impact statement. However, the BART OIG remained critical of the extent of cooperation between the two agencies:

> We also determined that the length of time since the project began, extensive media coverage of the project, conflicting subject-matter opinions, and some public displeasure with the single-bore design have created uncertainty about the project's direction. We concluded that gaps in transparency and communication, including limited public discussions in recent years, have resulted in mixed messaging on a project that has evolved over multiple decades (BART Independent Office of the Inspector General, 2025).

In August 2025, the lack of communication and cooperation was publicly exposed when a BART official wrote a letter to VTA (Appendix A) specifically objecting to the consideration of reducing

the size of the Newhall Yard and Maintenance Facility as a capital cost-saving measure. The VTA Project Manager publicly acknowledged a failure to keep BART informed of design issues that might impact BART's operational efficiency and pledged to develop recommendations to the administrative heads of both agencies on a more formal process to identify and resolve those issues (VTA Oversight Committee, 2025).

Board Experience and Continuity

Since 2019, five audits and reports have critiqued VTA's governance structure and recommended a series of revisions to improve VTA's capability to provide Board direction and oversight of the BART extension. Those audits have included the 2018-19 Santa Clara County Civil Grand Jury in 2019; the Auditor of the State of California, in 2024; the BART Independent Office of the Inspector General in 2025; RSM US LLC, a VTA subcontractor, in 2019; and the VTA Auditor General in 2024. VTA has accepted and acted on most of the recommendations for governance reform, except those relating to the terms and required experience level of Board members.

During the investigation of the BSVII project, sources repeatedly raised concerns about the level of knowledge and decision-making ability of the full VTA Board, which is responsible for the project's success. Decisions made today will have a direct impact on its ultimate success. Diligent oversight of its schedule, cost, progress, and scope is required.

According to the California Public Utilities Code, which established the VTA Board, "to the extent possible, the appointing powers shall appoint individuals who have expertise, experience, or knowledge relative to transportation issues" (Pub. Util. Code 10000 et seq).

VTA Board members are appointed to two-year terms by appointing agencies, organized into six groups as detailed in Table 3. Appointing agency groups are established and defined by VTA Administrative Code, which states "Appointing Authorities are strongly encouraged, where possible, to: (1) appoint individuals with appropriate experience and qualifications in transportation; (2) ensure that there is sufficient remaining time in the elected official's term of office to allow full completion of their term as a Director; and (3) reappoint representatives to consecutive terms" (VTA Administrative Code § 2-13).

Table 3: Appointing Authorities Composition of the VTA Board

Appointing Agency Group	Jurisdiction Represented	Number of Board Members	Method of Appointment
Group 1	San José	5 members 1 alternate	Appointed by city council from city council members/mayor
Group 2	Los Altos, Los Altos Hills, Mountain View, Palo Alto	1 member 1 alternate	Determined by Group 2 members
Group 3	Campbell, Cupertino, Los Gatos, Monte Sereno, Saratoga	1 member 1 alternate	Determined by Group 3 members
Group 4	Gilroy, Morgan Hill	1 member 1 alternate	Determined by Group 4 members
Group 5	Milpitas, Santa Clara, Sunnyvale	2 members 1 alternate	Determined by Group 5 members
Group 6	County of Santa Clara	2 members 1 alternate	Appointed by County Board of Supervisors

Source: California Pub. Util. Code section 100060.

While VTA continues to insist that two-year terms are suitable for its governance (as specified in PUC § 100060.2), peer agencies in the state appoint their Board members to four-year terms, leading to much longer average lengths of service and potentially greater experience and transportation-related knowledge (see Figure 2).

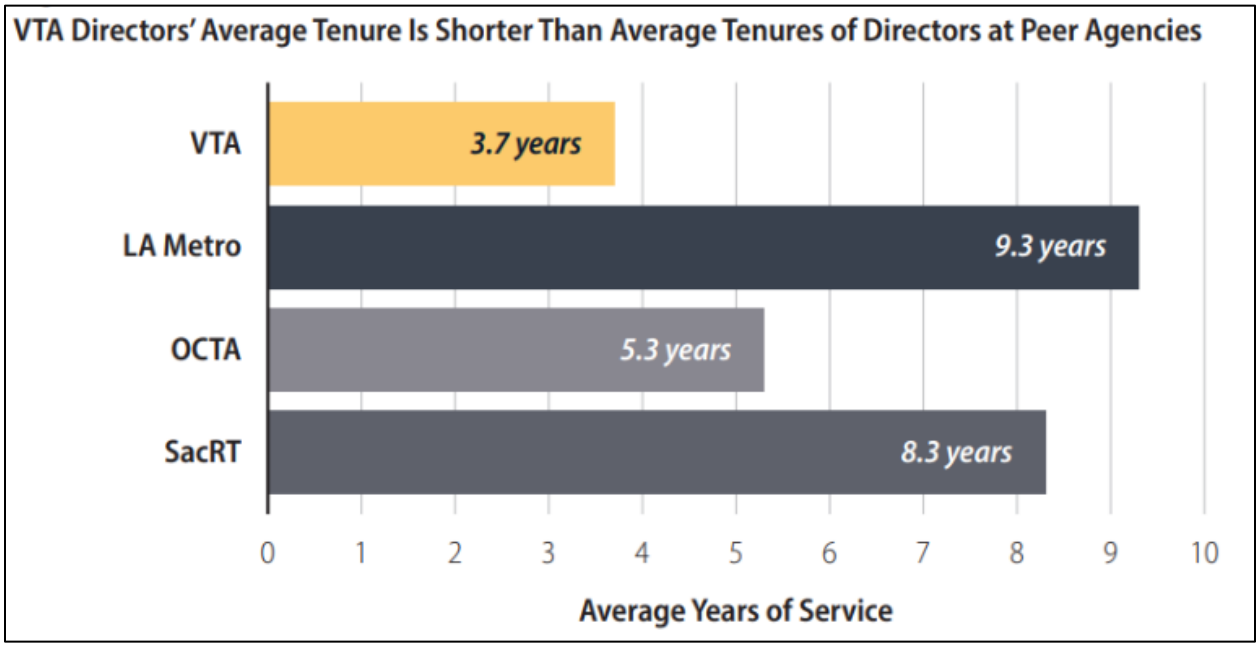
Multiple reports and audits have suggested weaknesses introduced by VTA's approach to the appointment of Board members. For example, the 2019 Board Governance Assessment concluded, in part, that some processes and policies (e.g., committee structure, term limits, and Board member selection guidelines) might not reflect best practices or support long-term Board stability (VTA, 2019). Additionally, a report by the 2018-19 Santa Clara County Civil Grand Jury found that the VTA Board suffers from:

- A lack of experience and limited continuity by many Board members;
- Inadequate time for the directors to devote to the Board's oversight and policy-making functions;
- A lack of engagement by some of the directors, fostered in part by the committee system, resulted in VTA functioning largely as a staff-driven organization.

More recently, a critical 2024 report from the State Auditor regarding VTA's project management and financial oversight noted the following weaknesses:

- The process for selecting directors for the Board is not always transparent enough to ensure the appointment of directors experienced in transportation issues.
- Some groups of cities appoint VTA directors without public deliberation, limiting transparency and sometimes bypassing the statutory recommendation for transportation expertise.
- VTA directors have shorter tenures, on average, than their peers, meaning that VTA's Board has less experience overseeing the agency's operations than the Boards of peer agencies.

Figure 2: Average Directors' Tenure among VTA and Peer Agencies



Source: Auditor of the State of California, "Santa Clara Valley Transportation Authority, Improvements Are Necessary to Strengthen Its Project Management and Financial Oversight," June 2024.

Note: LA Metro stands for Los Angeles County Metropolitan Transportation Authority; OCTA stands for Orange County Transportation Authority; SacRT stands for Sacramento Regional Transit District.

During interviews and in reviewing existing reports and audits about VTA, the Civil Grand Jury learned that Board members and elected officials broadly support a four-year term for directors. Lengthening terms would require a change to VTA's enabling legislation. The findings of the State and VTA's own auditors' governance reform recommendations remain unchanged.

Public Communication

Following the VTA auditor general's report in January 2024, public communication and community outreach regarding the BSVII project have improved. The Civil Grand Jury noted improvements to the VTA BSVII project website, including efforts to deliver timely updates to residents about the impact of construction activities, and a section for frequently asked questions (FAQ) (VTA, BART Silicon Valley Phase II Project, n.d.). In addition, many interviewees told the Civil Grand Jury that VTA has made efforts to better inform the public and officials since the auditor general's report highlighted communication breakdowns in 2023.

However, there are areas where the public would benefit from VTA focusing more on improving communication.

The VTA's BSVII project website does not offer a simple, clear dashboard outlining the costs, timeline, and progress of the BSVII project. Although it includes technical reports from the federally sponsored PMOC, it does not include the independent analyses by the SME or the VTA auditor general.

A high-level dashboard would consolidate information from multiple sources, present project metrics to the public, and provide access to source materials. Today, information on funding, expenditures, and schedule status is available on the website, but is buried in layers of reports that are nonintuitive to find or navigate.

In addition, the Civil Grand Jury found the site's search function inadequate for locating specific details or addressing questions not covered in the FAQ, and it often returned results for irrelevant materials. The website would be more user-friendly if VTA incorporated a more robust search engine.

CONCLUSION

The VTA Board has failed in its responsibility to provide effective management, oversight, and financial control of the BSVII Project.

Based on its investigation, the Civil Grand Jury concludes:

- There is no realistic plan to deal with foreseeable financial risks, including significant uncertainty about BSVII's construction and operating costs, reliance on expiring voter-approved sales tax measures, uncertain federal government support, cash flow, and declining ridership.
- When considering major scope and design decisions, the Oversight Committee and the VTA Board do not take into account the ongoing operations and maintenance costs that will be borne by VTA and will require voter approval of subsequent sales tax measures.
- The Oversight Committee exercises its oversight responsibility by requiring monthly progress reports and by questioning VTA project staff, but when it declines to make recommendations to the VTA Board, it fails in its responsibility to provide guidance on critical policy issues.
- The Oversight Committee receives valuable input from multiple sources but does not share this information with the VTA Board in the form of helpful reports that synthesize the different perspectives of VTA staff, the Subject Matter Expert, the auditor general, the Project Management Oversight Consultant, and the public.
- The VTA Board and the Oversight Committee have failed to hold VTA staff accountable for missing deadlines to provide analysis and information requested by members of the Oversight Committee.
- There is a lack of meaningful communication and cooperation between BART and VTA officials, which undermines public confidence.
- VTA's failure to adopt governance reform recommendations from prior Civil Grand Jury reports and independent audits has led to a lack of Board member continuity and expertise, weakening the Board's ability to successfully oversee the BSVII project.

FINDINGS AND RECOMMENDATIONS

Finding 1

The BSVII project currently requires voter approval of additional sales tax measures to address gaps in construction and operations funding.

Recommendation 1

VTA should adopt and publish a strategy for the completion and operation of the project that reduces dependency on new sales tax measures.

This should be implemented by December 31, 2026.

Finding 2

VTA does not maintain a cash-flow model for the BSVII project.

Recommendation 2

The VTA Board should direct the General Manager to prepare a cash-flow model for the BSVII project and present it quarterly to the Oversight Committee and the Board.

This should be implemented by December 31, 2026.

Finding 3

VTA has not developed an alternative funding strategy for the project in the event that planned funding sources are unavailable or insufficient.

Recommendation 3

The VTA Board should direct the General Manager to prepare an alternative funding strategy to meet the project's estimated total capital costs and VTA's responsibility for operating and maintenance costs and present it to the Oversight Committee and Board for approval.

This should be implemented by December 31, 2026.

Finding 4

Project management does not consistently report the operating and maintenance cost implications of design and construction decisions to the Oversight Committee or the Board.

Recommendation 4

VTA should adopt a policy requiring staff to present an analysis of operating and maintenance costs when considering design and construction alternatives for BSVII.

This should be implemented by December 31, 2026.

Finding 5

The VTA Board would benefit from longer terms of office to improve continuity and institutional knowledge.

Recommendation 5

VTA should reconsider its prior rejections of audit recommendations calling for the establishment of four-year terms and direct its legislative advocates to seek a legislative author to amend VTA's enabling statute to require four-year terms.

This should be implemented by December 31, 2026

Finding 6

VTA Board Appointing Authority Groups 2 through 5 often do not follow VTA Administrative Code (Section 2-14) admonitions to "appoint individuals with appropriate experience and qualifications in transportation" and to "reappoint representatives to consecutive terms."

Recommendation 6

VTA Board Appointing Authority Groups 2 through 5 should certify to the VTA Board that they will adhere to VTA Administrative Code (Section 2-14) admonitions, regarding Board member expertise and appointment to consecutive terms.

This should be implemented by December 31, 2026.

Finding 7

VTA Board Appointing Authority Groups 2 through 5 have different processes for making Board appointments.

Recommendation 7

The cities represented in Appointing Authority Groups 2 through 5 should agree on a uniform process for making Board appointments.

This should be implemented by December 31, 2026.

Finding 8

The role assigned to the auditor general is outside the traditional scope of an auditor's responsibilities and has introduced conflict and uncertainty among VTA staff and the Oversight Committee. Being involved in the management and policy-making process threatens the auditor general's independence.

Recommendation 8

The Board should implement an alternative model for supporting the Oversight Committee that does not rely on the auditor general to provide services such as agenda preparation, monitoring of VTA staff assignments, or preparation of a synthesis of multiple independent inputs to the Committee's deliberations.

This should be implemented by December 31, 2026

Finding 9

The Board of Directors has not approved the bylaws, nor the charter of the Oversight Committee.

Recommendation 9

VTA should formally adopt a revised Charter for the Oversight Committee, setting the Board's expectations on the following issues:

- Defining the role of the auditor general to no longer require him to supervise the presentations by VTA staff to the Oversight Committee;
- The responsibility of the Oversight Committee to report regularly to the Board on the independent analyses of costs, risks, and schedule by the PMOC and any SMEs; and to provide the Oversight Committee's synthesis of those analyses with recommendations to resolve conflicts when necessary;
- The responsibility of the Oversight Committee to consider and present its recommendations before the Board considers major decisions such as scope of the project, contracting, risk management, budgeting, and funding strategy;

- The responsibility of the Oversight Committee to hold subject matter experts accountable for timely analysis of costs, risk, and schedule;
- The responsibility of the Oversight Committee to report to the Board on the implications of design and construction issues that impact future ongoing operations and maintenance costs to be borne by VTA.

This should be implemented by December 31, 2026.

Finding 10

VTA's vtabart.org website is poorly organized and not always intuitive to navigate, making it hard to find information about the status, cost, and schedule of the BSVII project.

Recommendation 10

The VTA Board should direct the General Manager to implement and maintain a project dashboard on its vtabart.org website that includes status, cost, and schedule information.

This should be implemented by October 31, 2026.

REQUIRED RESPONSES

Pursuant to California Penal Code section 933(a) et seq. and California Penal Code section 933.05, the 2025-26 Santa Clara County Civil Grand Jury requests responses from the following governing bodies:

Responding Agency	Findings	Recommendations
VTA Board of Directors	1, 2, 3, 4, 5, 8, 9, 10	1, 2, 3, 4, 5, 8, 9, 10
County of Santa Clara, Board of Supervisors	6	6
The City of Campbell, City Council	6, 7	6, 7
The City of Cupertino, City Council	6, 7	6, 7
The City of Gilroy, City Council	6, 7	6, 7
The City of Los Altos, City Council	6, 7	6, 7
The Town of Los Altos Hills, Town Council	6, 7	6, 7
The Town of Los Gatos, Town Council	6, 7	6, 7
The City of Milpitas, City Council	6, 7	6, 7
The City of Monte Sereno, City Council	6, 7	6, 7
The City of Morgan Hill, City Council	6, 7	6, 7
The City of Mountain View, City Council	6, 7	6, 7
The City of Palo Alto, City Council	6, 7	6, 7
The City of San José, City Council	6, 7	6, 7
The City of Santa Clara, City Council	6, 7	6, 7
The City of Saratoga, City Council	6, 7	6, 7
The City of Sunnyvale, City Council	6, 7	6, 7

APPENDIX A: BART Management Letter

BART SILICON VALLEY
PHASE II (BSVII)

MEMORANDUM

TO: Carolyn Gonot, VTA General Manager

DATE: August 15, 2025

FROM: Shane Edwards, BART Assistant General Manager, Operations

SUBJECT: Concerns Regarding Lack of Information Sharing and Notification on Key Project Changes

Dear General Manager Gonot:

The Bay Area Rapid Transit District (BART) is gravely concerned with VTA's failure to provide prior notice of the August 11 press release on the twin bore cost report update and the lack of advance discussion on the significantly scaled-down version of the yard presented at the Oversight Committee Meeting on August 14, 2025. Both actions violate established protocols, undermine the trust and coordination that have guided this partnership, and represent serious breaches of process. BART was still under the clear impression, after months of partnership and collaboration, that both agencies were moving forward with Option J of yard design.

In 2018, BART and VTA stood side by side to announce the approval of single bore configuration, marking the culmination of years of coordinated effort, joint advocacy, and mutual reliance. Since the signing of the Comprehensive Agreement, the requirement has been unequivocal: any significant project change, particularly those affecting operations, safety, or long-term system performance, must be disclosed to BART in advance of any public release.

The decision to withhold advance notification of the August 11 release, coupled with the absence of meaningful prior discussion on concepts of yard redesign before presenting in the forum of a public committee, carries direct and lasting operational consequences for BART's ability to safely and efficiently operate the expanded system. These lapses are incompatible with the level of transparency and cooperation expected between primary project partners.

Such omissions hinder BART's ability to fulfill its responsibilities to the public, damage stakeholder confidence, and raise fundamental concerns about VTA's adherence to its commitments. Given the scale, complexity, and visibility of this project, these failures are not minor oversights, they are unacceptable breaches of trust.

I am formally notifying VTA, and the Phase II Project that the Yard Concept presented at the VTA Audit Committee on August 14, 2025 is rejected. The last version of yard design that BART reviewed was revision J.

BART SILICON VALLEY
PHASE II (BSVII)

BART remains fully committed to the successful delivery of this critical regional investment. However, that commitment depends on VTA's immediate corrective action to restore transparency and accountability.

Sincerely,

Shane Edwards
BART Assistant General Manager, Operations
BART Project Director

Cc: VTA's BART Silicon Valley Phase II Oversight Committee Members
Greg Richardson, VTA Deputy General Manager
Robert Powers, BART General Manager
Michael Jones, BART Deputy General Manager
Ni Lee, BART Deputy Project Director
Monica Born, VTA Program Director
Tom Maguire, VTA Chief Delivery Officer of Mega Projects

CONFLICTS

Members of the Civil Grand Jury are conflicted from a Civil Grand Jury investigation if, as a result of prior or current employment or associations, investment in public or private enterprise, financial interest, bias, or personal relationship, they are subject to recusal from participating in a matter before the Civil Grand Jury. One juror was recused from this matter.

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This report was **ADOPTED** by the 2025-2026 Santa Clara County Civil Grand Jury on this 17th day of June, 2026.

Dinesh Ramde
Foreperson

City of Gilroy

7351 Rosanna Street
Gilroy, California
95020-6197

Administration Department

Telephone (408) 846-0202
http://www.cityofgilroy.org

August XX, 2026

Via Email (CGJ@scscourt.org) and U.S. Mail

The Honorable Julie A. Emede,
Presiding Judge
Superior Court of California, County of Santa Clara
191 North First Street
San Jose, CA 95113

Re: City of Gilroy Response to the 2025–2026 Civil Grand Jury Final Report — "VTA's Management and Oversight of BART Silicon Valley Phase II"

Dear Judge Emede:

Pursuant to California Penal Code sections 933(c) and 933.05, the City of Gilroy respectfully submits its response to the findings and recommendations directed to the City in the 2025–2026 Santa Clara County Civil Grand Jury's final report, "VTA's Management and Oversight of BART Silicon Valley Phase II" released June 17, 2026. The City is required to respond to Findings 6 and 7, Recommendations 6 and 7, and does so below in accordance with the response requirements of Penal Code section 933.05.

Findings and Recommendations

Finding 6: *"VTA Board Appointing Authority Groups 2 through 5 often do not follow VTA Administrative Code (Section 2-14) admonitions to 'appoint individuals with appropriate experience and qualifications in transportation' and to 'reappoint representatives to consecutive terms.'"*

Response: The City of Gilroy disagrees.
The City can respond only as to Appointing Authority Group 4 (Gilroy and Morgan Hill) and expresses no position on the practices of Groups 2, 3, and 5. In 2024, the Cities of Gilroy and Morgan Hill adopted a joint resolution establishing a structured South County rotation schedule for the Group 4 seat on the VTA Board of Directors (See Eclosed Exhibit 1 - Gilroy Resolution No. 2024-50/Morgan Hill Resolution No. 24-035). That framework promotes continuity and predictability in Group 4 appointments and reflects deliberate, publicly adopted coordination between the two cities. While the joint resolution currently does not contain express language addressing the VTA Administrative Code admonitions regarding transportation experience and qualifications, the Gilroy Mayor and Council take these principles into consideration when selecting their representative. The appointment of a representative from one city and an alternate from the other City allows for a balance of continuity with the building of experience so that future board members are informed of their role and aligns with the four-year election term of these representatives.

Recommendation 6: *"VTA Board Appointing Authority Groups 2 through 5 should certify to the VTA Board that they will adhere to VTA Administrative Code (Section 2-14) admonitions, regarding Board member expertise and appointment to consecutive terms. This should be implemented by December 31, 2026."*

> **Response**: The recommendation will not be implemented as the current process meets the needs of the Cities in Group 4. As noted above, the established process meets the needs of the Cities in Group 4. The City will continue to consider opportunities to facilitate consistency in representation.

Finding 7: *"VTA Board Appointing Authority Groups 2 through 5 have different processes for making Board appointments."*

> **Response**: The City of Gilroy partially disagrees. The City understands that the appointment processes used by Groups 2 through 5 differ from one another. Within Group 4, however, the Cities of Gilroy and Morgan Hill have already adopted a uniform, documented process: the 2024 joint resolutions establishing the South County VTA Board rotation schedule, which governs how the Group 4 appointment is made and rotates between the two cities. This process aligns with the processes in other groups while maintaining the flexibility for any specific needs of Group 4.

Recommendation 7: *"The cities represented in Appointing Authority Groups 2 through 5 should agree on a uniform process for making Board appointments. This should be implemented by December 31, 2026."*

> **Response**: The recommendation has been implemented for Group 4. Any further implementation of a uniform process across Groups 2 through 5 requires coordination beyond the City's sole control.
>
> The Cities of Gilroy and Morgan Hill adopted a joint resolution in 2024 establishing a uniform, publicly adopted process and rotation schedule for the Group 4 appointment, and that framework remains in effect. To the extent the recommendation contemplates a single uniform process shared across Groups 2 through 5, that outcome requires agreement among fourteen cities across four appointing groups and cannot be implemented unilaterally by Gilroy. The City is willing to participate in any coordinated effort among the Group 2 through 5 cities, or facilitated by VTA, to develop a common appointment process, and will consider adopting any uniform framework that emerges from that effort.

The City of Gilroy thanks the Civil Grand Jury for its review and its recommendations to improve the accessibility and transparency of the claims process. Please contact the City Clerk's Office at (408) 846-0204 with any questions regarding this response.

Respectfully submitted,

DRAFT

Matt Morley, City Administrator
On Behalf of Gilroy City Council
City of Gilroy

Enclosed: Exhibit 1 – Gilroy Resolution 2024-50/Morgan Hill Resolution 24-035

DRAFT

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GILROY RESOLUTION NO. 2024-50
MORGAN HILL RESOLUTION NO. 24-035

A JOINT RESOLUTION OF THE CITY COUNCILS OF THE CITIES OF GILROY AND MORGAN HILL TO MEMORIALIZE THE ESTABLISHED SCHEDULE OF SHARED REPRESENTATION ON THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY'S BOARD OF DIRECTORS FOR THE SOUTH COUNTY CITIES GROUP

WHEREAS, the Santa Clara Valley Transportation Authority (VTA) is a regional transportation authority addressing regional transportation and congestion management throughout Santa Clara County; and

WHEREAS, the VTA is governed by its Board of Directors, a board comprised of twelve voting members, in addition to six non-voting members. Five of the voting members are allocated to the City of San Jose, two to the County of Santa Clara, and the remaining five seats are divided amongst the small city groupings; and

WHEREAS, the Cities of Gilroy and Morgan Hill (Cities) share one voting member, and one alternate for the South County City Group, Group Four; and

WHEREAS, the VTA delegated the determination of how each small city group would share representation and select their appointment to the cities within each group; and

WHEREAS, effective January of 2012, the Cities began self-determining the rotation of representation between the Cities, one city providing the appointee, the other providing the alternate. Every two years the appointee and alternate would switch to the other city; and

WHEREAS, the Cities would provide the name of the appointee and alternate to VTA on their appointment form; and

WHEREAS, in a recent State audit of VTA the need to formally memorialize the shared representation structure was identified by the auditors; and

WHEREAS, the Cities desire to adopt this joint resolution to accomplish the purpose as stated above.

NOW, THEREFORE, BE IT RESOLVED by the City Councils of the Cities of Gilroy and Morgan Hill that:

1. The Cities shall share representation through rotation of appointments to the Board of Director Seat for the South County Small Cities Group, Group Four.
2. Representation shall rotate on two-year terms, commencing January 1st of each odd year.
3. One city shall provide the appointee to the VTA Board of Directors, and the alternate shall come from the other city of the South County Small City Group.
4. Based on the current schedule, the City of Morgan Hill will provide the Appointee, and the City of Gilroy will provide the Alternate, for the period of January 1, 2025 through December 31, 2026. Every January 1st of each odd

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year thereafter, the cities providing the Appointee and the Alternate shall each switch.

5. The City of Gilroy will have their representative selected by their Mayor with their City Council's approval in accordance with their existing Council policy.
6. The City of Morgan Hill will have their representative to the VTA Board selected by their Mayor in accordance with their existing Council policy.

PASSED AND ADOPTED by the City Council of the City of Gilroy at a regular meeting duly held on the 21st day of October, 2024 by the following roll call vote:

AYES:	**COUNCIL MEMBERS:**	**BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY**
NOES:	**COUNCIL MEMBERS:**	
ABSTAIN:	**COUNCIL MEMBERS:**	
ABSENT:	**COUNCIL MEMBERS:**	

APPROVED:

DocuSigned by:
Marie Blankley
9EE7CEC2F0D8427...
Marie Blankley, Mayor

ATTEST:

DocuSigned by:
Beth Minor
D4244EA37BF7425...
Beth Minor, Interim City Clerk

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting duly held on the 23rd day of October, 2024 by the following roll call vote:

AYES:	**COUNCIL MEMBERS:**	**BORGIOLI, LEBRERS, MARTINEZ-BELTRAN, TURNER**
NOES:	**COUNCIL MEMBERS:**	
ABSTAIN:	**COUNCIL MEMBERS:**	
ABSENT:	**COUNCIL MEMBERS:**	

APPROVED:

Signed by:
Mayor Mark Turner
9581D1D2BBAF481...
Mark Turner, Mayor

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ATTEST:

Signed by:
Michelle Bigelow
66B887310D154F2...

Michelle Bigelow, City Clerk

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Award a Professional Services Agreement to Kimley-Horn for a Not-to-Exceed Amount of $237,117 for the Development of the City of Gilroy Comprehensive Roadway Safety Action Plan, Add the Project to the Capital Improvement Program, and Adopt a Budget Amendment Resolution to Appropriate Grant and Gas Tax Funds to the Project**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Public Works
Submitted by:	John Doughty, Public Works Director
Prepared by:	Nisha Patel, City Engineer

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

1. Award a Professional Services Agreement to Kimley-Horn for an amount not to exceed $237,117.25 for the development of the City of Gilroy Comprehensive Roadway Safety Action Plan (Project) No. 26-RFP-PW-529, and authorize the City Administrator to execute the contract and associated documents;
2. Add the Project to the Fiscal Year 2027 (FY27) Capital Improvement Program (CIP) with Project Number 801180; and
3. Adopt a resolution amending the FY26 budget within Gas Tax Fund (205) to appropriate $189,693.80 in FY 2024 SS4A Grant Funds to the Project, along with $47,423.45 in local match from the Gas Tax Fund balance, for a total of $237,117.25.

EXECUTIVE SUMMARY

The City was awarded a Fiscal Year 2024 Safe Streets and Roads for All (SS4A) grant for the development of a Comprehensive Roadway Safety Action Plan (CSAP). The

CSAP aims to reduce traffic-related fatalities and serious injuries through initiatives such as implementation guidance, a list of priority projects along the high injury network, and conceptual design plans for priority locations. Adoption of the Plan is critical to the City being eligible to apply for and receive most federal and State transportation-related grants. These grants provide the City the opportunity to leverage its limited general and special funds to complete needed transportation-related capital projects.

Staff received six proposals for the development of the City of Gilroy CSAP, which were evaluated by assigned personnel to determine which consultant was the most qualified to complete the work. After a round of interviews with three firms, staff concurred with the recommendation of the award of the contract to Kimley-Horn. The Services Agreement with Kimley-Horn to develop the CSAP is in the amount of $237,117.25, and the plan will be developed over the next year along with city staff, project stakeholders, and the community.

The request was originally considered by the City Council on June 15, 2026. The motion to approve the contract failed due to a 3-3 vote of the City Council (Mayor Pro Tempore Hilton was absent). Staff feels that we failed to fully explain the importance of the Plan, particularly given we have pending grant applications which are contingent on having a CSAP in place by September 2027.

BACKGROUND

The SS4A program, administered by the Federal Highway Administration (FHWA), provides funding to support local agencies in creating safer roadways. The program aims to reduce traffic-related fatalities and serious injuries through initiatives such as action plans and implementation projects. The City was awarded a $190,000 SS4A grant for the development of the City of Gilroy CSAP, which requires a 20% City match. In October 2024, the City Council approved a resolution amending the budget for the City of Gilroy for Fiscal Year 2024-25 appropriating various grant awards, including the awarded SS4A grant. The City Council authorized the City Administrator to execute the grant agreement, which he did in February 2025.

The CSAP will study the most recent crash data to aid the City in identifying the factors that contribute the most to local traffic crashes.

If the City had an approved LRSP (Local Roadway Safety Action Plan) or CSAP, it would better position us to receive safety implementation funding from state and federal grant programs such as Highway Safety Improvement Program (HSIP), Safe Streets for All (SS4A), Active Transportation Program (ATP), and One Bay Area Grant Program (OBAG).

As discussed further below, the City has four grant applications submitted and pending review. All of the grants require the City to ultimately have a CSAP adopted and in place prior to the draw of any funds, assuming grant(s) are awarded to the City.

ANALYSIS

The SS4A grant will fund the development of the CSAP. The plan will:

- Align with City and regional transportation planning documents such as the City's General Plan, Traffic Circulation Master Plan, Caltrans' Strategic Highway Safety Plan, and the Safe Systems approach.
- Analyze collision data and roadway conditions to develop a prioritized list of safety improvements.
- Include funding, implementation, monitoring, and evaluation plans to address systemic traffic safety concerns. It will be data-driven and objective with many opportunities to engage stakeholders and the community to identify traffic safety concerns.

In the last five years (2021 to 2025), there have been 82 crashes resulting in serious injuries and fatalities, of which six were fatalities. In 2025, there were nine crashes with serious injuries and fatalities, of which one resulted in a fatality. Since January 1, 2026, the City has already experienced a two crashes resulting in four fatalities along with a serious pedestrian accident on Leavesley. With the significant number of serious injuries and fatalities from crashes within the city limits, the City would benefit from a CSAP that creates a plan and countermeasures to reduce these types of crashes.

Approval of the CSAP will provide access to transportation grant funds which are only available to communities with adopted CSAPs. Currently, the City has submitted applications for an SS4A grant in the amount of $1.8M, an OBAG 4 grant in the amount of $6M, another OBAG 4 grant in the amount of $1.7M, and a Community Action Resource and Empowerment (CARE) grant in the amount of $1.2M. The City is not be eligible for the mentioned grant funds if it does not have an approved City CSAP by September 2027, and a CSAP takes around 13 months to develop.

ALTERNATIVES

The City Council may choose not to award the Services Agreement, which will delay the implementation of a CSAP and affect the City's ability to secure grant funds to implement recommended safety improvements identified in the plan. This action would put $190,000 of grant money dedicated to the Plan at risk as well as limit the ability of the City to compete for certain grant funding opportunities in the future. The City would not be eligible to receive grant funds through SS4A, OBAG, and CARE programs from applications staff have already submitted. If the City does not move forward with the services agreement for Kimley-Horn to develop the Gilroy CSAP, they will also lose the $190,000 SS4A grant for development of a CSAP.

FISCAL IMPACT/FUNDING SOURCE

The total project cost and Services Agreement amount with Kimley-Horn is $237,117.25. The SS4A grant provides reimbursement funding of up to $190,000 and requires a 20% local match. Based on the project cost, $189,693.80 will be reimbursed through the SS4A grant and $47,423.45 will be funded with an available Gas Tax Fund (205) balance.

The SS4A grant is a reimbursement-based grant. Grant revenues will be received after eligible project expenditures are incurred, and reimbursement requests are submitted in accordance with grant requirements. Therefore, a budget amendment is required to appropriate both the anticipated grant reimbursement revenue and the required local matching funds for Project No. 801180, Comprehensive Roadway Safety Action Plan.

Adoption of a CSAP provides the City access to critical transportation and safety related funding.

PUBLIC OUTREACH

The development of the CSAP will implement community feedback through different efforts, including an online survey, public workshops, and outreach at community events. There will be an emphasis on inclusivity to ensure that at-risk and underrepresented groups are able to share feedback and help shape project recommendations. The completed CSAP will be shared with City Council at a future date.

NEXT STEPS

Upon City Council’s approval, the contract will be executed, and staff will work with the consultant, Kimley-Horn, to develop a final project schedule. The development of the plan is expected to take a year to complete.

Attachments:

1. Services Agreement
2. Resolution

AGREEMENT FOR SERVICES
(For contracts over $5,000 - CONSULTANT)

This AGREEMENT made this 3rd day of August, 2026, between:

CITY: City of Gilroy, having a principal place of business at 7351 Rosanna Street, Gilroy, California

and CONSULTANT: Kimley-Horn and Associates, Inc., having a principal place of business at 10 South Almaden Boulevard, Suite 1250, San Jose, CA 95113.

ARTICLE 1. TERM OF AGREEMENT

This Agreement will become effective on August 4, 2026 and will continue in effect through June 30, 2028 unless terminated in accordance with the provisions of **Article 7** of this Agreement.

Any lapse in insurance coverage as required by Article 5, Section D of this Agreement shall terminate this Agreement regardless of any other provision stated herein.

_____
Initial

ARTICLE 2. INDEPENDENT CONTRACTOR STATUS

It is the express intention of the parties that CONSULTANT is an independent contractor and not an employee, agent, joint venturer or partner of CITY. Nothing in this Agreement shall be interpreted or construed as creating or establishing the relationship of employer and employee between CITY and CONSULTANT or any employee or agent of CONSULTANT. Both parties acknowledge that CONSULTANT is not an employee for state or federal tax purposes. CONSULTANT shall not be entitled to any of the rights or benefits afforded to CITY'S employees, including, without limitation, disability or unemployment insurance, workers' compensation, medical insurance, sick leave, retirement benefits or any other employment benefits. CONSULTANT shall retain the right to perform services for others during the term of this Agreement.

ARTICLE 3. SERVICES TO BE PERFORMED BY CONSULTANT

A. Specific Services

CONSULTANT agrees to: Perform the services as outlined in **Exhibit "A"** ("Specific Provisions") and **Exhibit "B"** ("Scope of Services"), within the time periods described in **Exhibit "C"** ("Milestone Schedule").

B. Method of Performing Services

CONSULTANT shall determine the method, details and means of performing the above-described services. CITY shall have no right to, and shall not, control the manner or determine the method of accomplishing CONSULTANT'S services.

C. Employment of Assistants

CONSULTANT may, at the CONSULTANT'S own expense, employ such assistants as CONSULTANT deems necessary to perform the services required of CONSULTANT by this Agreement, subject to the prohibition against assignment and subcontracting contained in **Article 5** below. CITY may not control, direct, or supervise CONSULTANT'S assistants in the performance of those services. CONSULTANT assumes full and sole responsibility for the payment of all compensation and expenses of these assistants and for all state and federal income tax, unemployment insurance, Social Security, disability insurance and other applicable withholding.

D. Place of Work

CONSULTANT shall perform the services required by this Agreement at any place or location and at such times as CONSULTANT shall determine is necessary to properly and timely perform CONSULTANT'S services.

ARTICLE 4. COMPENSATION

A. Consideration

In consideration for the services to be performed by CONSULTANT, CITY agrees to pay CONSULTANT the amounts set forth in **Exhibit "D"** ("Payment Schedule"). In no event however shall the total compensation paid to CONSULTANT exceed $237,117.25.

B. Invoices

CONSULTANT shall submit invoices for all services rendered.

C. Payment

Payment shall be due according to the payment schedule set forth in **Exhibit "D"**. No payment will be made unless CONSULTANT has first provided City with a written receipt of invoice describing the work performed and any approved direct expenses (as provided for in **Exhibit "A"**, **Section IV**) incurred during the preceding period. If CITY objects to all or any portion of any invoice, CITY shall notify CONSULTANT of the objection within thirty (30) days from receipt of the invoice, give reasons for the objection, and pay that portion of the invoice not in dispute. It shall not constitute a default or breach of this Agreement for CITY not to pay any invoiced amounts to which it has objected until the objection has been resolved by mutual agreement of the parties.

D. Expenses

CONSULTANT shall be responsible for all costs and expenses incident to the performance of services for CITY, including but not limited to, all costs of equipment used or provided by CONSULTANT, all fees, fines, licenses, bonds or taxes required of or imposed against CONSULTANT and all other of CONSULTANT'S costs of doing business. CITY shall not be responsible for any expenses incurred by CONSULTANT in performing services for CITY, except for those expenses constituting "direct expenses" referenced on **Exhibit "A."**

ARTICLE 5. OBLIGATIONS OF CONSULTANT

A. Tools and Instrumentalities

CONSULTANT shall supply all tools and instrumentalities required to perform the services under this Agreement at its sole cost and expense. CONSULTANT is not required to purchase or rent any tools, equipment or services from CITY.

B. Workers' Compensation

CONSULTANT agrees to provide workers' compensation insurance for CONSULTANT'S employees and agents and agrees to hold harmless, defend with counsel acceptable to CITY and indemnify CITY, its officers, representatives, agents and employees from and against any and all claims, suits, damages, costs, fees, demands, causes of action, losses, liabilities and expenses, including without limitation reasonable attorneys' fees, arising out of any injury, disability, or death of any of CONSULTANT'S employees.

C. Indemnification of Liability, Duty to Defend

1. As to professional liability, to the fullest extent permitted by law, CONSULTANT shall defend, through counsel approved by CITY (which approval shall not be unreasonably withheld), indemnify and hold harmless CITY, its officers, representatives, agents and employees against any and all suits, damages, costs, fees, claims, demands, causes of action, losses, liabilities and expenses, including without limitation attorneys' fees, to the extent arising or resulting directly or indirectly from any willful or negligent acts, errors or omissions of CONSULTANT or CONSULTANT'S assistants, employees or agents, including all claims relating to the injury or death of any person or damage to any property.

2. As to other liability, to the fullest extent permitted by law, CONSULTANT shall defend, through counsel approved by CITY (which approval shall not be unreasonably withheld), indemnify and hold harmless CITY, its officers, representatives, agents and employees against any and all suits, damages, costs, fees, claims, demands, causes of action, losses, liabilities and expenses, including without limitation attorneys' fees, arising or resulting directly or indirectly from any act or omission of CONSULTANT or CONSULTANT'S assistants, employees or agents, including all claims relating to the injury or death of any person or damage to any property.

D. Insurance

In addition to any other obligations under this Agreement, CONSULTANT shall, at no cost to CITY, obtain and maintain throughout the term of this Agreement: (a) Commercial Liability Insurance on a per occurrence basis, including coverage for owned and non-owned automobiles, with a minimum combined single limit coverage of $1,000,000 per occurrence for all damages due to bodily injury, sickness or disease, or death to any person, and damage to property, including the loss of use thereof; and (b) Professional Liability Insurance (Errors & Omissions) with a minimum coverage of $1,000,000 per occurrence or claim, and $2,000,000 aggregate; provided however, Professional Liability Insurance written on a claims made basis must comply with the requirements

set forth below. Professional Liability Insurance written on a claims made basis (including without limitation the initial policy obtained and all subsequent policies purchased as renewals or replacements) must show the retroactive date, and the retroactive date must be before the earlier of the effective date of the contract or the beginning of the contract work. Claims made Professional Liability Insurance must be maintained, and written evidence of insurance must be provided, for at least five (5) years after the completion of the contract work. If claims made coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the earlier of the effective date of the contract or the beginning of the contract work, CONSULTANT must purchase so called "extended reporting" or "tail" coverage for a minimum of five (5) years after completion of work, which must also show a retroactive date that is before the earlier of the effective date of the contract or the beginning of the contract work. As a condition precedent to CITY'S obligations under this Agreement, CONSULTANT shall furnish written evidence of such coverage (naming CITY, its officers and employees as additional insureds on the Comprehensive Liability insurance policy referred to in (a) immediately above via a specific endorsement) and requiring thirty (30) days written notice of policy lapse or cancellation, or of a material change in policy terms.

E. Assignment

Notwithstanding any other provision of this Agreement, neither this Agreement nor any duties or obligations of CONSULTANT under this Agreement may be assigned or subcontracted by CONSULTANT without the prior written consent of CITY, which CITY may withhold in its sole and absolute discretion.

F. State and Federal Taxes

As CONSULTANT is not CITY'S employee, CONSULTANT shall be responsible for paying all required state and federal taxes. Without limiting the foregoing, CONSULTANT acknowledges and agrees that:

- CITY will not withhold FICA (Social Security) from CONSULTANT'S payments;
- CITY will not make state or federal unemployment insurance contributions on CONSULTANT'S behalf;
- CITY will not withhold state or federal income tax from payment to CONSULTANT;
- CITY will not make disability insurance contributions on behalf of CONSULTANT;
- CITY will not obtain workers' compensation insurance on behalf of CONSULTANT.

ARTICLE 6. OBLIGATIONS OF CITY

A. Cooperation of City

CITY agrees to respond to all reasonable requests of CONSULTANT and provide access, at reasonable times following receipt by CITY of reasonable notice, to all documents reasonably necessary to the performance of CONSULTANT'S duties under this Agreement.

B. Assignment

CITY may assign this Agreement or any duties or obligations thereunder to a successor governmental entity without the consent of CONSULTANT. Such assignment shall not release CONSULTANT from any of CONSULTANT'S duties or obligations under this Agreement.

ARTICLE 7. TERMINATION OF AGREEMENT

A. Sale of Consultant's Business/ Death of Consultant.

CONSULTANT shall notify CITY of the proposed sale of CONSULTANT's business no later than thirty (30) days prior to any such sale. CITY shall have the option of terminating this Agreement within thirty (30) days after receiving such notice of sale. Any such CITY termination pursuant to this **Article 7.A** shall be in writing and sent to the address for notices to CONSULTANT set forth in **Exhibit A, Subsection V.H.**, no later than thirty (30) days after CITY' receipt of such notice of sale.

If CONSULTANT is an individual, this Agreement shall be deemed automatically terminated upon death of CONSULTANT.

B. Termination by City for Default of Consultant

Should CONSULTANT default in the performance of this Agreement or materially breach any of its provisions, CITY, at CITY'S option, may terminate this Agreement by giving written notification to CONSULTANT. For the purposes of this section, material breach of this Agreement shall include, but not be limited to the following:

1. CONSULTANT'S failure to professionally and/or timely perform any of the services contemplated by this Agreement.

2. CONSULTANT'S breach of any of its representations, warranties or covenants contained in this Agreement.

CONSULTANT shall be entitled to payment only for work completed in accordance with the terms of this Agreement through the date of the termination notice, as reasonably determined by CITY, provided that such payment shall not exceed the amounts set forth in this Agreement for the tasks described on Exhibit C" which have been fully, competently and timely rendered by CONSULTANT. Notwithstanding the foregoing, if CITY terminates this Agreement due to CONSULTANT'S default in the performance of this Agreement or material breach by CONSULTANT of any of its provisions, then in addition to any other rights and remedies CITY

may have, CONSULTANT shall reimburse CITY, within ten (10) days after demand, for any and all costs and expenses incurred by CITY in order to complete the tasks constituting the scope of work as described in this Agreement, to the extent such costs and expenses exceed the amounts CITY would have been obligated to pay CONSULTANT for the performance of that task pursuant to this Agreement.

C. Termination for Failure to Make Agreed-Upon Payments

Should CITY fail to pay CONSULTANT all or any part of the compensation set forth in Article 4 of this Agreement on the date due, then if and only if such nonpayment constitutes a default under this Agreement, CONSULTANT, at the CONSULTANT'S option, may terminate this Agreement if such default is not remedied by CITY within thirty (30) days after demand for such payment is given by CONSULTANT to CITY.

D. Transition after Termination

Upon termination, CONSULTANT shall immediately stop work, unless cessation could potentially cause any damage or harm to person or property, in which case CONSULTANT shall cease such work as soon as it is safe to do so. CONSULTANT shall incur no further expenses in connection with this Agreement. CONSULTANT shall promptly deliver to CITY all work done toward completion of the services required hereunder, and shall act in such a manner as to facilitate any the assumption of CONSULTANT's duties by any new consultant hired by the CITY to complete such services.

ARTICLE 8. GENERAL PROVISIONS

A. Amendment & Modification

No amendments, modifications, alterations or changes to the terms of this Agreement shall be effective unless and until made in a writing signed by both parties hereto.

B. Americans with Disabilities Act of 1990

Throughout the term of this Agreement, the CONSULTANT shall comply fully with all applicable provisions of the Americans with Disabilities Act of 1990 ("the Act") in its current form and as it may be amended from time to time. CONSULTANT shall also require such compliance of all subcontractors performing work under this Agreement, subject to the prohibition against assignment and subcontracting contained in Article 5 above. The CONSULTANT shall defend with counsel acceptable to CITY, indemnify and hold harmless the CITY OF GILROY, its officers, employees, agents and representatives from and against all suits, claims, demands, damages, costs, causes of action, losses, liabilities, expenses and fees, including without limitation reasonable attorneys' fees, that may arise out of any violations of the Act by the CONSULTANT, its subcontractors, or the officers, employees, agents or representatives of either.

C. Attorneys' Fees

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable

attorneys' fees, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which that party may be entitled.

D. Captions

The captions and headings of the various sections, paragraphs and subparagraphs of the Agreement are for convenience only and shall not be considered nor referred to for resolving questions of interpretation.

E. Compliance with Laws

The CONSULTANT shall keep itself informed of all State and National laws and all municipal ordinances and regulations of the CITY which in any manner affect those engaged or employed in the work, or the materials used in the work, or which in any way affect the conduct of the work, and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. Without limiting the foregoing, CONSULTANT agrees to observe the provisions of the Municipal Code of the CITY OF GILROY, obligating every contractor or subcontractor under a contract or subcontract to the CITY OF GILROY for public works or for goods or services to refrain from discriminatory employment or subcontracting practices on the basis of the race, color, sex, religious creed, national origin, ancestry of any employee, applicant for employment, or any potential subcontractor.

F. Conflict of Interest

CONSULTANT certifies that to the best of its knowledge, no CITY employee or office of any public agency interested in this Agreement has any pecuniary interest in the business of CONSULTANT and that no person associated with CONSULTANT has any interest that would constitute a conflict of interest in any manner or degree as to the execution or performance of this Agreement.

G. Entire Agreement

This Agreement supersedes any and all prior agreements, whether oral or written, between the parties hereto with respect to the rendering of services by CONSULTANT for CITY and contains all the covenants and agreements between the parties with respect to the rendering of such services in any manner whatsoever. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding.

No other agreements or conversation with any officer, agent or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Such other agreements or conversations shall be considered as unofficial information and in no way binding upon CITY.

H. Governing Law and Venue

This Agreement shall be governed by and construed in accordance with the laws of the State of California without regard to the conflict of laws provisions of any jurisdiction. The exclusive jurisdiction and venue with respect to any and all disputes arising hereunder shall be in state and federal courts located in Santa Clara County, California.

I. Notices

Any notice to be given hereunder by either party to the other may be effected either by personal delivery in writing or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing in **Exhibit "A"**, **Section V.H.** but each party may change the address by written notice in accordance with this paragraph. Notices delivered personally will be deemed delivered as of actual receipt; mailed notices will be deemed delivered as of three (3) days after mailing.

J. Partial Invalidity

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

K. Time of the Essence

All dates and times referred to in this Agreement are of the essence.

L. Waiver

CONSULTANT agrees that waiver by CITY of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement.

Executed at Gilroy, California, on the date and year first above written.

CONSULTANT:	**CITY:**
Kimley-Horn and Associates, Inc.	CITY OF GILROY
By: _____	By: _____
Name: Frederik Venter, PE	Name: Matt Morley
Title: Senior Vice President	Title: City Administrator

Social Security or Taxpayer
Identification Number 56-0885615

Approved as to Form

_____

City Attorney

ATTEST:

_____

City Clerk

EXHIBIT "A"

SPECIFIC PROVISIONS

I. PROJECT MANAGER

CONSULTANT shall provide the services indicated on the attached **Exhibit "B"**, Scope of Services ("Services"). (All exhibits referenced are incorporated herein by reference.) To accomplish that end, CONSULTANT agrees to assign Frederik J. Venter, PE, who will act in the capacity of Project Manager, and who will personally direct such Services.

Except as may be specified elsewhere in this Agreement, CONSULTANT shall furnish all technical and professional services including labor, material, equipment, transportation, supervision and expertise to perform all operations necessary and required to complete the Services in accordance with the terms of this Agreement.

II. NOTICE TO PROCEED/COMPLETION OF SERVICE

A. NOTICE TO PROCEED

CONSULTANT shall commence the Services upon delivery to CONSULTANT of a written "Notice to Proceed", which Notice to Proceed shall be in the form of a written communication from designated City contact person(s). Notice to Proceed may be in the form of e-mail, fax or letter authorizing commencement of the Services. For purposes of this Agreement, the City Engineer shall be the designated City contact person(s). Notice to Proceed shall be deemed to have been delivered upon actual receipt by CONSULTANT or if otherwise delivered as provided in the **Section V.H.** ("Notices") of this **Exhibit "A"**.

B. COMPLETION OF SERVICES

When CITY determines that CONSULTANT has completed all of the Services in accordance with the terms of this Agreement, CITY shall give CONSULTANT written Notice of Final Acceptance, and CONSULTANT shall not incur any further costs hereunder. CONSULTANT may request this determination of completion when, in its opinion, it has completed all of the Services as required by the terms of this Agreement and, if so requested, CITY shall make this determination within two (2) weeks of such request, or if CITY determines that CONSULTANT has not completed all of such Services as required by this Agreement, CITY shall so inform CONSULTANT within this two (2) week period.

III. PROGRESS SCHEDULE

The schedule for performance and completion of the Services will be as set forth in the attached **Exhibit "C"**.

IV. PAYMENT OF FEES AND DIRECT EXPENSES

Payments shall be made to CONSULTANT as provided for in **Article 4** of this Agreement.

Direct expenses are charges and fees not included in **Exhibit "B"**. CITY shall be obligated to pay only for those direct expenses which have been previously approved in writing by CITY. CONSULTANT shall obtain written approval from CITY prior to incurring or billing of direct expenses.

Copies of pertinent financial records, including invoices, will be included with the submission of billing(s) for all direct expenses.

V. OTHER PROVISIONS

A. STANDARD OF WORKMANSHIP

CONSULTANT represents and warrants that it has the qualifications, skills and licenses necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and CITY expressly relies upon CONSULTANT'S representations and warranties regarding its skills, qualifications and licenses. CONSULTANT shall perform such Services and duties in conformance to and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California.

Any plans, designs, specifications, estimates, calculations, reports and other documents furnished under this Agreement shall be of a quality acceptable to CITY. The minimum criteria for acceptance shall be a product of neat appearance, well-organized, technically and grammatically correct, checked and having the maker and checker identified. The minimum standard of appearance, organization and content of the drawings shall be that used by CITY for similar purposes.

B. RESPONSIBILITY OF CONSULTANT

CONSULTANT shall be responsible for the professional quality, technical accuracy, and the coordination of the Services furnished by it under this Agreement. CONSULTANT shall not be responsible for the accuracy of any project or technical information provided by the CITY. The CITY'S review, acceptance or payment for any of the Services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and CONSULTANT shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONSULTANT'S negligent performance of any of the services furnished under this Agreement.

C. RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT

CITY, through its authorized employees, representatives or agents, shall have the right, at any and all reasonable times, to audit the books and records (including, but not limited to, invoices, vouchers, canceled checks, time cards, etc.) of CONSULTANT for the purpose of verifying any and all charges made by CONSULTANT in connection with this Agreement. CONSULTANT shall maintain for a minimum period of three (3) years (from the date of final payment to CONSULTANT), or for any longer period required by law, sufficient books and records in accordance with standard California accounting practices to establish the correctness of all charges submitted to CITY by CONSULTANT, all of which shall be made available to CITY at the CITY's offices within five (5) business days after CITY's request.

D. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data (including, but not limited to, computer data and source code), drawings, descriptions, documents, discussions or other information developed or received by or for CONSULTANT and all other written and oral information developed or received by or for CONSULTANT and all other written and oral information submitted to CONSULTANT in connection with the performance of this Agreement shall be held confidential by CONSULTANT and shall not, without the prior written consent of CITY, be used for any purposes other than the performance of the Services, nor be disclosed to an entity not connected with the performance of the such Services. Nothing furnished to CONSULTANT which is otherwise known to CONSULTANT or is or becomes generally known to the related industry (other than that which becomes generally known as the result of CONSULTANT'S disclosure thereof) shall be deemed confidential. CONSULTANT shall not use CITY'S name or insignia, or distribute publicity pertaining to the services rendered under this Agreement in any magazine, trade paper, newspaper or other medium without the express written consent of CITY.

E. NO PLEDGING OF CITY'S CREDIT.

Under no circumstances shall CONSULTANT have the authority or power to pledge the credit of CITY or incur any obligation in the name of CITY.

F. OWNERSHIP OF MATERIAL.

All material including, but not limited to, computer information, data and source code, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports and other material developed, collected, prepared (or caused to be prepared) under this Agreement shall be the property of CITY, but CONSULTANT may retain and use copies thereof subject to **Section V.D** of this **Exhibit "A"**.

CITY shall not be limited in any way in its use of said material at any time for any work, whether or not associated with the City project for which the Services are performed. However, CONSULTANT shall not be responsible for, and City shall indemnify CONSULTANT from, damages resulting from the use of said material for work other than PROJECT, including, but not limited to, the release of this material to third parties for work other than on PROJECT.

G. NO THIRD PARTY BENEFICIARY.

This Agreement shall not be construed or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any claim or right of action hereunder for any cause whatsoever.

H. NOTICES.

Notices are to be sent as follows:

CITY:	City Engineer City of Gilroy 7351 Rosanna Street Gilroy, CA 95020
CONSULTANT:	Frederik J. Venter, PE Kimley-Horn and Associates, Inc. 10 South Almaden Boulevard, Suite 1250 San Jose, CA 95113

I. FEDERAL FUNDING REQUIREMENTS.

☐ If the box to the left of this sentence is checked, this Agreement involves federal funding and the requirements of this **Section V.I.** apply.

☒ If the box to the left of this sentence is checked, this Agreement does not involve federal funding and the requirements of this **Section V.I.** do not apply.

1. DBE Program

CONSULTANT shall comply with the requirements of Title 49, Part 26, Code of Federal Regulations (49 CFR 26) and the City-adopted Disadvantaged Business Enterprise programs.

2. Cost Principles

Federal Acquisition Regulations in Title 48, CFR 31, shall be used to determine the allowable cost for individual items.

3. Covenant against Contingent Fees

The CONSULTANT warrants that he/she has not employed or retained any company or person, other than a bona fide employee working for the CONSULTANT, to solicit or secure this Agreement, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift or any other consideration, contingent upon or resulting from the award or formation of this Agreement. For breach or violation of this warranty, the Local Agency shall have the right to annul this Agreement without liability or, at its discretion, to deduct from the agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

EXHIBIT “B”

SCOPE OF SERVICES

See attached "Scope of Services" in Exhibit B-1.

EXHIBIT “C”

MILESTONE SCHEDULE

The Consultant will begin work immediately. The Consultant will manage the project so that the schedule established is maitained to the degree it is under their control.

See attached "Project Schedule" in Exhibit C-1.

EXHIBIT “D”

PAYMENT SCHEDULE

The cost for services rendered under this agreement will not exceed $237,117.25. Billing will be conducted monthly.

The following are budgedted costs for each task as outlined in Exhibit "B" Scope of Services:

Task 1 - Detailed Work Plan and Strategy - $30,400.83

Task 2 - Stakeholder and Community Engagement - $50,254.74

Task 3 - Background Review, Plan Vision, Goals, and Objectives - $8,134.34

Task 4 - Collision and Roadway Analysis - $44,583.71

Task 5 - Emphasis Areas and Countermeasures - $24,907.34

Task 6 - Project Identification, Evaluation, and Prioritization - $25,089.68

Task 7 - Draft and Final Safety Action Plans - $43,650.86

Other Direct Costs - $10,095.75

Total not to exceed: $237,117.25

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY AMENDING THE BUDGET FOR FISCAL YEAR 2026-27 TO APPROPRIATE SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT FUNDS AND REQUIRED LOCAL MATCH FOR THE COMPREHENSIVE ROADWAY SAFETY ACTION PLAN PROJECT

WHEREAS, the City Council adopted the Fiscal Year 2026-27 Budget for the City of Gilroy; and

WHEREAS, the Federal Highway Administration administers the Safe Streets and Roads for All (SS4A) Program to support local agencies in improving roadway safety and reducing traffic-related fatalities and serious injuries; and

WHEREAS, the City of Gilroy was awarded Fiscal Year 2024 SS4A Grant funding for the development of a Comprehensive Roadway Safety Action Plan; and

WHEREAS, the grant provides reimbursement funding for eligible project costs in an amount not to exceed $189,693.80 and requires a local match contribution of $47,423.45 from the Gas Tax Fund (205); and

WHEREAS, the total project cost is $237,117.25, and the project was not included in the adopted Fiscal Year 2026-27 Budget; and

WHEREAS, appropriating the grant funds and local match will allow the City to proceed with Project No. 801180, Comprehensive Roadway Safety Action Plan; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, **ORDERED AND FOUND** by the City Council of the City of Gilroy, as follows:

1. The foregoing recitals are true and correct.

2. The Fiscal Year 2026-27 Budget is hereby amended to appropriate $189,693.80 in SS4A Grant Funds and $47,423.45 from Gas Tax Fund balance (205), for a total project budget of $237,117.25 for Project No. 801180, Comprehensive Roadway Safety Action Plan.

3. The Fiscal Year 2026-27 Capital Improvement Program is hereby amended to include Project No. 801180, Comprehensive Roadway Safety Action Plan.

PASSED AND ADOPTED this 3rd day of August 2026, by the following roll call vote:

AYES:	**COUNCIL MEMBERS:**
NOES:	**COUNCIL MEMBERS:**
ABSTAIN:	**COUNCIL MEMBERS:**
ABSENT:	**COUNCIL MEMBERS:**

APPROVED:

_____
Greg Bozzo, Mayor

ATTEST:

_____
Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2026-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, Date**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Tuesday, August 4, 2026.**

_____
Kim Mancera
City Clerk of the City of Gilroy

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Public Hearing on Downtown Gilroy Street Banner Policy and Program Guidelines and Fee Schedule Amendment**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Public Works
Submitted by:	John Doughty, Public Works Director
Prepared by:	Matt Jones, Deputy Public Works Director, Bryan Rodriguez, Management Analyst Trainee

STRATEGIC PLAN GOALS: Promote Economic Development Activities
Develop a Financially Resilient Organization

RECOMMENDATION

1. Open Public Hearing
2. Close Public Hearing
3. Adopt a Resolution:
    a. Approving the Downtown Gilroy Street Banner Policy and Program Guidelines; and
    b. Approving the updated fee schedule to include a new fee for installation (and removal) of Downtown Streetlight-Pole Banners.

EXECUTIVE SUMMARY

Staff is seeking City Council approval of an updated Downtown Gilroy Street Banner Policy and Program Guidelines to improve clarity, streamline the process, modernize specifications, and enhance program administration. Since the original policy was adopted in 2013, staff has identified gaps in guidance, outdated banner specifications, and inefficiencies in the application process that have created challenges for community organizations. The proposed updates establish clear eligibility criteria, standardized procedures, and revised technical specifications. There is a related fee schedule

amendment to include a new fee to cover a portion of the costs of installing streetlight pole banners. There is no recommended change to the over-the-street banner fee.

These updates are intended to improve user experience, ensure consistent program administration, streamline the process, and support the City's goals of promoting community events and enhancing the downtown streetscape.

BACKGROUND

In 2013, the City Council adopted Resolution No. 2013-08, establishing policies and requirements for the display of community over-the-street banners and streetlight pole banners. Since that time, several community organizations have applied to display banners in the Downtown Area.

The 2013 banner specifications and policy have not been updated since their original adoption to reflect changes in manufacturing standards and their associated costs. The policy also lacks clear expectations and guidelines. As a result, applicants have experienced confusion regarding requirements and timelines, which has led to disengagement from the program or missed opportunities to procure compliant banners in time for scheduled events.

The City's fee schedule does not include an application fee for installing streetlight pole banners. The fee associated with over-the-street banners would remain unchanged.

Since 2013, the City has installed holders for streetlight banners in the Downtown Area on Monterey Road, Sixth Street, and Lewis Street. Today, there are a total of 53 streetlight poles which can display up to 53 banners.

There are three organizations that currently display streetlight pole banners. These are the Downtown Gilroy Business Association for the Holiday Parade, the South Santa Clara Valley Memorial District (Gilroy Veterans Memorial Hall) for Memorial Day and Veterans Day, and the Arts and Culture Commission For the Love of Gilroy public arts campaign.

ANALYSIS

In Fall 2025, City staff convened an internal working group to evaluate the existing policy and identify areas for improvement. Staff from the Economic Development, Public Works Operations, and the Engineering Divisions reviewed the policy, banner specifications, application process, and program guidelines. The proposed updates align the program with current industry best practices and improve overall clarity and efficiency for applicants.

Program Goals

The Downtown Street Banner Program Guidelines are intended to:

- Use well-designed banners on designated City light poles and across City streets as an effective tool to accentuate city streetscapes and convey important City messages regarding upcoming community events to the public, and ensure that all banners are properly designed, installed, and maintained in accordance with City standards to protect the safety of motorists, pedestrians, and all who travel within the public right-of-way;
- Welcome visitors to Gilroy's downtown;
- Announce and publicize events that are open to the public, including special community events, cultural facilities, and market the downtown to visitors and locals alike;
- Establish uniform procedures for the design, installation, and removal of banners and costs associated;
- Encourage the appropriate use of banners pursuant to the Program Guidelines; and
- Update and establish cost recovery.

Program Eligibility
Banners within the Downtown Banner Area may be used to promote:

- Significant community events;
- Holiday or seasonal community events;
- Cultural events open to the public; and
- Downtown marketing initiatives.

Banners may not be used to promote private events, political campaigns, religious messages, or any activity that is not in compliance with applicable laws or the Program Guidelines.

Over-the-Street Banners
Approved locations for over-the-street banners are limited to the Monterey Street right-of-way, specifically mid-block between Fourth and Fifth Streets and between Fifth and Sixth Streets.

Staff proposes updating banner specifications to ensure durability and public safety under local weather conditions and extending the allowable display period from two weeks to three weeks.

Streetlight Pole-Mounted Banners
Currently, three organizations utilize the existing streetlight pole banners. This policy and recommended fees would not apply to those events or activities (Holiday Parade, Veterans Banners and Annual For the Love of Gilroy Public Arts Campaign). The

purpose of this policy revision is to establish clear procedures for installation and removal, including the option to use qualified private contractors for any new organizations seeking to display banners. The updated guidelines also provide greater flexibility in display duration for any new organization seeking approval from the City.

Fees

Over the Street Banner

No changes are proposed to the existing $748 fee for over-the-street banners.

Streetlight Pole-Mounted Vertical Banners

Staff recommends establishing a new fee for the installation of streetlight pole banners. The recommended fee is as follows: 1) $1,000 for installation of banners just along Monterey Street; or 2) $1,500 for installation along Monterey Street and any/all side streets. This fee would apply to any organization or event seeking to use streetlight pole banners. The City Council could always choose to consider a waiver/reduction of fees under the Downtown Special Event Program. The fees would not apply to a City activity such as downtown marketing.

Staff has completed a fee study and determined that City full cost of recovery for application review, installation, and removal equals $120 per streetlight pole banner, which at full utilization, would equal approximately $6,000 (50 locations). Given the parameters of the program and focus on community building and economic development, staff is suggesting a fee structure which is less than 100-percent full cost recovery. The amount of cost recovery is a policy decision for the City Council to consider.

Under the revised guidelines, applicants have the option to install the signs through a third-party State of California C-45 licensed contractor. Applicants who elect to use a private contractor are only required to obtain a right-of-way encroachment permit (currently $456).

ALTERNATIVES

1. Do not adopt the updates and continue operating under the existing 2013 policy. This alternative is not recommended as the community will benefit from the revised policy.

2. Adopt the updated policy with the recommended streetlight banner fee. This action would result in ongoing General Fund support should other organizations choose to seek use of the streetlight pole banners. Staff is recommending this action.

3. Adopt the updated policy with fee set at 100-percent cost recovery for the streetlight banners. This action could result in ongoing General Fund support through new organizations and/or activities. While General Fund financial support is a policy decision of the City Council, the policy itself limits use of the streetlight poles for community building and economic development, which are identified as City Council priorities. This

alternative is not recommended.

4. Adopt the updated policy and defer final decision on the new fee for streetlight banners to a future date. This action is not recommended as the analysis has been completed, the public hearing has been noticed and currently there is cost recovery associated with the streetlight banner installation.

FISCAL IMPACT/FUNDING SOURCE

The cost of administration will vary from year-to-year given the community events that are scheduled. The program is administered by the Public Works Department with the assistance of Administration (City Hall) staff. The Economic Development Department operating budget includes $7,000 to cover a portion of the costs of the current streetlight banner program. The remainder of installation costs of the program will be absorbed into the existing Public Works operating budget. The Over-the-Street banner program is covered by an existing fee of $748, which is full cost recovery.

PUBLIC OUTREACH

The City published a public notice in the Gilroy Dispatch on May 15, 2026, on the public hearing and proposed fee changes. Staff met with Downtown Gilroy Business Improvement Association (DGBIA) staff early in the process to discuss a number of ongoing efforts including the downtown banner guidelines work. Staff will provide a copy of the Draft Guidelines to the DGBIA.

Following Council approval, staff will maintain a dedicated web page outlining the Downtown Gilroy Street Banner Policy and Program Guidelines and streamlining the application process. Additionally, the Economic Development Department will incorporate program materials into the City’s Special Event Packet.

NEXT STEPS

Upon City Council adoption of the Resolution, staff will:
1. Update the City’s Fee Schedule to reflect the new streetlight pole-mounted banner fee (will become effective in 60-days).
2. Publish a Downtown Street Banner Program website page hosting program information.
3. Incorporate program materials into the City’s Special Event Packet.

Attachments:

1. Resolution Downtown Street Banner Policy and Program Guidelines
2. Resolution Amending Portions of the Comprehensive Fee Schedule

3. Exhibit A Downtown Banner Policy Update April 28, 2026
4. Exhibit B Over-the-Street Banner and Streetlight Pole-Mounted Vertical Banner Applications April 8, 2026

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY UPDATING THE DOWNTOWN GILROY STREET BANNER POLICY AND PROGRAM GUIDELINES

WHEREAS, in 2013 the City Council adopted Resolution 2013-08 adopting the Policies and Requirements to Display a Community Over-the-Street Banner or a Street Light Pole-Mounted Vertical Banner; and

WHEREAS, the City of Gilroy has developed a Downtown Gilroy Street Banner Policy and Program Guidelines, attached hereto and referred hereinafter as "Exhibit "A," to facilitate the approval and coordination of vertical and horizontal street banner displays in Downtown Gilroy area**;** and

WHEREAS, said Program Guidelines provide for the submittal of an Over-the-Street Banner Permit Application and Streetlight Banner Permit Application (as may be modified from time to time), attached hereto and referred herein as Exhibit "B", to provide that requests are handled in a timely and fair manner, to assure quality of content and design, and to ensure appropriate messaging in accordance with City objectives and standards; and

WHEREAS, the Program Guidelines will support local business and community organizations and their events, provide information to the public, and identify, and enhance the appearance of streets and common areas**;** and

WHEREAS, the City Council has considered all information related to this manner, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon with this project approval is based is the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED.

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

2. The Downtown Gilroy Street Banner Policy and Program Guidelines identified as Exhibit "A" and attached hereto and incorporated herein by reference are approved.

3. This Resolution shall take effect immediately upon its adoption.

4. That to the extent prior resolutions are inconsistent with this Resolution regarding operating hours, such provisions are hereby superseded.

PASSED AND ADOPTED this 3rd day of August 2026 by the following roll call vote:

AYES:	**COUNCIL MEMBERS:**
NOES:	**COUNCIL MEMBERS:**
ABSTAIN:	**COUNCIL MEMBERS:**
ABSENT:	**COUNCIL MEMBERS:**

APPROVED:

_____
Greg Bozzo, Mayor

ATTEST:

_____
Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2026-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, August 3, 2026**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Tuesday, August 4, 2026.**

_____
Kim Mancera
City Clerk of the City of Gilroy

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY AMENDING THE CITY OF GILROY COMPREHENSIVE FEE SCHEDULE

WHEREAS, the City of Gilroy has authority under law to collect user fees to recover the actual costs of providing services to users; and

WHEREAS, the City Council periodically approves a Master User Fee Schedule adopting a comprehensive list of user fees to uphold efforts associated with transparency and financial responsibility; and

WHEREAS, the City Council has adopted Fiscal and Budget Policies setting guidelines for approved user fee calculation methodologies and cost recovery; and

WHEREAS, the Downtown Banner Policy and Program Guidelines includes incorporating a fee for Streetlight Pole Banners**;** and

WHEREAS, the City Council held a Public Hearing and received a public presentation regarding the proposed user fee changes and recommended changes to the fees**;** and

WHEREAS, the Public Hearing was properly noticed to maximize public participation**;** and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Gilroy authorizes the necessary changes to the City's Fiscal Year 2026-2027 Comprehensive Fee Schedule to add Streetlight Pole-mounted fees of 1) Monterey Street at $1,000 and 2) Monterey Street and any/all side streets at $1,500, to become effective immediately upon adoption of the resolution.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the City Council of the City of Gilroy further authorizes that the established fees are subject to annual automatic Consumer Price Index (CPI) adjustments pursuant to Gilroy City Code Section 17.4 – Schedule of fees and service charges.

PASSED AND ADOPTED this 3rd day of August 2026 by the following roll call vote:

AYES:	**COUNCIL MEMBERS:**
NOES:	**COUNCIL MEMBERS:**
ABSTAIN:	**COUNCIL MEMBERS:**
ABSENT:	**COUNCIL MEMBERS:**

APPROVED:

_____

Greg Bozzo, Mayor

ATTEST:

_____
Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2026-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, August 3, 2026**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Tuesday, August 4, 2026.**

_____
Kim Mancera
City Clerk of the City of Gilroy

City of Gilroy

Downtown Gilroy Street Banner Policy and Program Guidelines

Council Policy

Issue Date: April 1, 2013
Revision Date: May 18, 2026
Prepared By: Bryan Rodriguez, Management Analyst Trainee
Approved By:

1. Purpose

Banners are displayed to inform the general public of upcoming community events.

The goals of the Downtown Street Banner Program Guidelines are as follows:

- To use well-designed banners on designated City light poles and across City streets as an effective tool to accentuate city streetscapes and convey important City messages regarding upcoming community events to the public;
- To welcome visitors to Gilroy's downtown;
- To announce and publicize events that are open to the public, including special community events, cultural facilities, and market the downtown to visitors and locals alike;
- To establish uniform procedures for the design, installation, and removal of banners and costs associated; and
- To limit and regulate the use of banners pursuant to these Program Guidelines in order not to adversely impact the primary purposes of the use of City rights of way, which is the safe and effective travel of vehicles, bicycles, and pedestrians on public streets and sidewalks.

This policy shall not apply to any City Park which is subject to the use requirements of Gilroy City Code Chapter 18. Banners placed on private property are regulated by the City's Sign Ordinance in Gilroy City Code Chapter 30.37. The City Council hereby authorizes the City Administrator, his or her designee to implement the Street Banner Program Guidelines in accordance with the following goals, policies, procedures, and guidelines.

2. Program Eligibility

The City may use banners in the Downtown Banner Area to promote the following:

- Significant community events
- Holiday or seasonal community events
- Cultural facilities open to the public
- Marketing opportunities for the downtown

The City will not allow banners to be used to promote any activity that is not open to the public, any activity for which the City is precluded from spending public funds (such as political campaigns or religious messages), any activity that is not in compliance with any local, State, or federal law, or any image or message that is inconsistent with the Street Banner Program Guidelines.

2.1 Application Submittal Requirements

The following information shall be submitted as part of an applicant's application to demonstrate compliance with the provisions of the street banner program guidelines:

- A completed banner application form
- The name of the organization requesting the permit (the "applicant"), and the name, mailing address, email address, and telephone number of the person authorized to act on behalf of the applicant
- A proposed schedule for installing and removing the banners
- The number of banners proposed
- A map identifying the location of the proposed banners
- Colored rendering of the proposed banner design, including dimensions and materials used.
- Other information as indicated on the application form or determined by the City to ensure compliance with these guidelines
- The application must be signed by the designated signature authority of the applicant (e.g., president, chair, etc.)
- Insurance Requirements
- Pay associated fees

The Public Works Department will review applications on a first-come, first-served basis. If a time conflict occurs between an approved permit and any subsequent permit application may modify their request. The Public Works Director may also determine that certain timeframes will be reserved for particular City messages for which no application has been provided to the City. The pending applicant will be provided an opportunity to request an alternate timeframe.

Applications will generally be reviewed within 30 days of receipt by the City.

3. Over-the-Street Banner

3.1 Design Requirements

Banners spanning a City street shall meet the following design requirements:

- Designed with a minimum 18 oz. canvas or other approved material.
- Banner shall be two-sided, 3 ft. high, and no longer than 40 ft.
- Contain a continuous 1/4" or 3/8" nylon rope sewn into the edges in the top and bottom of the banner. The rope will be a total length of 60 feet for ease of installation with the banner centered in the middle, there should be minimum 20 ft beyond each end of the banner.
- Metal grommets of a hole opening of ½" or ¾", spaced at approximately 2 ft intervals, shall be placed at the top of the banner and, and one grommet at

each lower corners of the banner shall be reinforced so the grommets do not pull out.
- 18-inch diameter half round air slots/flaps shall be spaced approximate every 4 feet, located approximately at the horizontal centerline of the banner.
- Banners shall be designed in a manner that does not interfere with traffic safety or create confusion with official traffic control devices. Materials shall be non-reflective, and designs shall avoid the use of colors, shapes, or symbols that resemble regulatory, warning, or guide signs. All banners shall be constructed to withstand high winds, typical weather conditions, and meet City-approved specifications for size, materials, and durability.
- The City reserves the right to require design modifications to ensure compliance with safety standards.

3.2 Locations

An Over-The-Street Banner will be hung across the Monterey Street right-of-way using the City-owned poles located mid-block between Fourth & Fifth and between Fifth & Sixth Streets. Banners shall not be displayed in another location in the public right of way, unless specifically authorized by the Public Works Director.

3.3 Installation and Removal

All banners shall be installed and removed by the Public Works Department. The applicant shall be responsible for delivering the banner to the Public Works Department at City Hall at least 10 working days prior to its date of display. Failure to deliver the banner within 10 days will delay the schedule for hanging the banner.

Banners not retrieved from the Public Works Department by the applicant or sponsoring agency within 10 working days of removal will be discarded by the City.

3.4 Display Time

Banners shall be installed for a period of three calendar weeks. The Public Works Department may approve a longer time period at the Public Works Director's sole discretion.

4.0 Streetlight Pole-Mounted Vertical Banner

4.1 Design Requirements

Streetlight Pole-Mounted Vertical Banners shall meet the following design requirements:

- Designed with a minimum 18 oz. block out canvas or other approved material.

- Banner shall be two-sided and measure 51.5” in length by 24” in width.
- Contain a continuous 1/4” or 3/8” nylon rope sewn into the edges in the top and bottom of the banner.
- At the bottom and top of the banner, a vinyl loop shall be sewn into the sign such that the loop can slide over a 2-inch diameter pole with approximately 18” to 1/4” additional diameter to allow for installation. Loop stitching on each end shall be triple overlap with double stitching.
- Banners shall be designed in a manner that does not interfere with traffic safety or create confusion with official traffic control devices. Materials shall be non-reflective, and designs shall avoid the use of colors, shapes, or symbols that resemble regulatory, warning, or guide signs. All banners shall be constructed to withstand typical weather conditions and meet City-approved specifications for size, materials, and durability.
- The City reserves the right to require design modifications to ensure compliance with safety standards.

4.2 Locations

The City has various City-owned streetlight poles equipped with two horizontal bars that accommodate the display of vertical banner signs in the Downtown, including Monterey Rd, Lewis Road, and adjacent side streets. Banners shall not be displayed in another location in the public right-of-way, unless specifically authorized by the Public Works Director.

Standard banner hardware has been installed on numerous light poles in the Downtown Banner Area. If an applicant proposes to install banners on light poles that do not currently contain banner hardware, the applicant may may request approval to install additional hardware at their own expense, subject to review and approval by the Public Works Director. All hardware shall be installed in accordance with City Specifications, including required mounting height to maintain consistency with existing installations. The City will retain ownership of all banner hardware once installed. The hardware specifications will be provided by the City of Gilroy.

4.3 Installation and Removal

This section establishes the requirements and procedures for the installation and removal of banners within the public right-of-way by either private contractors or the City of Gilroy. To ensure public safety, protect City infrastructure, and maintain an orderly and consistent appearance throughout the community, all banner activities must be conducted in accordance with established permitting, insurance, and coordination requirements. Applicants are responsible for complying with all applicable regulations, whether utilizing a qualified private installer or coordinating installation through the City’s Public Works Department. It is the discretion of the permit applicant whether to acquire a private installer or use Public Works Staff.

4.3.1 Contract Qualified Installation

- The applicant shall contract with a qualified installer (e.g., a private sign company or a banner company) to install the banners and any required hardware, to perform any necessary maintenance while the banners are installed, and to remove the banners when required under the terms of the permit. Qualified installers must hold a C-42 Sign Contractor License or equivalent qualifications. The applicant is responsible for payment to the installer. The installer is required to obtain a City of Gilroy business license from the City's Finance Department and an encroachment permit from the City's Public Works Department, including the provision of the required insurance certificates and payment of an encroachment permit fee as a requirement of issuance of a permit. A banner permit application shall be completed and submitted to the Public Works Department for approval, accompanied by the associated fees.
- From time to time, it may be necessary for an applicant (through its installer) to remove a set of existing banners, while a new applicant (through its installer) is installing new banners. The City encourages all applicants to work cooperatively with other organizations when installing, removing and/or re-installing banners so that there is no lapse in display time. City staff will coordinate the installation process with the affected applicants and installers. Coordination with the installers will minimize impacts to hardware as well as disruptions to pedestrians and businesses during installation.

4.3.2 City of Gilroy Installation & Removal

- All banners may be installed and removed by the Public Works Department. The applicant shall be responsible for delivering the banner to the Public Works Department at City Hall at least 10 working days prior to its date of display. Failure to deliver the banner within 10 days will delay the schedule for hanging the banner.
- Banners not retrieved from the Public Works Department by the applicant or sponsoring agency within 10 working days of removal will be discarded or recycled by the City.
- Applicant will be responsible for all costs associated with hanging the banners which will be based on fully burdened personnel rates.

4.5 Display Time

The maximum time limit for banners on City light poles will be based upon the purpose and promotional focus of the banners. Banners with general promotional messages or designated geographic areas relating to the downtown, (e.g., Visit Gilroy) will not have specific time limits, but will be subject to scheduling and requests on a first-come, first-served basis. Banners that promote a specific event or date-specific activities shall be limited to thirty (30) days.

The Public Works Director may authorize an applicant to extend the time a banner is installed, considering requests from other banner applicants and physical condition of the banners

OVER THE STREET BANNER HANGING PERMIT APPLICATION

1. Applications for Banner Permits are accepted at the City of Gilroy Public Works Department, City Hall, 7351 Rosanna St, Gilroy, CA, 95020, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Thursday, or by mail, 408-846-0223.
2. Only banners which publicize events that are open to the public, significant cultural or community events, or market the downtown are allowed.
3. Banners may be displayed for a three-week period.
4. Banners must comply with banner specifications.
5. Banner application and hanging fee:
   - $ 748.00 for one (1) over-the-street banner
   - $1,440.00 for two (2) over-the-street banners
6. Banner applications must be submitted with a colored rendering of banner, including dimensions and materials used.
7. All banners are installed and removed by City personnel.
8. There are no refunds on banner application and hanging fees.
9. Applications to display banners may be filed up to twelve (12) months but no later than thirty (30) days prior to the scheduled event.
10. A Certificate of Insurance with an endorsement naming the City, its officers, officials, employees and volunteers, as additional insured in a minimum amount of Two Million Dollars ($2,000,000).
11. The City of Gilroy assumes **no** responsibility for damage to banners while they are on display.
12. Applicants must deliver the banner to **City Hall, 7351 Rosanna St, Gilroy, CA, 95020** thirty (10) working days prior to the installation date. Banners not retrieved from the Public Works Department by the applicant or sponsoring agency within ten (10) working days of removal will be discarded or recycled by the City.

DATE: _____

NAME OF PERSON: _____

NAME OF ORGANIZATION: _____

PHONE NO.: (HOME)_____ (WORK)_____

FAX NO.: _____ E-MAIL ADDRESS: _____

ADDRESS: _____

EVENT ADVERTISED: _____

PURPOSE OF EVENT: _____

DATE(S) OF EVENT: _____

REQUESTED DATES FOR BANNER HANGING: _____

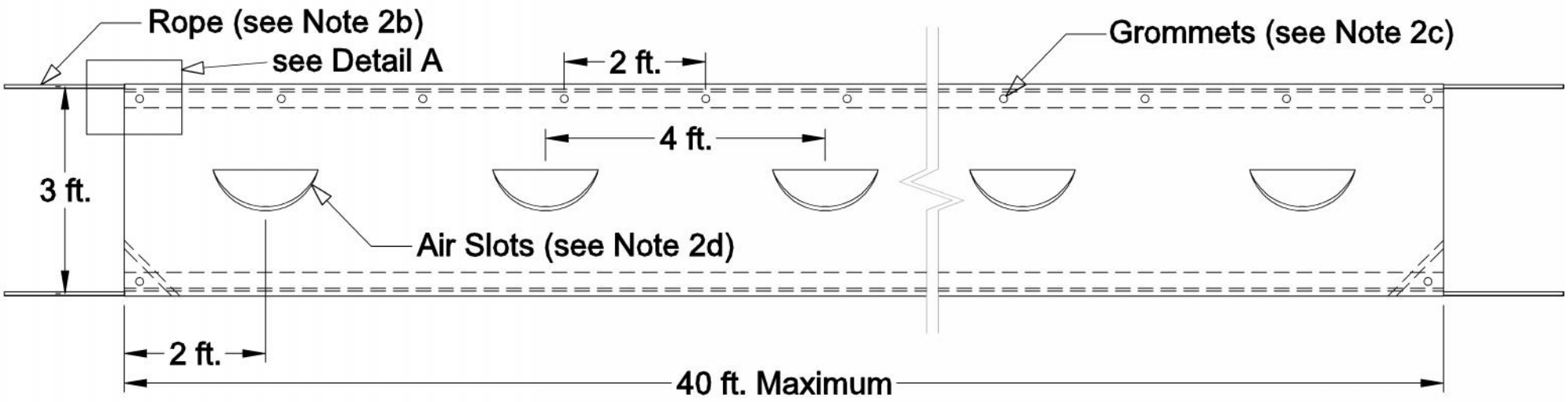
LOCATION(S) ON MONTEREY ROAD: ☐ FOURTH & FIFTH STREETS MIDBLOCK ☐ FIFTH & SIXTH STREETS MIDBLOCK

Office Use Only:
APP. FEE: _____
SKETCH: _____
INS.: _____
BANNER HANGING FEE: _____
CITY APPROVAL: _____

PLEASE ATTACH COLORED RENDORING OF BANNER, INCLUDING DIMENSIONS AND MATERIALS USED.

(Rev. 07-22-26)

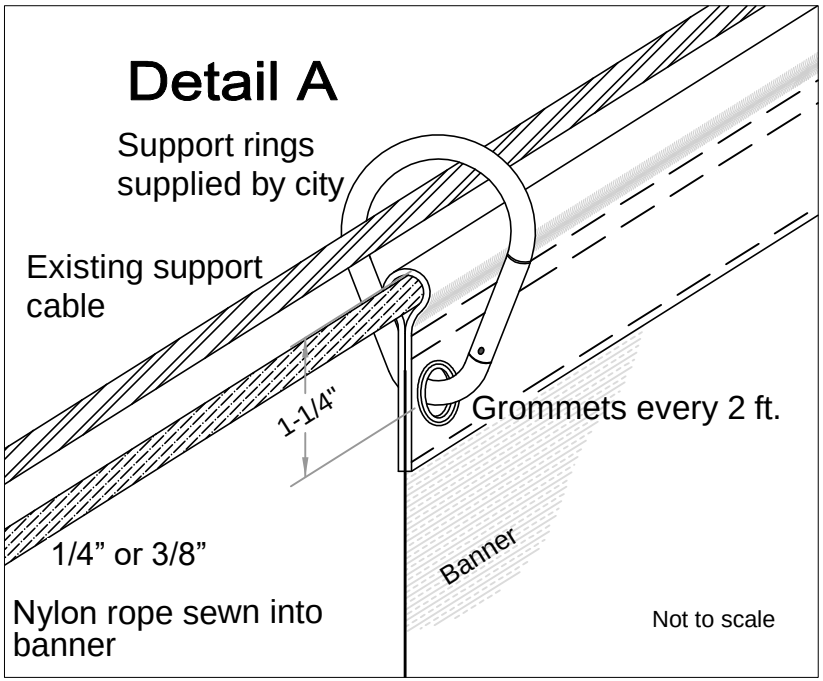
Monterey St. Banner Detail



18

Notes:

1. Designed with a minimum 18 oz. canvas or other approved material.
2. Banner shall be two-sided, 3 ft. high, and no longer than 40 ft.
3. Contain a continuous 1/4” or 3/8” nylon rope sewn into the edges in the top and bottom of the banner. The rope will be a total length of 60 feet for ease of installation with the banner centered in the middle, there should be minimum 20 ft beyond each end of the banner.
4. Metal grommets of a hole opening of ½” or ¾”, spaced at approximately 2 ft intervals, shall be placed at the top of the banner and, and one grommet at each lower corners of the banner shall be reinforced so the grommets do not pull out.
5. 18-inch diameter half round air slots/flaps shall be spaced approximate every 4 feet, located approximately at the horizontal centerline of the banner.
6. Banners shall be designed in a manner that does not interfere with traffic safety or create confusion with official traffic control devices.



City of Gilroy Public Works Department

STREELIGHT POLE-MOUNTED VERTICAL BANNER HANGING PERMIT APPLICATION

1. Applications for Banner Permits are accepted at the City of Gilroy Public Works Department, City Hall, 7351 Rosanna St, Gilroy, CA, 95020, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Thursday, or by mail, 408-846-0223.
2. Only banners which publicize events that are open to the public, significant cultural or community events, or market the downtown are allowed.
3. Banners may be displayed for a three-week period.
4. Banners must comply with banner specifications.
5. Banner application and hanging fee:
   - $ 120.00* *Fee is per banner installation and removal by Public Works Staff.
   - $ 420.00 for Encroachment permit if using private contractor for installation and removal.
6. Banner applications must be submitted with a colored rendering of banner, including dimensions and materials used.
7. Applicants may use a qualified installer (at your own cost) to install and removed banners or use Public Works Staff (to be reimbursed).
8. There are no refunds on banner application and hanging fees.
9. Applications to display banners may be filed up to twelve (12) months but no later than thirty (10) working days prior to the scheduled event.
10. A Certificate of Insurance with an endorsement naming the City, its officers, officials, employees, and volunteers, as additional insured in a minimum amount of Two Million Dollars ($2,000,000). Additional insurance requirements for private contractor installation and removal include a minimum of One Million Dollars ($1,000,000) automobile liability and Workers Compensation and Employers' Liability insurance per statue at One Million Dollars ($1,000,000).
11. The City of Gilroy assumes **no** responsibility for damage to banners while they are on display.
12. Applicants must deliver the banner to **City Hall, 7351 Rosanna St, Gilroy, CA, 95020** thirty (10) working days prior to the installation date. Banners not retrieved from the Public Works Department by the applicant or sponsoring agency within ten (10) working days of removal will be discarded or recycled by the City.

DATE: _____

NAME OF PERSON: _____

NAME OF ORGANIZATION: _____

PHONE NO.: (HOME)_____ (WORK)_____

FAX NO.: _____ E-MAIL ADDRESS: _____

ADDRESS: _____

EVENT ADVERTISED: _____

PURPOSE OF EVENT: _____

DATE(S) OF EVENT: _____

REQUESTED DATES FOR BANNER HANGING: _____

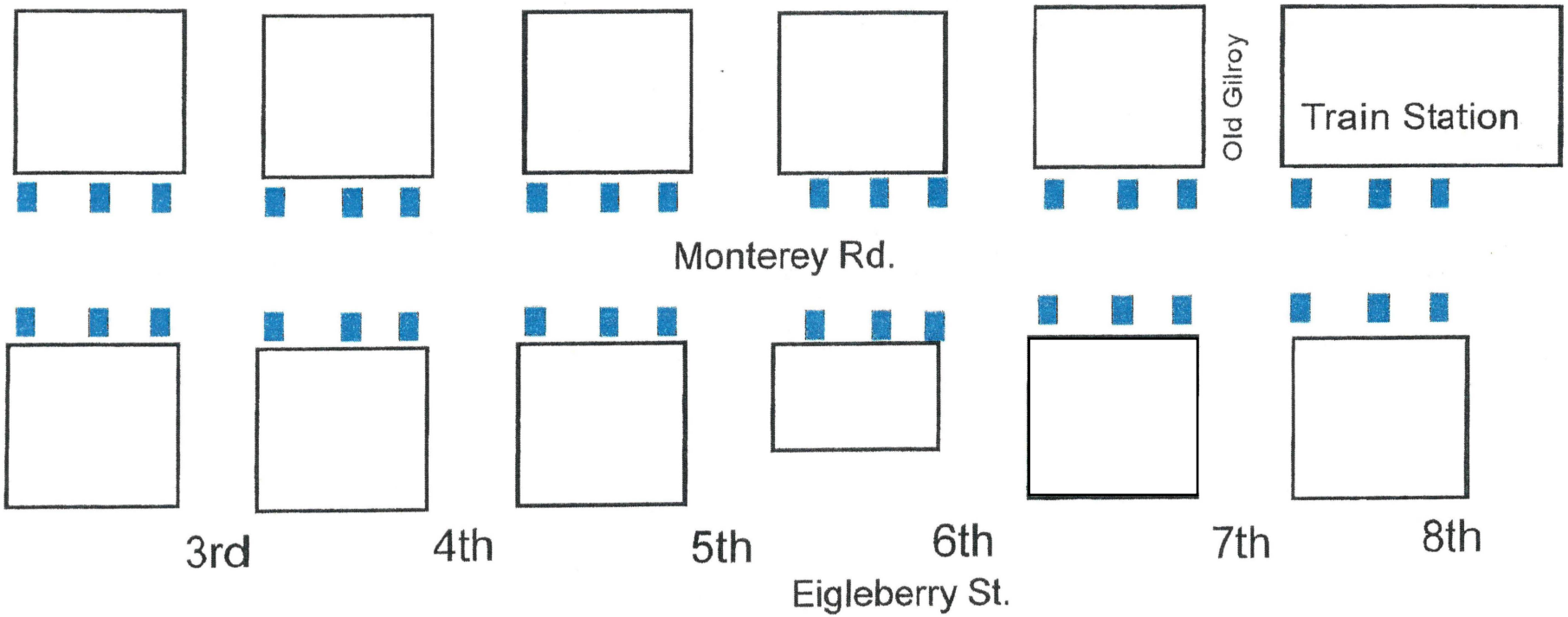
INSTALLATION: ☐ CONTRACT QUALIFED INSTALLTION ☐ CITY OF GILROY PERSONNEL

Office Use Only:
APP. FEE: _____
SKETCH: _____
INS.: _____
BANNER HANGING FEE: _____
CITY APPROVAL: _____

PLEASE COMPLETE THE PROPOSED BANNER LOCATIONS CHECKBOX MAP. PLEASE ATTACH COLORED RENDORING OF BANNER, INCLUDING DIMENSIONS AND MATERIALS USED.

(Rev. 04-08-26)

*Map not to scale



Banners

Street Light Pole Banners on available poles on Monterey St between 3rd and 7th Streets.

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Consideration of the Report of Abatement of Weeds and Refuse Within the City of Gilroy and Adoption of a Resolution Confirming the Imposition of Assessment Liens Against the Land**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Community Development
Submitted by:	Sharon Goei, Community Development Director
Prepared by:	Jonathan Crick, Fire Marshal

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Adopt a resolution allowing the assessment of fees, minus any qualifying objections, as reported by the Santa Clara County Weed Abatement Program.

EXECUTIVE SUMMARY

This hearing is the third part of the annual weed abatement process pursuant to Chapter 12 of the Gilroy City Code. City Council should take action on the costs associated with removing weeds on specific properties. Such costs constitute a lien on the property until paid, and according to the City Code, will be collected as part of the following tax roll. At the February 9, 2026 meeting, the City declared weeds and accumulated refuse a nuisance and began the annual weed abatement process through the County's contract for weed abatement services and associated fees. At the April 20, 2026 meeting, the City Council set May 15th as the deadline to abate weeds for locations identified on the property abatement list. Properties inspected and found in compliance are assessed the regular inspection fee. Those locations not abated before the May 15, 2026 deadline are assessed additional fees as noted in the staff report below.

BACKGROUND

Resolution No. 2026-09 was adopted by Council on February 9, 2026, to declare

weeds a nuisance and to begin the annual weed abatement process. Under a contract with the County's Office of Vegetation Management, the County Weed Abatement Program provides the weed abatement listing, letters of notification, lot inspections and documentation, and arranges abatement services if needed. Following City Council adoption of Resolution No. 2026-09, the County Weed Abatement Program had a preliminary list of lots requiring abatement. This includes lots on the previous list that have had failed inspections within the past three years and additional lots added based on non-abatement during the prior season. The County sent all owners of the lots listed a weed abatement notice, fee information, and an instruction letter.

On April 20, 2026, the City Council held a public hearing to allow any owner of a listed lot to remove their lot from the program. Subsequently, the City Council adopted Resolution No. 2026-23, approving the list of properties subject to weed abatement and setting the abatement deadline to May 15, 2026. The County conducted its inspections after the May 15th deadline. Property owners could communicate directly with the County if they had problems getting their lot abated. Any lot found with weeds after the deadline was sent a notice and the County assessed a failed inspection fee. The property owners were given an additional two weeks to perform abatement before becoming subject to abatement by the County.

ANALYSIS

Pursuant to Gilroy City Code Section 12.54, attached is a report of the inspected lots, those assessed a failed inspection fee, and those that have been abated to date. All sites on the list are assessed the applicable inspection fee. Sites with failed inspections are assessed an additional failed inspection fee, and lots requiring City/County abatement are assessed the applicable administrative fee in addition to the contractor's abatement costs.

For 2026, there are a total of 118 properties on the weed abatement list, a reduction of three properties from 2025. In 2016, there were 297 properties on the list. Development of vacant properties contributes significantly to this reduction in numbers.

For 2026, the program assessed 71 properties with inspection only fees ranging from $105 to $296. Twelve properties were assessed inspection and failed inspection fees ranging from $592 to $802. Thirty properties were assessed upper-mid category fees ranging from $1,545 to $4,439, which may include the previously mentioned fees or other fees. Five properties were assessed various fees mentioned, ranging from $6,214 to $8,513, reflecting properties that required City/County contracted weed abatement and the associated administrative and abatement costs. Some properties may also include unpaid fees carried forward from previous years.

The property owners listed for fee assessment were sent a copy of the proposed assessment against their property in July. They have had the opportunity to call, email, or meet with the Gilroy Fire Marshal and County Weed Abatement Program Manager on or before August 3, 2026, to discuss, object to, or obtain additional information about their assessment. Any property owner that did not object or did not provide a substantial reason why they should not be assessed still has an opportunity to raise objections at the lien hearing. Staff will present information at the hearing on any property owner who

met with, called, or emailed their objection and where staff determined there was a mistake or cause for dismissing the assessment fee. Staff recommends approval of the proposed resolution to process the assessment report, including any necessary modifications resulting from the hearing.

ALTERNATIVES

There are no alternatives since this process is dictated by Chapter 12 of the Gilroy City Code. Property owners may have many reasons that their lot was not abated; however, unless the County made a mistake in identifying a lot's ownership, there are few acceptable reasons to waive the County's fees. All owners were notified of deadlines and costs, as required by the City Code.

FISCAL IMPACT/FUNDING SOURCE

The Weed Abatement Program is administered annually through a contract with the County of Santa Clara. Adoption of the resolution authorizes the County Assessor's Office to levy the assessments as liens against the listed properties. The assessments are paid by the property owners and collected by the County through the annual property tax bills. If the County does not collect sufficient revenue to fully fund the program, it may allocate a proportional share of the program shortfall to the participating jurisdictions based on each jurisdiction's percentage of the total enrolled properties. Because abatement activities continue through October, any program surplus or deficit is not determined until later in the calendar year.

Historically, the program has operated on a cost recovery basis administered by the County. However, in 2025 the County Weed Abatement Program experienced a budget shortfall that is expected to be allocated among the participating jurisdictions. In response, the Santa Clara County Fire Marshals' Association submitted a letter to the County expressing concerns regarding the program's fiscal management. The letter recommends improved cost accounting, enhanced fiscal oversight, earlier communication with participating agencies, and collaborative annual program reviews to promote the long-term financial and operational stability of the County Weed Abatement Program.

PUBLIC OUTREACH

The City has sent out weed abatement wildfire safety messaging in March and May. Targeted mailers and letters have been mailed in May, June, and July and are expected to continue as needed. The Community Development Department Fire Prevention Division webpage is being updated periodically.

NEXT STEPS

This is the final step in this year's planned abatement process. Any new assessments would be included in next year's process.

Attachments:

1. Draft resolution, including the 2026 Gilroy Assessment Report Exhibit

RESOLUTION NO. 2026-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY CONFIRMING THE REPORT OF THE ABATEMENT OF WEEDS SETTING FORTH THE DESCRIPTION OF PROPERTY, NAMING THE OWNERS THEREOF, AND THE COST OF ABATING THE NUISANCE CAUSED BY THE GROWING OF WEEDS AND ACCUMULATION OF REFUSE ON THE PROPERTY, AND PROVIDING THAT SUCH COST SHALL CONSTITUTE ASSESSMENTS AGAINST THE LAND

WHEREAS, pursuant to Article III of Chapter 12 of the Gilroy City Code, the City Council of the City of Gilroy on February 9, 2026 adopted Resolution No. 2026-09 designating certain weeds growing or existing in the City of Gilroy, and refuse accumulating in the City, to be a public nuisance and ordering the Chief of the Fire Department to give notice of the passage of said resolution by posting and publication in the same manner and for the same time as set forth in Section 12.48 of said code, and the Chief of the Fire Department, through the Community Development Department, did cause said notice to be so given; and

WHEREAS, pursuant to Resolution No. 2026-09, the property owners as stated on the latest tax assessor's roll of the lots or parcels determined to have weeds growing or existing, and/or refuse accumulating were duly noticed that: (1) said weeds and refuse have been determined to constitute a public nuisance, (2) a public hearing would be held at which the City Council would hear and consider any and all objections to the proposed destruction or removal of said weeds or refuse, and (3) weeds and refuse not removed by the property owners will be removed by City authorities, in which case the cost of such destruction and/or removal will be assessed upon the lots and lands from which, or from the front or rear of which, such weeds and accumulation of refuse have been destroyed or removed, and such costs will constitute a lien upon such lots or lands until paid, and will be collected upon the next tax roll upon which general municipal taxes are collected; and

WHEREAS, the City Council fixed April 20, 2026, at the hour of 6:00 o'clock p.m., or as soon as thereafter, in the Council Chambers in the City Hall at 7351 Rosanna Street, in the City of Gilroy, as the time and place for the hearing provided for in Section 12.50 of said Code, and the notice given included a statement of the said time and place of hearing; and

WHEREAS, the hearing was held on that date in accordance with the City Code and no objections were made to the proposed removal and destruction of the weeds and refuse, and the City Council thereafter adopted Resolution No. 2026-23 requiring the Chief of the Fire Department to abate said nuisance by having the weeds destroyed and the refuse removed as provided in Section 12.51 of the Gilroy City Code; and

WHEREAS, the Chief of the Fire Department, through the Community Development Department, has filed his report with the City Council, setting forth the actions taken in abating the nuisance, stating an account of the cost of the abatement and an assessment list and identification of each separate lot or parcel of land by description, together with the expense proposed to be

assessed against each separate lot or parcel and the name of the owners or reputed owners ("Owners") thereof attached hereto as Exhibit "A" and incorporated herein by this reference; and

WHEREAS, the Chief of the Fire Department has taken all actions required of him in abating said nuisance and removing said weeds and refuse and that the cost thereof as shown in said report is correct and should be confirmed; and

WHEREAS, the City Clerk fixed August 3, 2026 at the hour of 6:00 o'clock p.m., or as soon thereafter as the item can be heard, in the Council Chambers in the City Hall at 7351 Rosanna Street, in the City of Gilroy, as the time and place for the hearing provided for in Section 12.53 of the Gilroy City Code; and

WHEREAS, the Owners were duly noticed of the hearing, at which the City Council would be presented with the report and assessment list for consideration and confirmation, the abatement costs proposed to be assessed upon the Owners and the right of all persons interested, having any objections to the report and assessment list, or to any matter or thing contained therein, to appear and be heard; and

WHEREAS, this hearing was held in accordance with the Gilroy City Code.

NOW THEREFORE, BE IT RESOLVED, that a certified copy of this resolution and of the Exhibit A report of the abatement of weeds be turned over to the County Director of Finance, who constitutes the Assessor and Tax Collector for the City of Gilroy, and the amounts shown on said report as the cost of the removal of the weeds and refuse from each of the respective properties and certified as unpaid shall be and constitute a lien on the property for the amount of such assessment respectively, and the Assessor and Tax Collector add the amount thereof to the next regular bill for taxes levied against respective lots and parcels of land for municipal purposes.

PASSED AND ADOPTED on this 3rd day of August 2026 by the following roll call vote:

AYES:	**COUNCIL MEMBERS:**
NOES:	**COUNCIL MEMBERS:**
ABSTAIN:	**COUNCIL MEMBERS:**
ABSENT:	**COUNCIL MEMBERS:**

APPROVED:

_____

ATTEST: Greg Bozzo, Mayor

_____

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2026-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 3, 2026**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

_____

Kim Mancera
City Clerk of the City of Gilroy (Seal)

2026 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT

	Situs	APN	Tax Roll Amt
1	VERBENA DR, GILROY CA 95020	783-03-070	$296.00
2	8351 WINTER GREEN CT, GILROY, CA 95020	783-03-077	$296.00
3	8341 WINTER GREEN CT, GILROY, CA 95020	783-03-081	$296.00
4	HECKER PASS HWY, GILROY, CA 95020	783-04-032	$296.00
5	820 SUNRISE DR, GILROY, CA 95020-9608	783-20-049	$296.00
6	1885 HOLLYHOCK LN, GILROY, CA 95020	783-45-014	$296.00
7	1920 MANTELLI DR, GILROY, CA 95020-7919	783-45-016	$2,557.71
8	0 HOLLYHOCK LN, GILROY, CA 95020	783-45-044	$1,973.25
9	2280 CORAL BELL CT, GILROY, CA 95020-7903	783-46-026	$592.00
10	STRAWBERRY LN, GILROY, CA 95020	783-46-079	$3,495.20
11	0 SUNFLOWER CL, GILROY, CA 95020	783-47-003	$1,545.00
12	1463 PHEASANT DR, GILROY, CA 95020-8219	783-50-058	$802.00
13	8745 WILD IRIS DR, GILROY, CA 95020	783-52-032	$296.00
14	1350 PEREGRINE DR, GILROY, CA 95020	783-55-021	$296.00
15	9246 DOVE CT, GILROY, CA 95020	783-57-004	$296.00
16	9231 N EGRET CT, GILROY, CA 95020	783-58-044	$296.00
17	2363 BANYAN ST, GILROY, CA 95020	783-64-029	$296.00
18	2333 BANYAN ST, GILROY, CA 95020	783-64-032	$296.00
19	2354 BANYAN ST, GILROY, CA 95020	783-65-022	$296.00
20	9141 GUNNERA LN, GILROY, CA 95020	783-65-023	$296.00
21	1820 CAROB CT, GILROY, CA 95020	783-72-017	$2,821.29
22	1810 CAROB CT, GILROY, CA 95020	783-72-018	$296.00
23	9145 TEA TREE WY, GILROY, CA 95020	783-72-020	$296.00
24	9035 TEA TREE WY, GILROY, CA 95020	783-72-025	$296.00
25	9025 MIMOSA CT, GILROY, CA 95020	783-72-027	$296.00
26	8955 MIMOSA CT, GILROY, CA 95020	783-72-036	$296.00
27	2203 BANYAN CT, GILROY, CA 95020	783-72-040	$296.00
28	9210 MAHOGANY CT, GILROY, CA 95020	783-72-045	$296.00
29	2273 BANYAN CT, GILROY, CA 95020	783-72-051	$296.00
30	2283 BANYAN CT, GILROY, CA 95020	783-72-052	$296.00
31	95 FARRELL AV, GILROY, CA 95020-7615	790-07-085	$296.00
32	103 FARRELL AV, GILROY, CA 95020-7615	790-07-086	$1,545.00
33	111 FARRELL AV, GILROY, CA 95020-7615	790-07-087	$1,545.00
34	119 FARRELL AV, GILROY, CA 95020-7615	790-07-088	$1,545.00
35	171 RONAN AV, GILROY, CA 95020-7219	790-15-009	$592.00
36	1375 1ST ST, GILROY, CA 95020	790-39-019	$296.00
37	7733 MONTEREY RD, GILROY, CA 95020	799-03-054	$2,781.04
38	7711 MONTEREY RD, GILROY, CA 95020	799-03-055	$2,993.05
39	0 EIGLEBERRY ST, GILROY, CA 95020	799-10-042	$1,959.83
40	CHURCH ST, GILROY, CA 95020	799-11-069	$296.00
41	7421 HANNA ST, GILROY, CA 95020-5723	799-18-031	$592.00
42	6700 CHURCH ST, GILROY, CA 95020-6508	799-33-001	$592.00
43	0 FILBRO DR, GILROY, CA 95020	799-44-093	$296.00
44	0 ROYAL WY, GILROY, CA 95020	799-44-094	$296.00

45	0 ROYAL WY, GILROY, CA 95020	799-44-095	$296.00
46	0 ROYAL WY, GILROY, CA 95020	799-44-096	$296.00
47	0 ROYAL WY, GILROY, CA 95020	799-44-097	$296.00
48	0 ROYAL WY, GILROY, CA 95020	799-44-098	$296.00
49	0 THOMAS RD, GILROY, CA 95020-9503	799-44-109	$296.00
50	321 W LUCHESSA AV, GILROY, CA 95020	799-44-110	$296.00
51	1410 1ST ST, GILROY, CA 95020-4737	808-01-021	$296.00
52	7890 SANTA TERESA BL, GILROY, CA 95020	808-01-022	$592.00
53	1490 1ST ST, GILROY, CA 95020	808-01-023	$296.00
54	0 PONDEROSA DR, GILROY, CA 95020	808-01-024	$296.00
55	LUCHESSA AV, GILROY, CA 95020	808-19-030	$296.00
56	6482 GREENFIELD DR, GILROY, CA 95020-9503	808-20-008	$296.00
57	10 W LUCHESSA AV, GILROY, CA 95020-9503	808-21-009	$296.00
58	6301 BERRYBUSH CT, GILROY, CA 95020-9504	808-40-024	$296.00
59	MONTEREY RD, GILROY, CA 95020	808-49-078	$296.00
60	VINTNER ST, GILROY, CA 95020	808-58-005	$296.00
61	2740 HECKER PASS RD, GILROY, CA 95020-9402	810-20-033	$1,545.00
62	2480 HECKER PASS HY, GILROY, CA 95020	810-20-037	$296.00
63	2300 HECKER PASS HY, GILROY, CA 95020	810-20-039	$592.00
64	6675 EAGLE RIDGE CT, GILROY, CA 95020	810-60-018	$1,545.00
65	6685 EAGLE RIDGE CT, GILROY, CA 95020	810-60-019	$1,545.00
66	6695 EAGLE RIDGE CT, GILROY, CA 95020	810-60-020	$1,545.00
67	6694 EAGLE RIDGE CT, GILROY, CA 95020	810-60-021	$296.00
68	6535 EAGLE RIDGE CT, GILROY, CA 95020	810-72-021	$1,545.00
69	6615 EAGLE RIDGE CT, GILROY, CA 95020	810-72-029	$296.00
70	6625 EAGLE RIDGE CT, GILROY, CA 95020	810-72-030	$296.00
71	6635 EAGLE RIDGE CT, GILROY, CA 95020	810-72-031	$296.00
72	6645 EAGLE RIDGE CT, GILROY, CA 95020	810-72-032	$592.00
73	6651 EAGLE RIDGE CT, GILROY, CA 95020	810-72-033	$296.00
74	6655 EAGLE RIDGE CT, GILROY, CA 95020	810-72-034	$1,545.00
75	6671 EAGLE RIDGE CT, GILROY, CA 95020	810-72-035	$1,545.00
76	MONTEREY RD, GILROY, CA 95020	835-01-034	$2,523.33
77	MONTEREY RD, GILROY, CA 95020	835-01-035	$2,809.83
78	0 FOREST ST, GILROY, CA 95020	835-01-050	$296.00
79	0 MURRAY AV, GILROY, CA 95020	835-01-059	$296.00
80	0 LEAVESLEY RD, GILROY, CA 95020-3605	835-01-064	$296.00
81	MONTEREY RD, GILROY, CA 95020	835-02-014	$8,513.14
82	SAN YSIDRO AV, GILROY, CA 95020	835-04-064	$296.00
83	LAS ANIMAS AV, GILROY, CA 95020	835-04-067	$1,545.00
84	MURRAY AV, GILROY, CA 95020	835-04-068	$1,545.00
85	9096 SAN YSIDRO AV, GILROY, CA 95020	835-04-087	$3,605.81
86	9090 SAN YSIDRO AV, GILROY, CA 95020	835-04-088	$3,696.34
87	9120 MURRAY AV, GILROY, CA 95020-3510	835-05-004	$296.00
88	315 LAS ANIMAS AV, GILROY, CA 95020	835-05-006	$296.00
89	MURAOKA DR, GILROY, CA 95020	835-31-032	$105.00
90	MONTEREY RD, GILROY, CA 95020	841-02-046	$7,642.04
91	395 LEWIS ST, GILROY, CA 95020-5220	841-03-062	$1,545.00
92	0 SOUTH VALLEY FY, GILROY, CA 95020	841-10-039	$296.00

93	430 OLD GILROY ST, GILROY, CA 95020-6215	841-11-075	$1,545.00
94	0 SOUTH VALLEY FY, GILROY, CA 95020	841-14-058	$3,929.00
95	0 SOUTH VALLEY FY, GILROY, CA 95020	841-14-059	$4,438.97
96	0 SOUTH VALLEY FY, GILROY, CA 95020	841-14-060	$6,511.80
97	MONTEREY RD, GILROY, CA 95020	841-14-072	$7,940.00
98	5870 MONTEREY RD, GILROY, CA 95020	841-14-080	$296.00
99	6900 CAMERON BL, GILROY, CA 95020	841-17-100	$296.00
100	VENTURE WA, GILROY, CA 95020	841-17-121	$296.00
101	0 PACHECO PASS HY, GILROY, CA 95020	841-18-082	$6,214.00
102	951 RENZ LN, GILROY, CA 95020	841-18-095	$296.00
103	981 RENZ LN, GILROY, CA 95020	841-18-096	$296.00
104	402 HADLEY CT, GILROY, CA 95020-5839	841-53-032	$296.00
105	HOOVER CT, GILROY, CA 95020	841-53-066	$296.00
106	0 HOLLOWAY RD, GILROY, CA 95020	841-70-005	$296.00
107	0 SILACCI WY, GILROY, CA 95020	841-70-012	$296.00
108	850 HOLLOWAY RD, GILROY, CA 95020	841-70-026	$1,545.00
109	555 HOLLOWAY RD, GILROY, CA 95020	841-70-037	$296.00
110	6970 CAMINO ARROYO, GILROY, CA 95020	841-70-059	$296.00
111	5885 ROSSI LN, GILROY, CA 95020	841-72-001	$2,001.90
112	560 ROSSI CT, GILROY, CA 95020	841-72-008	$592.00
113	5855 ROSSI LN, GILROY, CA 95020	841-72-009	$592.00
114	5835 ROSSI LN, GILROY, CA 95020	841-72-010	$592.00
115	5815 ROSSI LN, GILROY, CA 95020	841-72-011	$592.00
116	0 E LUCHESSA AV, GILROY, CA 95020	841-73-005	$296.00
117	5980 TRAVEL PARK CL, GILROY, CA 95020	841-75-011	$296.00
118	300 OBATA CT, GILROY, CA 95020	841-79-006	$296.00
		TOTAL	**$131,266.53**

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Adoption of an Urgency Ordinance of the City Council of the City of Gilroy Establishing a Temporary Moratorium on the Issuance of New Tobacco Retailer Permits Citywide Through December 31, 2026**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Community Development
Submitted by:	Sharon Goei, Community Development Director
Prepared by:	Bryce Atkins, Deputy Director of Community Development

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Adopt an Urgency Ordinance of the City Council of the City of Gilroy establishing a temporary moratorium on the issuance of new Tobacco Retailer Permits Citywide through December 31, 2026.

EXECUTIVE SUMMARY

The City Council has previously considered and acted on several tobacco retailer permit and smoking-related policy items in response to concerns regarding the number, concentration, and operation of tobacco retailers and smoke shops within the City. The proposed urgency ordinance would provide a short-term pause on new Tobacco Retailer Permits while staff completes additional review of amendments to the City's tobacco retailer permitting regulations, including review of proposed youth-oriented facilities provisions and other non-zoning regulatory approaches.

This action is intentionally drafted as a City Charter Section 602 urgency ordinance and is not adopted pursuant to Government Code Section 65858. At the June 1, 2026 City Council meeting, the Council provided direction not to pursue a zoning amendment at this time, to further evaluate the proposed youth-oriented facilities provisions, and to bring forward a moratorium on the issuance of new Tobacco Retailer Permits. The

proposed urgency ordinance is therefore grounded in the City's Charter authority, police power, and authority to regulate City-issued licenses and permits under Chapter 13, Article VIII of the Gilroy City Code.

BACKGROUND

In 2014, the City Council adopted Ordinance No. 2014-14 establishing the City's Tobacco Retailer Permit program. The program requires a person operating as a tobacco retailer within the City to obtain and maintain a valid Tobacco Retailer Permit for each location at which tobacco retailing occurs. The existing ordinance includes operational requirements, application requirements, issuance criteria, renewal procedures, compliance monitoring, penalties, and suspension or revocation procedures.

Since 2025, the City Council has considered several staff reports and ordinance actions related to tobacco retailer permitting, smoke shops, youth access, density, enforcement, and the City's smoking pollution control regulations. The following summary is provided to place the proposed urgency ordinance in context.

Date	Summary	Relevance to Current Item
November 17, 2014	Council adopted Ordinance No. 2014-14, adding Chapter 13, Article VIII to establish the City's Tobacco Retailer Permit program.	Provides the existing permit framework that the temporary moratorium would pause for new permit issuance.
February 27, 2023	Council adopted City Code amendments prohibiting smoking in and at multi-unit residential properties and imposing related landlord/business responsibilities.	Shows the City's prior use of local regulatory authority to address tobacco and smoking-related public health impacts.
August 4, 2025	Council received a policy report regarding potential revisions to Chapter 19B and Chapter 13, Article VIII. Direction was provided to bring back revisions focused on tobacco retailer density, flavored tobacco restrictions, and related public health concerns.	Initiated the current sequence of tobacco prevention policy work and review of the City's TRP regulations.
November 3, 2025	Council adopted Ordinance No. 2025-08, a 45-day urgency interim ordinance prohibiting issuance of new Tobacco Retailer Permits within the Downtown Specific Plan area.	First moratorium action responding to the concentration of tobacco retailers and smoke shops in a defined area.
December 8, 2025	Council adopted Ordinance No. 2025-11 extending the downtown	Expanded the policy discussion from downtown-specific

	moratorium and directed staff to prepare a separate urgency interim ordinance for a citywide prohibition on new Tobacco Retailer Permits.	concerns to citywide regulation.
January 5, 2026	Council adopted Ordinance No. 2026-01 prohibiting the issuance of new Tobacco Retailer Permits citywide for 45 days.	Established a temporary citywide pause while staff studied potential code amendments and additional regulations.
February 9, 2026	Council adopted Ordinance No. 2026-02 extending the citywide moratorium for six months and fifteen days, with an expiration date of August 24, 2026.	Maintained the citywide pause while staff continued evaluating potential zoning and tobacco retailer permit amendments.
June 1, 2026	Council considered the proposed Chapter 30 zoning amendments and the draft Chapter 13 TRP amendments. Council direction included not pursuing zoning amendments at this time, further reviewing youth-oriented facilities, and returning with a moratorium.	Resulted in the current recommendation to proceed with a moratorium under the City's licensing and Charter authority rather than as a zoning moratorium.

ANALYSIS

Continued Moratorium on New Tobacco Retailer Permits

The current moratorium on new tobacco retailer permits is scheduled to expire on August 24, 2026. At the June 1, 2026 City Council meeting, the Council directed staff not to pursue a zoning amendment at this time, to further review the proposed youth-oriented facilities provisions, and to maintain a moratorium on the issuance of new tobacco retailer permits while that review continues.

The existing moratorium was adopted under California Government Code Section 65858, which governs interim urgency ordinances related to land use and planning matters. That prior moratorium was tied to the City's review of potential zoning amendments related to tobacco retailers and smoke shops. Because the Council has now directed staff not to proceed with a zoning amendment at this time, the proposed ordinance is not presented as an extension of the prior Government Code Section 65858 moratorium and is not intended to operate as a zoning or land use ordinance.

Instead, the proposed ordinance would establish a new, limited moratorium under the City's independent authority, including the City Charter, the City's police power, and the City's authority to regulate City-issued tobacco retailer permits and business licenses. The purpose of the ordinance is to preserve the status quo while staff continues its non-

zoning regulatory review of the City's tobacco retailer permit regulations, including additional analysis of potential provisions for youth-oriented facilities.

The proposed urgency ordinance includes findings that the prevalence and concentration of tobacco retailers may contribute to adverse public health, safety, welfare, enforcement, and nuisance impacts. The findings also recognize prior City concerns related to stand-alone smoke shops, youth-oriented marketing, illegal products, enforcement activity, theft and vandalism concerns, and litter and environmental impacts associated with tobacco product waste.

Authority for the Proposed Urgency Ordinance

City Charter Section 602 authorizes the City Council to introduce and adopt an emergency ordinance at the same meeting when the ordinance is declared necessary to preserve the public peace, health, or safety, contains a statement of the reasons for its urgency, and receives at least five affirmative votes. The proposed ordinance contains the required urgency findings and is drafted to take effect immediately upon adoption.

This action is separate from, and not an extension of, the previously adopted Government Code Section 65858 interim zoning ordinance. Because the proposed ordinance is not based on Section 65858, staff is not presenting it as a Section 65858 extension. Rather, the ordinance is a new urgency ordinance focused on City-issued tobacco retailer permits and licenses while staff continues its review of non-zoning regulatory options.

Scope of the Moratorium

Through December 31, 2026, the proposed ordinance would prohibit the City from accepting for filing, processing, approving, or issuing any new Tobacco Retailer Permit, license, or other City authorization required to commence, transfer, relocate, or physically expand a tobacco retailer business within the City of Gilroy.

The moratorium is limited in scope. It would not apply to the timely renewal of a valid, existing Tobacco Retailer Permit for the same permittee and same location, provided the permittee remains in compliance with applicable law. It also would not restrict any permit issuance required by state or federal law, court order, or as determined by the City Attorney.

The ordinance also preserves the City's existing enforcement authority. During the moratorium, the City may continue to investigate, inspect, cite, suspend, revoke, deny renewal of, or otherwise enforce against any tobacco retailer business or permittee under applicable law.

ALTERNATIVES

The Council may alternatively choose the following:

1. Do not adopt the urgency ordinance. New Tobacco Retailer Permit applications could be accepted, processed, approved, or issued while staff continues reviewing potential regulatory amendments.
2. Provide direction to prepare a regular ordinance. The current moratorium will expire in August. A regular ordinance would not take effect immediately and would not sustain the current pause for the brief gap between the expiration of the current moratorium and the new moratorium, unless paired with an urgency ordinance or other interim action.
3. Adopt the urgency ordinance with modifications. Council may modify the scope, findings, exemptions, or direction to staff, subject to review by the City Attorney.
4. Provide direction on permanent amendments only. Staff could continue drafting amendments to Chapter 13 without a temporary moratorium, but new permits could be issued before Council completes policy review.

FISCAL IMPACT/FUNDING SOURCE

There is no direct fiscal appropriation associated with the adoption of the urgency ordinance. The ordinance may temporarily delay new permit fee revenue associated with new Tobacco Retailer Permit applications, but renewals of existing valid permits would continue to be allowed. Staff time will be required to administer the moratorium, respond to inquiries, and complete the continued regulatory review directed by Council. Any future permanent amendments may have separate fiscal impacts depending on the scope of enforcement, inspection, and administrative requirements. These would be presented as part of the agenda item to adopt such future amendments.

PUBLIC OUTREACH

The City Council has considered tobacco retailer permit and smoking-related policy issues at multiple public meetings since 2025, including the August 4, 2025 policy discussion, the November 3, 2025 downtown urgency ordinance, the December 8, 2025 extension and citywide direction, the January 5, 2026 citywide urgency ordinance, the February 9, 2026 extension, and the June 1, 2026 tobacco retailer and smoke shop items. Public comment will be accepted on this agenda item before Council action in accordance with the City’s standard meeting procedures. This item was included on the publicly posted agenda for this meeting.

NEXT STEPS

If the urgency ordinance is adopted, staff will immediately implement the temporary

moratorium and update the direction to permit intake staff and the City's business license administrator that no new Tobacco Retailer Permit applications are to be accepted, processed, approved, or issued during the moratorium, except as expressly allowed by the ordinance.

Staff will continue evaluating amendments to the City's tobacco retailer permitting regulations and return to the City Council with recommendations. Follow-up actions include a future ordinance with permanent amendments to Chapter 13, Article VIII, or other Council-directed regulatory actions.

Attachments:

1. Tobacco Retailer Permit Moratorium Urgency Ordinance

ORDINANCE NO. 2026-XX

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF NEW TOBACCO RETAILER PERMITS CITYWIDE THROUGH DECEMBER 31, 2026

WHEREAS, the City of Gilroy ("City") is a municipal corporation duly organized as a Charter City under the California Constitution and laws of the State of California; and

WHEREAS, the City Council has broad authority under the California Constitution, Article XI, Section 5, the City Charter, and the City's police powers to legislate for public purposes and for the general welfare, including, but not limited to, matters of public peace, health, safety, and welfare; and

WHEREAS, City Charter Section 200 provides that the City has the power to make and enforce all laws and regulations with respect to municipal affairs, subject only to the restrictions and limitations provided in the Charter and the California Constitution; and

WHEREAS, City Charter Section 602 authorizes an ordinance declared by the City Council to be necessary as an emergency measure for preserving the public peace, health, or safety, and containing a statement of the reasons for its urgency, to be introduced and adopted at one and the same meeting if passed by at least five affirmative votes; and

WHEREAS, on November 17, 2014, the City adopted an ordinance requiring all tobacco retailers to obtain a "Tobacco Retailer Permit" to ensure that retailers comply with tobacco control laws and City business standards (Ord. No. 2014-14; Gilroy Code Section 13.66 et seq.); and

WHEREAS, California has adopted statewide restrictions intended to limit youth access to tobacco products, cannabis products, and related products, and the City has a substantial local interest in preventing youth access to such products and protecting the public health, safety, and welfare of the community; and

WHEREAS, smoking is a leading cause of preventable disease and mortality, and smokeless tobacco is associated with increased risk for several cancers; and

WHEREAS, staff has found a higher per capita concentration of tobacco retailers in the City as compared to neighboring cities and county areas, including the City of Morgan Hill, the City of Hollister, the unincorporated area of Santa Clara County, and San Benito County; and

WHEREAS, the prevalence and concentration of tobacco retail establishments

may contribute to adverse effects because of associated health risks and density in walkable areas where minors frequent; and

WHEREAS, social and economic burdens due to smoking-related illnesses place demands on community health resources and increase healthcare costs, and cigarette butts and packaging contribute to litter and environmental degradation and negatively impact the character of the City; and

WHEREAS, tobacco retailer businesses can also be targets for theft and vandalism, and may be associated with the sale of illegal cannabis products, drug paraphernalia, and other products that encourage or facilitate unlawful activity; and

WHEREAS, hemp-derived products have also been found to be sold in tobacco retailer businesses and smoke shops, with marketing aimed toward children featuring colorful packaging designs and sweet candy flavors; and

WHEREAS, tobacco retail stores have been a source of unlawful activities in the City, including in April 2025, when the California Department of Tax and Fee Administration (CDTFA) and the City of Gilroy confiscated flavored tobacco products and hallucinogenic psilocybin that are illegal to sell from certain local tobacco retail businesses within the city limits; and

WHEREAS, on June 1, 2026, the City Council considered issues related to tobacco retailer regulation and provided direction to not pursue a zoning amendment at this time, to further review the proposed youth-oriented facilities provisions, and to bring forward a continued moratorium on the issuance of new Tobacco Retailer Permits while tobacco retailer permit regulations are under consideration; and

WHEREAS, the City is reviewing potential amendments to its tobacco retailer permitting and licensing regulations, including, without limitation, standards related to youth-oriented facilities, compliance requirements, enforcement, transfer, relocation, expansion, permit issuance, and other measures intended to protect minors and the public health, safety, and welfare; and

WHEREAS, because the City Council has directed that a zoning amendment not be pursued at this time, this Ordinance is not adopted pursuant to California Government Code Section 65858 and is not intended to operate as a zoning or land use moratorium; and

WHEREAS, the City Council finds that, absent immediate adoption of this Ordinance, additional Tobacco Retailer Permits could be issued before the City has completed its review of appropriate permanent amendments to its tobacco retailer permitting and licensing regulations; and

WHEREAS, the City Council finds that issuance of additional Tobacco Retailer Permits before completion of that review would frustrate the purpose of the City's ongoing regulatory review and may worsen the adverse public health, safety, and welfare impacts described in this Ordinance; and

WHEREAS, considering the foregoing findings and events that have taken place, the City Council finds that there is a current and immediate threat to the public peace, health, safety, and welfare, and that approval or issuance of additional Tobacco Retailer Permits would result in and exacerbate that threat; and

WHEREAS, the City Council further finds that immediate adoption of this Ordinance as an urgency ordinance is necessary to preserve the public peace, health, and safety by temporarily maintaining the status quo while the City reviews potential amendments to its tobacco retailer permitting and licensing regulations; and

WHEREAS, on August 3, 2026, the City Council provided due consideration of all evidence presented and provided in the entire administrative record and took testimony regarding this urgency ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Recitals.

The above recitals are true and correct and hereby adopted as the City Council's findings.

SECTION II. Purpose and Authority.

In the interest of protecting the public peace, health, safety, and welfare of the residents of the City of Gilroy, it is the purpose and intent of this urgency ordinance to place a temporary moratorium on the issuance of any new Tobacco Retailer Permit, license, or other City authorization required to commence a new tobacco retailer business within the City of Gilroy.

This Ordinance is adopted pursuant to City Charter Section 602, the City's police power, and the City's authority to regulate City-issued tobacco retailer permits and licenses. This Ordinance is not adopted pursuant to California Government Code Section 65858 and shall not be construed as a zoning ordinance or land use moratorium.

SECTION III. Findings and Statement of Urgency.

The City Council hereby finds and determines that additional or future tobacco retailer businesses in the City of Gilroy may constitute an immediate threat to the public peace,

health, safety, and welfare. The issuance of additional Tobacco Retailer Permits under the City's current regulations, before the City has completed its review of potential amendments to its tobacco retailer permitting and licensing regulations, may further threaten the public peace, health, safety, and welfare.

This Ordinance is necessary as an emergency measure because new Tobacco Retailer Permits may otherwise be issued before the City can complete its review of regulations related to youth-oriented facilities, youth access, compliance, enforcement, permit issuance, transfer, relocation, expansion, and other public health and safety standards. The immediate effect of this Ordinance is necessary to preserve the public peace, health, and safety by temporarily maintaining the status quo while that review is completed.

SECTION IV. Temporary Moratorium on New Tobacco Retailer Permits.

After the effective date of this Ordinance through December 31, 2026, no officer, employee, department, commission, or other agency of the City shall accept for filing, process, approve, or issue any new Tobacco Retailer Permit, license, or other City authorization required to commence a new tobacco retailer business, or transfer, relocate, or physically expand a tobacco retailer business, within the City of Gilroy.

For purposes of this Ordinance, "Tobacco Retailer Permit" means a permit issued pursuant to Chapter 13, Article VIII of the Gilroy City Code, including Gilroy Code Section 13.66 et seq., and any successor provision governing the City's tobacco retailer permitting requirements.

This temporary moratorium shall apply to new Tobacco Retailer Permits and to any permit issuance that would authorize the establishment of a new tobacco retailer business, a new permittee, a new location, the relocation of an existing tobacco retailer business, or the physical expansion of an existing tobacco retailer business. This temporary moratorium shall not apply to the timely renewal of a valid, existing Tobacco Retailer Permit for the same permittee and same location, provided the permittee remains in compliance with all applicable laws, or to any permit issuance required by state or federal law, court order, or as determined by the City Attorney.

This Ordinance shall not limit the City's ability to investigate, inspect, cite, suspend, revoke, deny renewal of, or otherwise enforce against any tobacco retailer business or permittee under any applicable law, ordinance, permit condition, or administrative procedure.

SECTION V. Violation.

Except as otherwise permitted under this Ordinance, the establishment of a tobacco retailer business or operation of a tobacco retailer business without a required Tobacco

Retailer Permit within the City limits is declared to be a public nuisance. Violations of this Ordinance may be enforced by any applicable laws or ordinances, including, but not limited to, injunctions, administrative remedies, civil remedies, or criminal penalties under the Gilroy City Code.

SECTION VI. Direction to Staff.

During the term of this temporary moratorium, City staff is directed to continue reviewing potential amendments to the City's tobacco retailer permitting and licensing regulations, including further review of proposed youth-oriented facilities provisions and alternative regulatory approaches not requiring a zoning amendment, and to return to the City Council with any appropriate recommendations.

SECTION VII. Severability.

If any section, subsection, subdivision, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise void or invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, subdivision, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, or phrases may be declared unconstitutional or otherwise invalid by a court of competent jurisdiction.

SECTION VIII. CEQA Determination.

The adoption of this Ordinance is not a project subject to environmental review under the California Environmental Quality Act (CEQA), or is exempt from environmental review under the common sense exemption in CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that the temporary moratorium on the issuance of new Tobacco Retailer Permits will not have a significant effect on the environment. The Ordinance temporarily preserves the status quo while the City reviews potential amendments to its tobacco retailer permitting and licensing regulations.

SECTION IX. Effective Date and Term.

This Ordinance is declared to be an urgency ordinance necessary as an emergency measure for preserving the public peace, health, and safety within the meaning of City Charter Section 602. This Ordinance contains a statement of the reasons for its urgency and may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes of the City Council.

This Ordinance shall take effect immediately upon adoption and shall remain in effect through December 31, 2026, unless earlier repealed or superseded by subsequent City

Council action.

PASSED AND ADOPTED this 3rd day of August, 2026, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

APPROVED:

_____

Greg Bozzo, Mayor

ATTEST:

_____

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **Kim Mancera**, City Clerk of the City of Gilroy, do hereby certify that the attached **Ordinance No. 2026-XX** is an original ordinance, or a true and correct copy of a City Ordinance, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, August 3, 2026**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **DATE**.

_____

Kim Mancera

City Clerk of the City of Gilroy

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Consideration of Tobacco Retailer Permit Prohibited Areas Around Youth-Oriented Facilities**
Meeting Date:	July 27, 2026
From:	Matt Morley, City Administrator
Department:	Community Development
Submitted by:	Sharon Goei, Community Development Director
Prepared by:	Bryce Atkins, Deputy Director of Community Development

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Council provide direction regarding the definition of youth-oriented facilities and its desire to prohibit new tobacco retailers from opening in those areas.

EXECUTIVE SUMMARY

The City Council is being asked to provide direction on whether to expand the City's existing tobacco retailer youth-protection regulations by prohibiting new Tobacco Retailer Permits within 1,000 feet of youth-oriented facilities, in addition to the current 1,000-foot restriction around schools. The proposed definition of youth-oriented facilities would include public libraries, public playgrounds, youth centers, public recreation facilities, public parks, and licensed child-care facilities or preschools, excluding small- and large-family day care homes. The attached analysis identifies 46 potential youth-oriented facility locations in Gilroy and recommends using the same parcel-to-parcel measurement method currently applied to schools. Staff further recommends that any new restriction apply prospectively to new permit applications, relocations, physical expansions, and applications following suspension, revocation, or failure to timely renew, while allowing existing lawfully operating retailers to continue renewing permits at the same location if they remain compliant.

BACKGROUND

In 2014, the City Council adopted Ordinance No. 2014-14 establishing the City's Tobacco Retailer Permit program. The program requires each tobacco retailer to obtain and maintain a valid Tobacco Retailer Permit for each fixed retail location. The ordinance also provides that a Tobacco Retailer Permit is a limited, conditional privilege rather than a vested right to conduct tobacco retailing in violation of law.

The existing ordinance includes a youth-protection provision prohibiting new tobacco retailer permits within 1,000 feet of a school, measured by a straight line from the nearest point of the school parcel property line to the nearest point of the applicant's business parcel property line. Existing lawfully operating tobacco retailers were exempted from this requirement, and the original ordinance also included an exemption for the arm's-length sale of a lawfully operating tobacco retail business.

In 2025 and 2026, the City Council revisited tobacco retailer regulation in response to concerns regarding the number, concentration, and operation of tobacco retailers and smoke shops. The City's public moratorium project page identifies the sequence of Council actions, including the November 3, 2025 downtown moratorium, the December 8, 2025 extension and direction to prepare a citywide moratorium, the January 5, 2026 citywide urgency ordinance, and the February 9, 2026 extension of the citywide prohibition on new tobacco retailer permits through August 24, 2026.

Prior staff reports have framed the policy work around reducing tobacco retailer density, addressing flavored tobacco restrictions, evaluating smoke shops, improving enforcement, and protecting youth-sensitive areas. The June 1, 2026 staff report identified youth-oriented facility protections and enhanced enforcement as key ordinance themes, including stronger tools to address illegal products, controlled substances, unlawful cannabis products, untaxed tobacco products, drug paraphernalia, chronic nuisance activity, and other unlawful activity associated with tobacco retail locations.

ANALYSIS

The original proposed definition and distance requirement, if adopted, would extend the City's existing youth-protection approach beyond schools to other locations where children and youth regularly gather. The purpose is not to regulate the youth-oriented facilities themselves, but to determine where new tobacco retailers should be prohibited from opening under the City's licensing and permitting authority.

The City already uses a 1,000-foot standard for schools. Applying the same distance to youth-oriented facilities would establish a consistent standard for youth-sensitive locations and avoid setting separate buffer distances for different types of youth-serving facilities. Below is the original proposed definition of a youth-oriented facility.

“Youth-Oriented Facility” means a parcel in the city that is occupied by:

1. A library open to the public;
2. A playground open to the public;
3. A youth center, defined as a facility where children, ages six to seventeen, inclusive, come together for programs and activities;
4. A recreation facility open to the public, defined as an area, place, structure, or other facility that is used either permanently or temporarily for community recreation, even though it may be used for other purposes;
5. A park open to the public;
6. A licensed child-care facility or preschool (other than a small-family day care home or a large-family day care home [as defined in California Health & Safety Code § 1596.78]).

Identified Facilities

The attached list identifies 46 possible youth-oriented facility locations in Gilroy. The facilities are grouped as follows:

Facility Type	Number of Known Locations
Library	1
Playground	1
Park	22
Youth Center	5
Recreation Facility	1
Licensed Child-Care Facility or Preschool	16
TOTAL	**46**

Additionally, maps indicating the prohibited areas for each classification are attached to this report. The maps were derived from an interactive GIS map produced and available online at the following link: Youth-Oriented Facilities GIS Interactive Map.

Measurement Method

Staff recommends using the same measurement method currently used for schools: a straight-line measurement from the nearest point of the property line of the parcel occupied by the youth-oriented facility to the nearest point of the property line of the parcel on which the applicant’s proposed tobacco retailer business would be located. The existing school buffer in Ordinance No. 2014-14 uses this parcel-to-parcel method.

Using the same measurement method would make the ordinance easier to administer and would reduce ambiguity when reviewing future applications. However, Council may

direct staff to evaluate alternative measurement methods, such as building-to-building, entrance-to-entrance, or suite-to-suite measurements. Those alternatives may reduce the size of the restricted area but would likely increase administrative complexity.

Effect on Existing Tobacco Retailers

Staff recommends that any new youth-oriented facility buffer apply prospectively. Under this approach, the ordinance would prohibit new tobacco retailers from opening within the restricted area but would not require existing, lawfully operating tobacco retailers to close solely because they are located within 1,000 feet of a youth-oriented facility.

Staff recommends that the prohibition apply to:

- New Tobacco Retailer Permit applications;
- Relocations of tobacco retailers;
- Physical expansions that require City authorization; and
- Permit applications following suspension, revocation, or failure to timely renew.

Staff recommends that the ordinance not apply to timely renewals of valid existing permits for the same permittee and same location, provided the permittee remains in compliance with applicable law.

ALTERNATIVES

Council may alternatively choose the following:

1. Take no action. Council may direct staff not to prepare or include youth-oriented facility buffer regulations in the update to the tobacco retailer permit regulations. The existing school restriction would remain unchanged.
2. Modify the definition of a youth-oriented facility. Council may remove or add facility categories, limit the definition to facilities open to the public, narrow the definition of youth centers, or provide additional criteria for licensed child-care facilities and preschools.
3. Use a different distance. Council may direct staff to evaluate a distance other than 1,000 feet.

FISCAL IMPACT/FUNDING SOURCE

There is no direct fiscal impact associated with providing direction. Staff time will be incurred for the full ordinance process and vendor educational materials. A minimal cost for legal advertising or public notice may be incurred, but within the fiscal impact of the broader initiative.

Depending on the final ordinance, the City may receive fewer new Tobacco Retailer

Permit applications in the future. Existing renewal revenue would not be affected.

PUBLIC OUTREACH

This item has been included on the publicly posted City Council agenda, and public comment will be accepted during deliberations of this agenda item. Tobacco retailer permit issues have also been discussed at multiple prior public meetings as part of the City's broader work on tobacco retailer permits, smoke shops, density, enforcement, and the moratorium.

NEXT STEPS

Staff will proceed to implement any direction received from the Council.

Attachments:

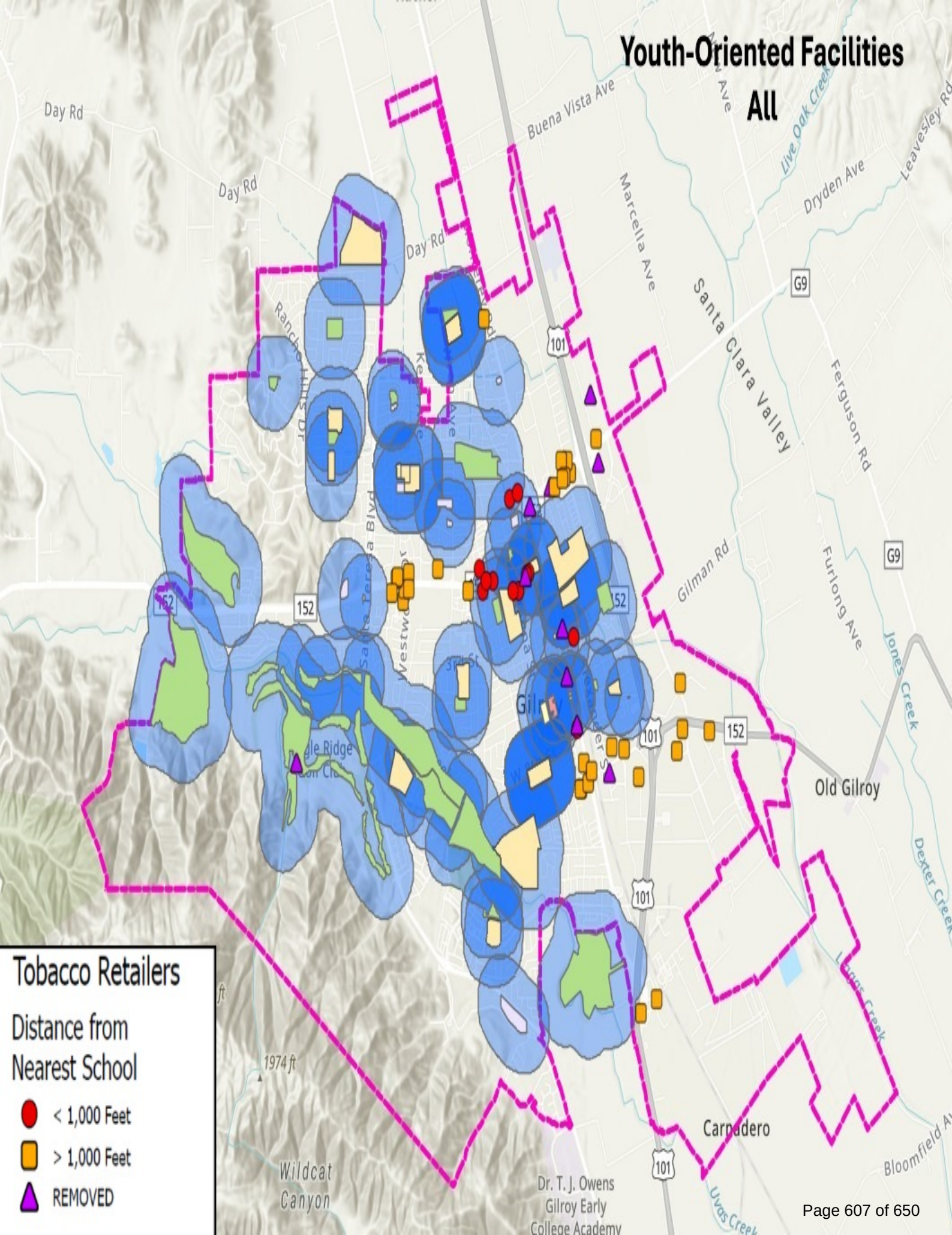
List of Possible Youth-Oriented Facility Locations in Gilroy
Maps of Youth-Oriented Facilities

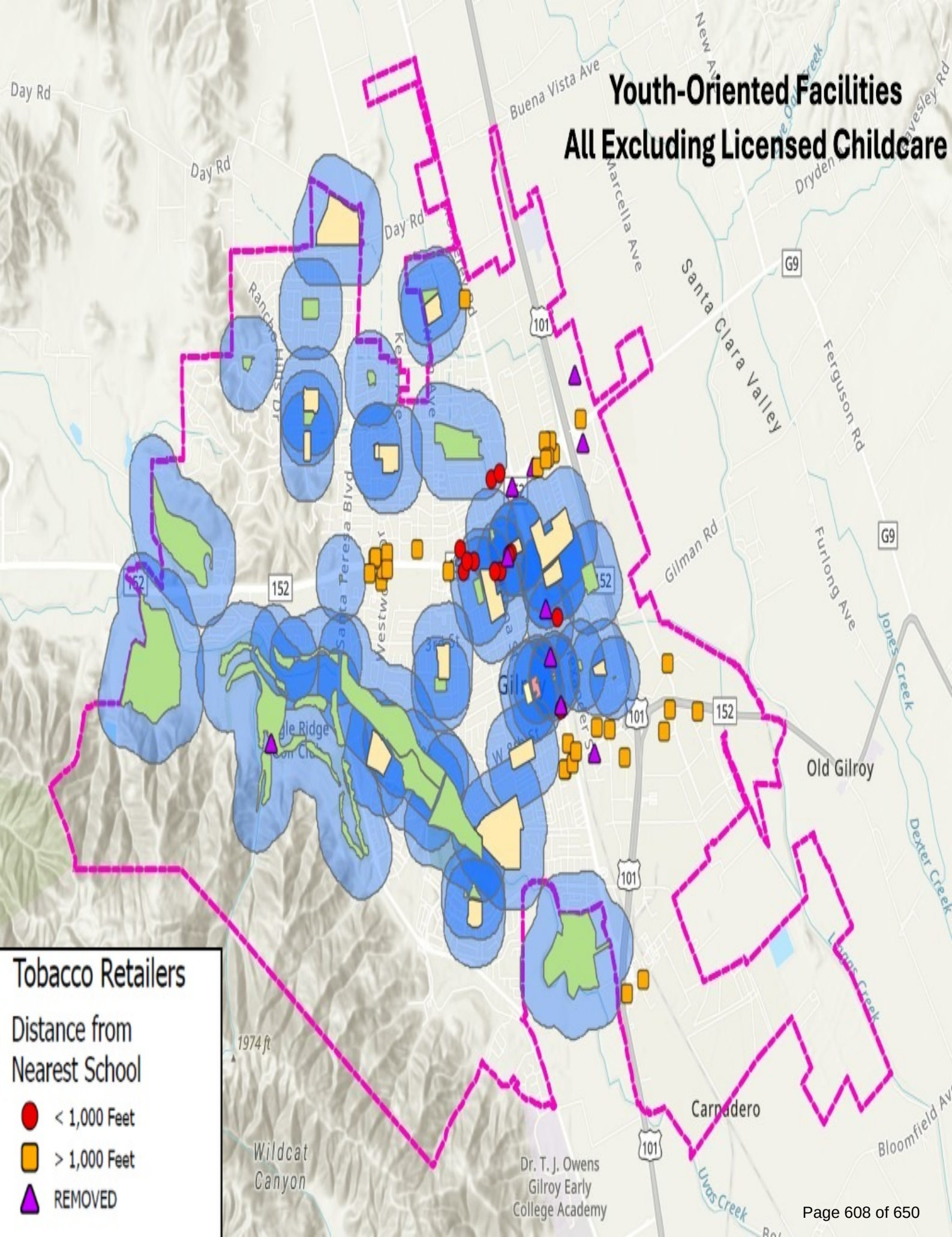
List of Possible Youth-Oriented Facility Locations in Gilroy

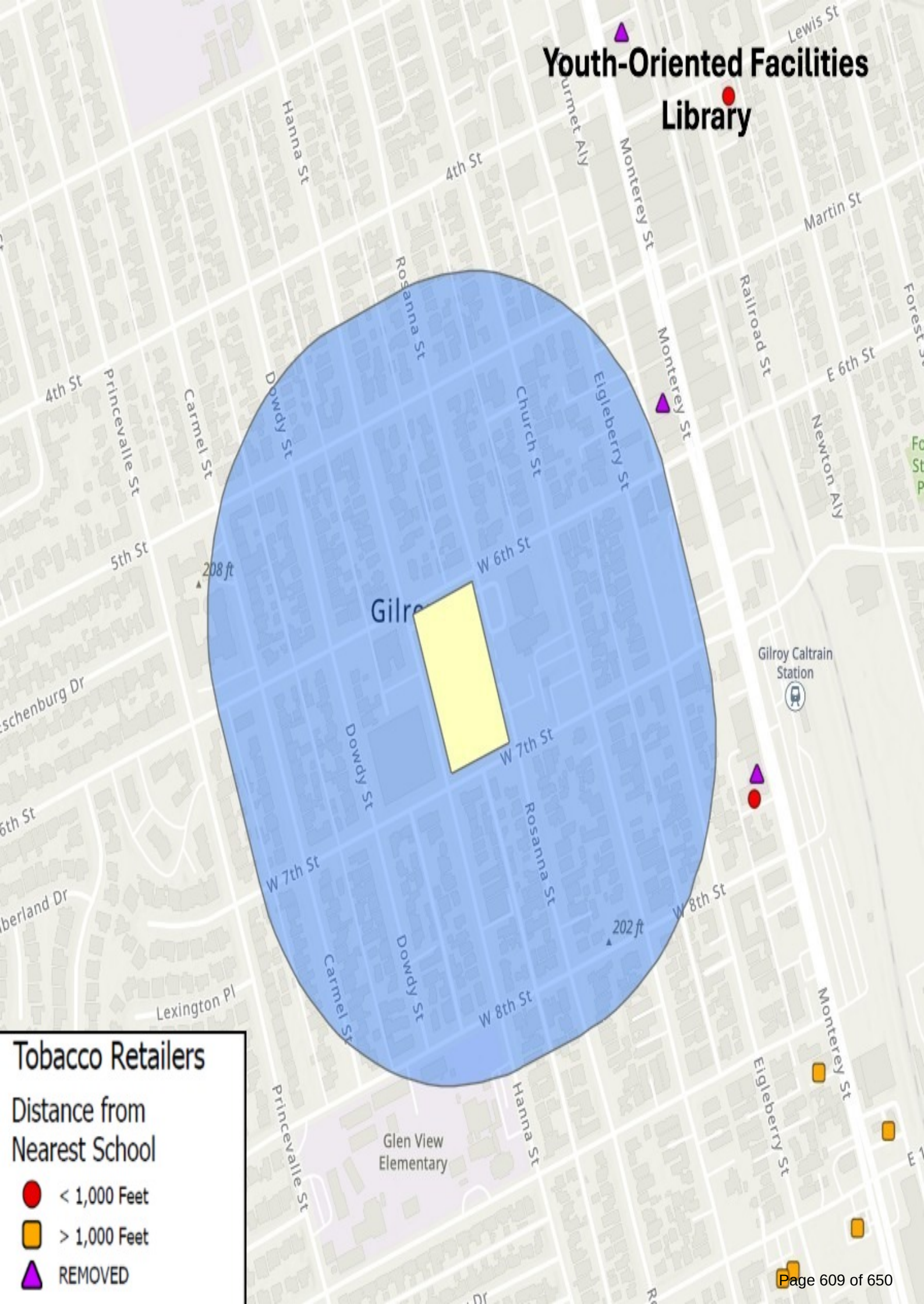
Type	Address	Description
Library	350 W. Sixth Street	Santa Clara County Library
Playground	250 W. Sixth Street	Wheeler Center Tot Lot
Recreation Facility	250 W. Sixth Street	Wheeler Community Center
Park	602 Old Gilroy Street	Butcher Park
Park	1701 Crest Hill Way	Carriage Hills Park
Park	7050 Miller Avenue	Christmas Hill Park
Park	7049 Miller Avenue	Christmas Hill Park Ranch Site
Park	985 Charles Lux Drive	Cydney Casper Park
Park	9001 Calle Del Rey	Del Rey Park
Park	Santa Teresa Blvd. to W. Luchessa	Dennis Debell Uvas Creek Park Preserve
Park	7355 Monterey Road	Donald "Elvis" Prieto Park
Park	7550 Wren Avenue	El Roble Park
Park	9400 Wren Avenue	Farrell Avenue Park
Park	7325 Forest Street	Forest Street Park
Park	1500 Hecker Pass	Gateway Park
Park	5925 Monterey Frontage	Gilroy Sports Park
Park	1798 Third Street	Hecker Pass Park
Park	400 Mantelli Drive	Las Animas Veterans Park
Park	801 Moro Drive	Los Arroyos Park
Park	7851 Carmel Street	Miller Park
Park	780 Mantelli	Rainbow Park
Park	8140 Hanna Street	Renz Park
Park	7700 Murray Avenue	San Ysidro Park
Park	9525 Saddler Drive	Sunrise Park
Park	1502 Third Street	Village Green Park
Youth Center	7598 Monterey Highway, Suite 150	Gilroy Youth Impact Center operated by Youth Alliance
Youth Center	7900 Church Street	St. Mary Youth Center
Youth Center	290 IOOF	Rebekah Children's Services
Youth Center	311 First Street	CARAS Youth Hub
Youth Center	7365 Monterey Road	South County Youth Task Force
Licensed Child-Care Facility or Preschool	305 Bloomfield Avenue	Christopher Ranch Head Start
Licensed Child-Care Facility or Preschool	95 Fourth Street	Creative Play Learning Center
Licensed Child-Care Facility or Preschool	8335 Church Street	Footsteps Preschool
Licensed Child-Care Facility or Preschool	7151 Hanna Street	Gateway / SJB Gateway Child Development Center

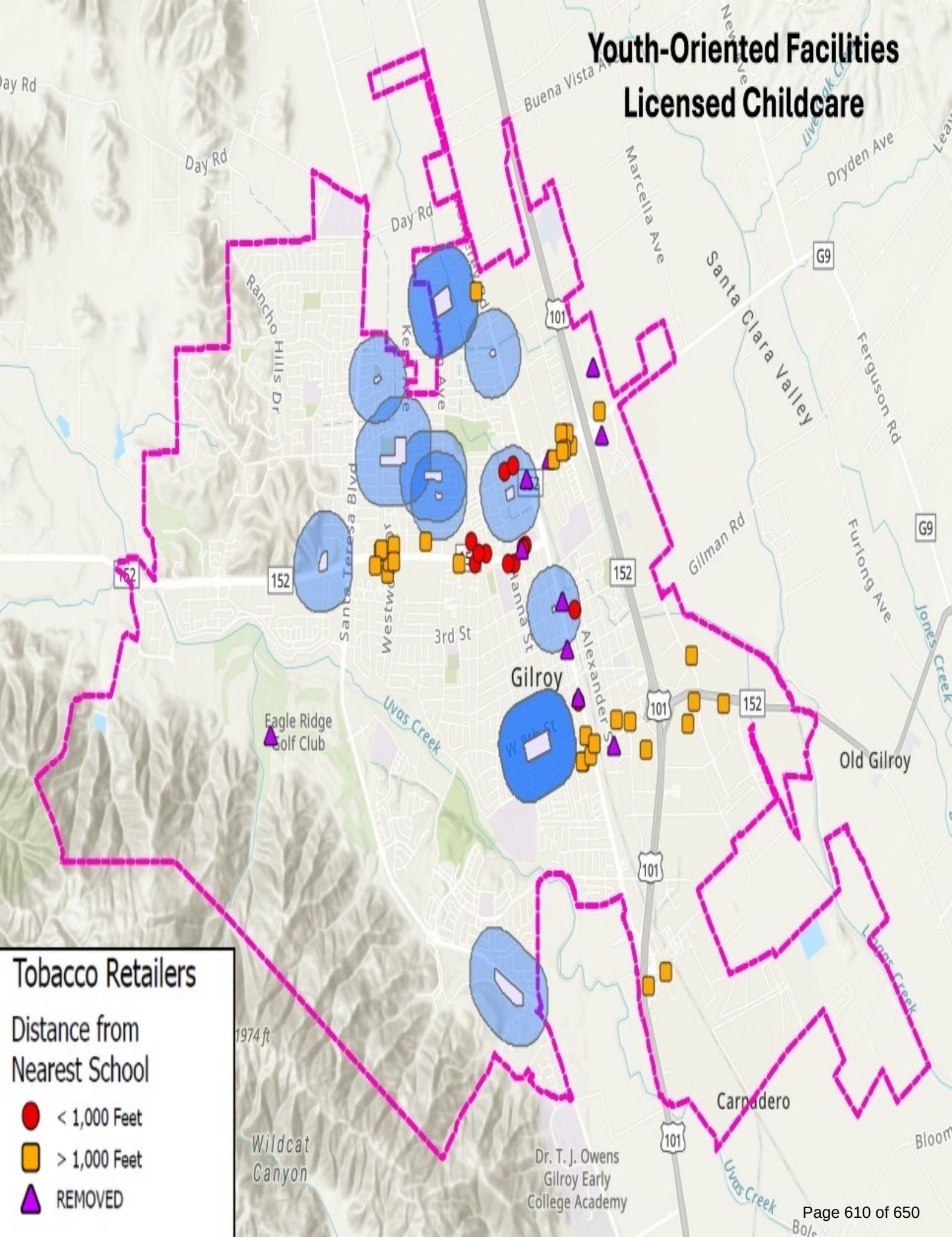
List of Possible Youth-Oriented Facility Locations in Gilroy

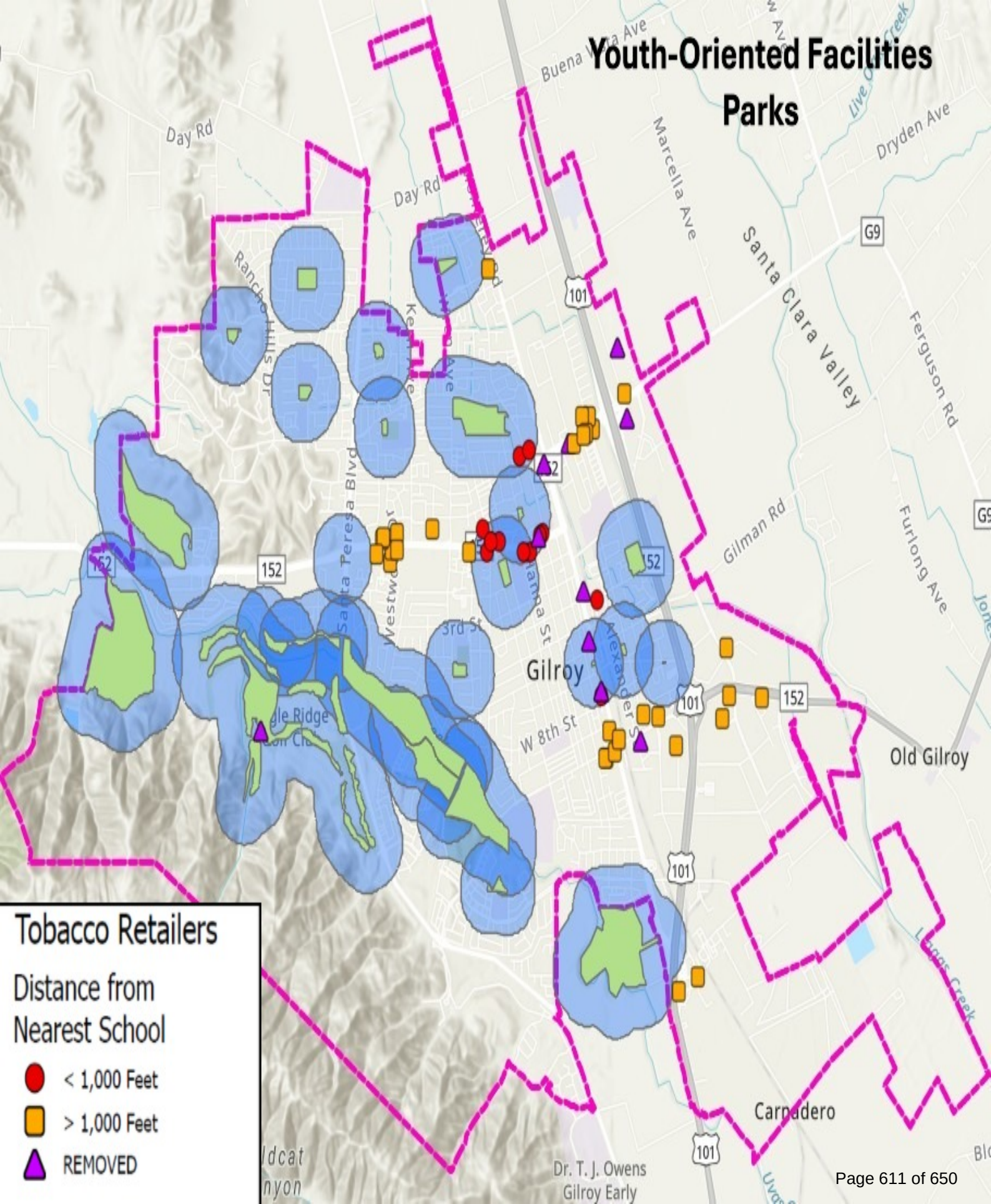
Type	Address	Description
Licensed Child-Care Facility or Preschool	9300 Wren Avenue	Gilroy Head Start
Licensed Child-Care Facility or Preschool	8755 Kern Avenue	Gilroy Unified School District Rod Kelley Preschool
Licensed Child-Care Facility or Preschool	480 W. 8th Street	Glenview Head Start
Licensed Child-Care Facility or Preschool	8985 Monterey Road	Happy Hearts Preschool
Licensed Child-Care Facility or Preschool	8455 Wren Avenue	Hearts and Hands Christian Childcare & Preschool
Licensed Child-Care Facility or Preschool	885 Moro Drive	Los Arroyos Child Development Center / Go Kids Los Arroyos
Licensed Child-Care Facility or Preschool	902 Arizona Circle	Ochoa Child Development Center / Go Kids Ochoa
Licensed Child-Care Facility or Preschool	8387 Wren Avenue	One World / One World Preschool
Licensed Child-Care Facility or Preschool	6000 Miller Avenue	Pacific Point Christian Schools Preschool
Licensed Child-Care Facility or Preschool	245 Farrell Avenue	State Preschool at Antonio Del Buono
Licensed Child-Care Facility or Preschool	475 W. 9th Street	State Preschool at Glen View
Licensed Child-Care Facility or Preschool	1735 Hecker Pass Road	Vineyard Preschool

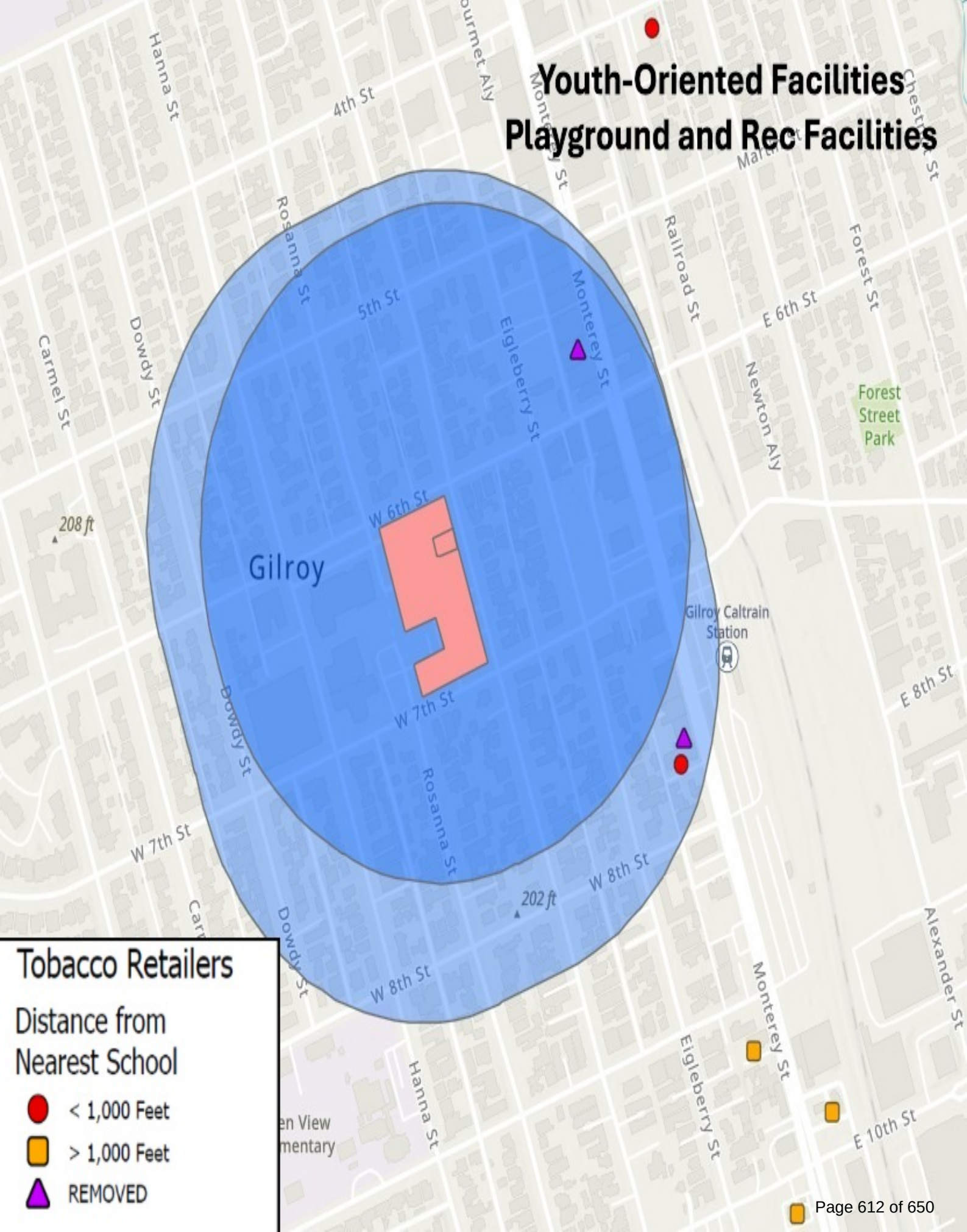

Youth-Oriented Facilities
All
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED
Day Rd
Buena Vista Ave
Marcella Ave
Dryden Ave
Leavesley Rd
Live Oak Creek
Santa Clara Valley
Ferguson Rd
Gilman Rd
Furlong Ave
Jones Creek
Dexter Creek
Uvas Creek
Bloomfield Ave
Rancho Hills Dr
Santa Teresa Blvd
Westwood Dr
Eagle Ridge
Old Gilroy
Carnadero
Wildcat Canyon
1974 ft
Dr. T. J. Owens Gilroy Early College Academy
101
152
G9

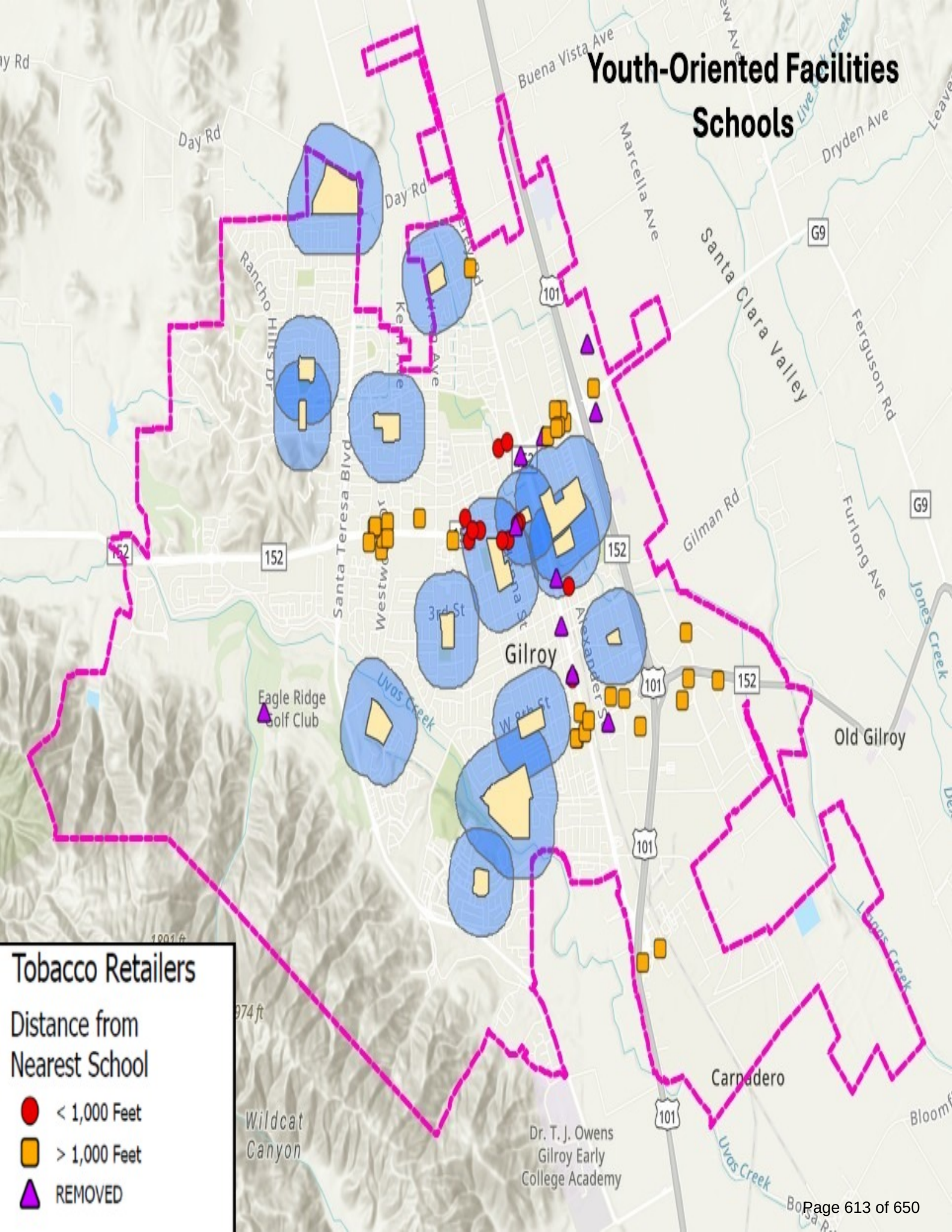

Youth-Oriented Facilities
All Excluding Licensed Childcare
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED
Day Rd
Buena Vista Ave
Santa Clara Valley
Gilman Rd
Old Gilroy
Carnadero
Wildcat Canyon
Dr. T. J. Owens Gilroy Early College Academy
1974 ft
101
152
G9

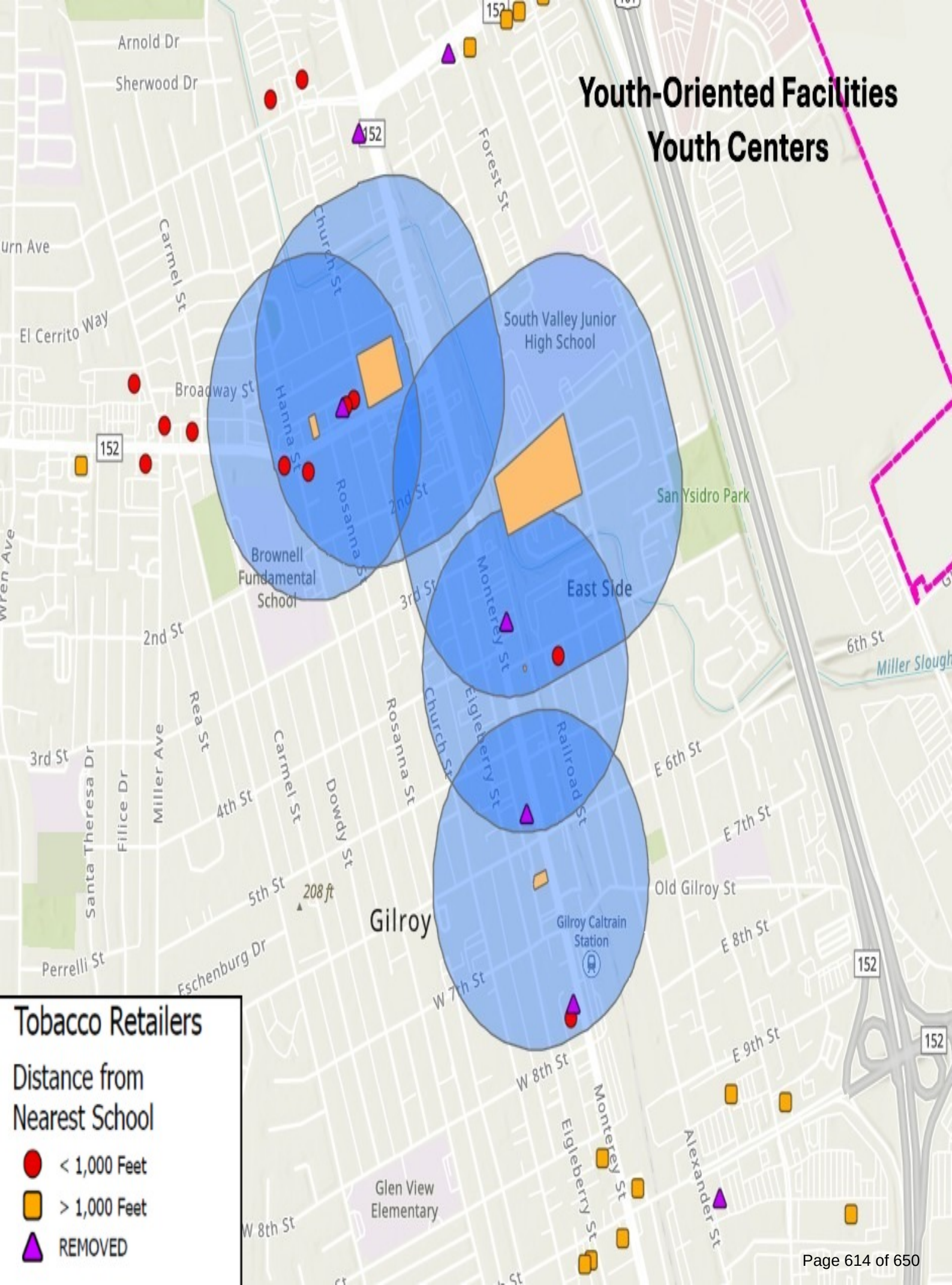

Youth-Oriented Facilities
Library
Lewis St
Hanna St
4th St
Monterey St
Martin St
Railroad St
Rosanna St
Church St
Eigleberry St
Dowdy St
Carmel St
Princevalle St
E 6th St
Newton Aly
5th St
208 ft
W 6th St
Gilroy Caltrain Station
W 7th St
202 ft
W 8th St
Lexington Pl
Glen View Elementary
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED


Youth-Oriented Facilities
Licensed Childcare
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED
1974 ft
Day Rd
Buena Vista Ave
Marcella Ave
Dryden Ave
Santa Clara Valley
Ferguson Rd
Rancho Hills Dr
Santa Teresa Blvd
Westwood Dr
Kennedy Ave
Hanna St
Alexander St
3rd St
Gilman Rd
Furlong Ave
Jones Creek
Gilroy
Old Gilroy
Eagle Ridge Golf Club
Uvas Creek
Carnadero
Wildcat Canyon
Dr. T. J. Owens Gilroy Early College Academy
101
152
G9


Youth-Oriented Facilities
Parks
Tobacco Retailers
Distance from
Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED
Gilroy
Old Gilroy
Carnadero
Day Rd
Buena Vista Ave
Marcella Ave
Dryden Ave
Santa Clara Valley
Ferguson Rd
Gilman Rd
Furlong Ave
Santa Teresa Blvd
Westwood Dr
Kern Ave
Rancho Hills Dr
Monterey St
Hanna St
Alexander St
W 8th St
3rd St
Eagle Ridge
Dr. T. J. Owens
Gilroy Early
101
152
G9


Youth-Oriented Facilities
Playground and Rec Facilities
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED
Gilroy
Gilroy Caltrain Station
Forest Street Park
208 ft
202 ft
Hanna St
4th St
Gourmet Aly
Monterey St
Rosanna St
5th St
Eigleberry St
Railroad St
Forest St
E 6th St
Newton Aly
Carmel St
Dowdy St
W 6th St
W 7th St
E 8th St
W 8th St
Alexander St
E 10th St
Hanna St


Youth-Oriented Facilities
Schools
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED
Gilroy
Old Gilroy
Carnadero
Eagle Ridge Golf Club
Dr. T. J. Owens Gilroy Early College Academy
Wildcat Canyon
Buena Vista Ave
Day Rd
Marcella Ave
Santa Clara Valley
Dryden Ave
Ferguson Rd
Gilman Rd
Furlong Ave
Santa Teresa Blvd
Rancho Hills Dr
Uvas Creek
Jones Creek
Logan Creek
101
152
G9


Youth-Oriented Facilities
Youth Centers
Arnold Dr
Sherwood Dr
152
Forest St
Church St
Carmel St
El Cerrito Way
Broadway St
Hanna St
Rosanna St
2nd St
South Valley Junior High School
San Ysidro Park
Brownell Fundamental School
3rd St
Monterey St
East Side
6th St
Miller Slough
Rea St
Miller Ave
Filice Dr
Santa Theresa Dr
4th St
Dowdy St
Eigleberry St
Railroad St
E 6th St
E 7th St
5th St
208 ft
Gilroy
Old Gilroy St
Gilroy Caltrain Station
E 8th St
Perrelli St
Eschenburg Dr
W 7th St
W 8th St
E 9th St
Glen View Elementary
Alexander St
Tobacco Retailers
Distance from Nearest School
< 1,000 Feet
> 1,000 Feet
REMOVED

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Report on GilroyConnect/SeeClickFix: Service Level Performance Update, Benchmarking Comparison, and Communication Protocols**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Administration
Submitted by:	Bryce Atkins, Deputy Director of Community Development
Prepared by:	Kylie Katsuyoshi, Management Analyst Trainee

STRATEGIC PLAN GOALS: Ensure Neighborhood Equity from City Services
Maintain and Improve City Infrastructure

RECOMMENDATION

Council receive the report.

EXECUTIVE SUMMARY

GilroyConnect, the City's SeeClickFix-based service request platform, has continued to strengthen performance since its launch in March 2025. The system has processed over 4,100 requests with improving response and closure times, reaching an 83% SLA compliance rate in the most recent 30-day period. While staff conducted a benchmarking review of other California agencies, differences in category structures, workflows, and SLA practices made an external comparison unreliable. As a result, the City is prioritizing analyzing internal performance trends, which clearly demonstrate continuous improvement since system launch. Standardized operational practices implemented across departments have further strengthened consistency, communication, and service delivery.

BACKGROUND

SeeClickFix is a digital communications platform that enables users to report non-emergency neighborhood issues to local government bodies. SeeClickFix functions as a Customer Relationship Management (CRM) system that receives and tracks resident service requests. This community engagement tool and request management system helps bridge the gap between residents and cities by increasing interactions, improving communication, and strengthening the delivery of City services.

The system operates through a website, and a mobile app. Gilroy's mobile app is called GilroyConnect. Residents and other users can access the platform online via desktop or smartphone to submit service requests, track progress, and receive updates. The launch of this service request portal reflects the City of Gilroy's commitment to enhancing the customer service experience for residents by improving responsiveness and transparency.

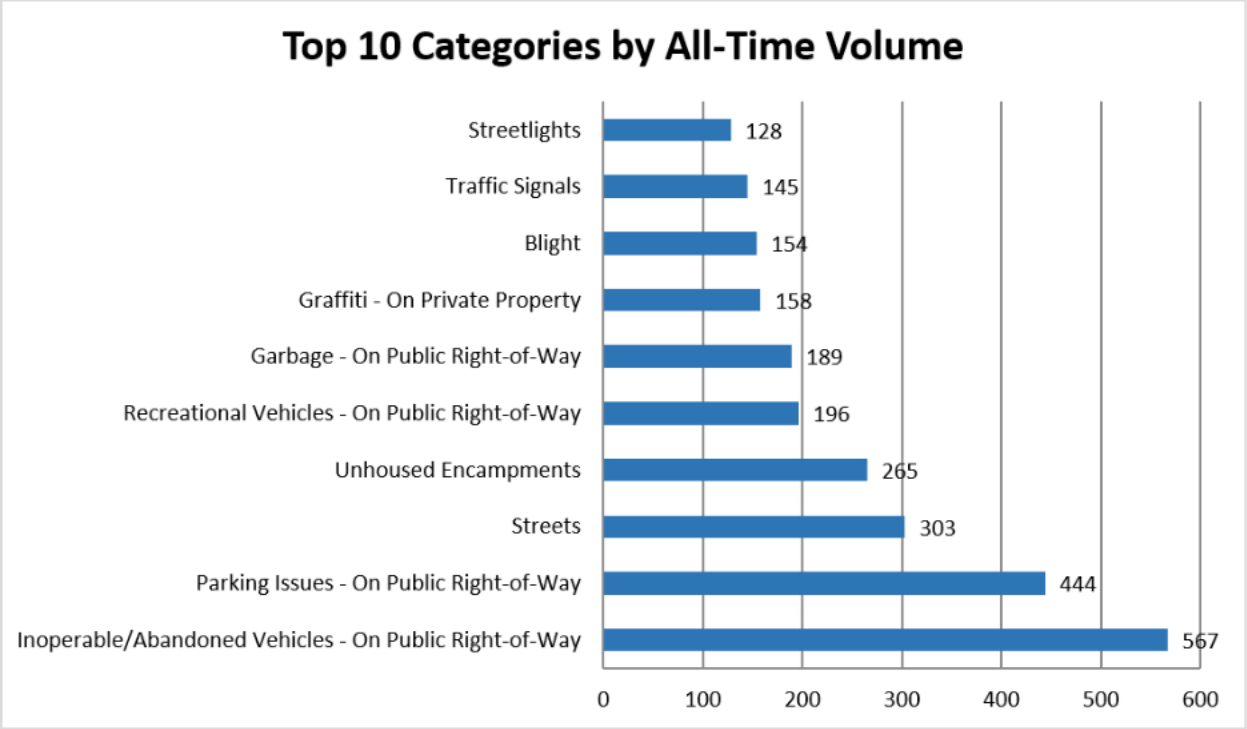
ANALYSIS

City of Gilroy Performance Overview

As of July 1, 2026, GilroyConnect has received 4,104 service requests since its launch on March 31, 2025, with a 98.7% closure rate.

As of June 30, 2026, the system has identified 410 constituents or user accounts, and the user base has continued to increase each month since the launch. The 410 constituent accounts excludes users who have submitted requests anonymously or as guests, meaning the actual number of constituents served is likely higher. Exhibit A shows the number of new accounts per month since launch in March of 2025. The average number of new users per month is 26 and shows steady growth over the last 16 months.

The average number of service requests reported per constituent is approximately four, and about 94% of constituents (384 out of 410) have submitted five or fewer service requests. Constituents or account holders submitted 1,704 of the 4,104 total service requests, representing approximately 42% of all requests. The remaining 2,400 requests, or 58%, were submitted anonymously or by guest users.



The chart above shows the ten highest-volume request categories since the system was launched. Of the 4,104 service requests submitted since launch, 2,549 (approximately 62%) were submitted within the ten above categories. This indicates that most service requests are concentrated in a small number of service areas.

Five of the ten highest volume categories are managed by the Police Department, accounting for a significant share of overall service demand. Four of the ten categories are managed by the Public Works Department, and one category is managed by the Community Development Department.

Service Level Agreements

A Service Level Agreement (SLA) is the expected response time for resolving a reported issue. In GilroyConnect/SeeClickFix, SLAs are only visible to internal staff and serve as a metric, allowing department heads and leadership to monitor workflow performance and evaluate efficiency. SLAs also assist staff in prioritizing requests and allow them to track which requests are falling outside of that expectation.

SLA times can be set in days and weeks, are calculated Monday through Friday, 9 a.m. to 5 p.m., and account for federal holidays. SeeClickFix does not allow staff to modify the work hours or the holidays the system accounts for. SLAs begin counting once a request is created and stop when the request is marked as closed, ensuring that completion metrics reflect true and accurate staff response times.

SLAs are configured at the category level, allowing City staff to tailor response expectations based on the type and urgency of the reported issue. For each of the City

of Gilroy's active service request categories, there is a set SLA. See Exhibit B to view the City of Gilroy's SLA Master List with all request categories and their associated SLAs (updated May 2026).

Gilroy's Service Level Agreement Performance

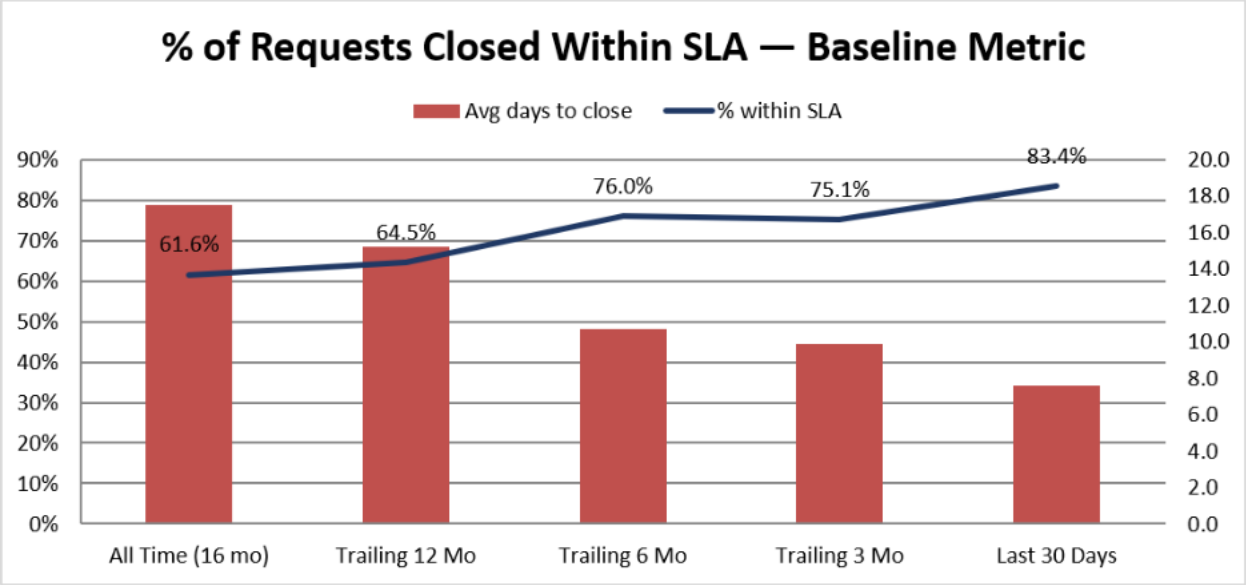
Exhibit C provides an overview of service level agreement performance by service request category. The table summarizes the number of requests created during each period and the percentage of requests closed within the established SLA timeframe. Performance is shown across five timeframes: all time data, trailing 12 months, trailing 6 months, trailing 3 months, and trailing 30 days. This comparison provides insight into how consistently service requests have been completed within established SLAs and allows staff to evaluate performance trends over time.

Time Frame	Requests Created	Average Days to Close	% Closed within SLA
All Time	4104	15.01	61.6%
Trailing 12 Months	3108	13.39	64.5%
Trailing 6 Months	1541	9.16	76.0%
Trailing 3 Months	809	8.79	75.1%
Trailing 30 Days	307	7.02	83.4%

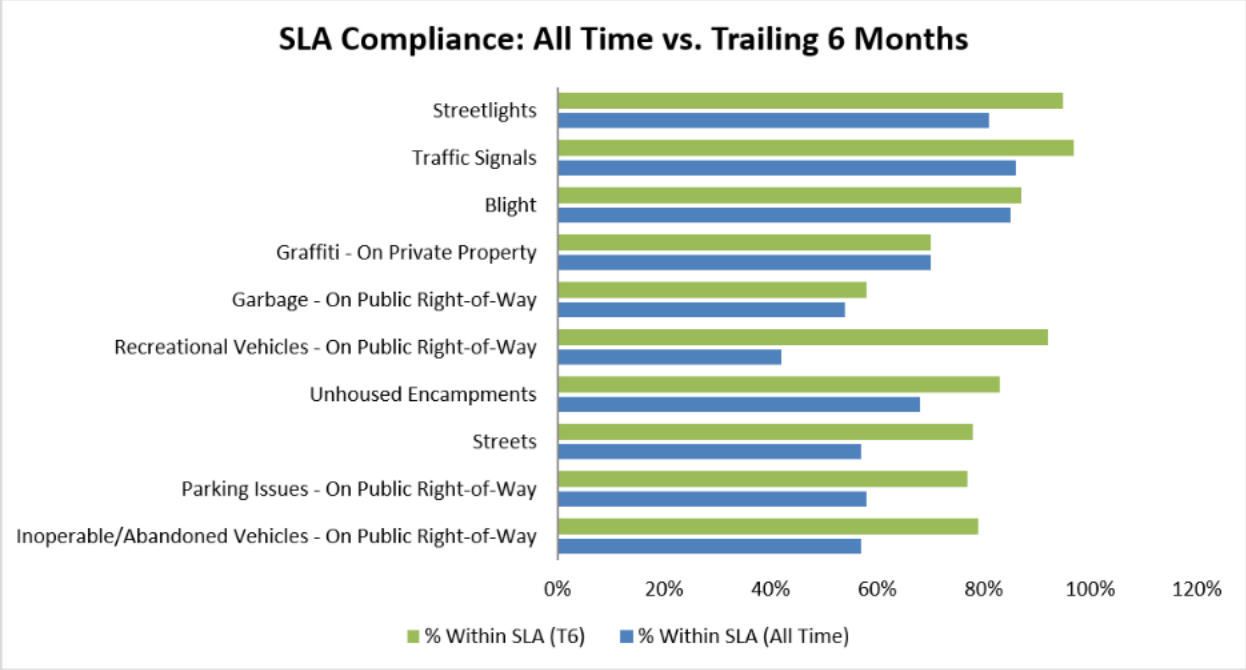
*Data pulled on 07-23-2026

Over the trailing 12 months, the average closure time drops to 13 days, and in the trailing 6 months it decreases further to 9 days, with 76% closed within SLA. In the most recent 30 days, the average closure is just 7 days, with 83% of requests meeting SLA deadlines. This reflects increased efficiency and improved alignment with SLA expectations.

This data is also depicted in the chart below.



The data shows consistent improvement in both closure time and SLA performance. Average days to close have steadily decreased across all time frames, while the percentage of requests closed within the SLA has increased, indicating more efficient response and resolution processes. Staff believe the trailing 6 months establishes an accurate baseline and from here staff will pursue the 80% as the next target through operational adjustments and efficiencies. For example, Public Works has not integrated its Computerized Maintenance Management System (CMMS) City Works with GilroyConnect to streamline the flow of information.



Building on the comparison, the chart above also demonstrates improvement in SLA compliance over time. Across the ten categories shown, the percentage of requests closed within the SLA is consistently higher in the trailing 6 Months than in the all time average. Most categories show substantial gains, with increases ranging from approximately 10 to 50 percentage points.

Benchmarking Comparison

Staff conducted a benchmarking review of 21 California agencies using the SeeClickFix platform to evaluate how the City of Gilroy's Service Level Agreements (SLAs) compared to peer jurisdictions. The benchmarking comparison was not reliable enough to serve as a meaningful one-to-one evaluation. Differences in how agencies define, structure, and apply service request categories, along with the lack of publicly available information, limit the accuracy of direct comparisons.

Given these limitations, staff focused on analyzing Gilroy's own performance data since the platform launched. For the full comparison and details, please see Exhibits D1 through D4.

City of Gilroy Standard Practices

To ensure consistent, transparent, and timely handling of service requests, the City of Gilroy implemented a set of standardized practices for GilroyConnect. These standard practices were developed in collaboration with the GilroyConnect Working Group, a team of representatives from each department that meet regularly to discuss system updates, challenges, and other items.

Exhibit E provides a comprehensive list of the 11 implemented practices, last updated in March of this year. These practices establish clear expectations for departments and promote accountability throughout the request lifecycle.

First, each department is responsible for assigning and managing its own service requests. The Administration Department no longer dispatches requests on behalf of others. Instead, departments must review incoming requests, recategorize them when necessary, and redirect them only after confirming the correct recipient. This eliminates "cold reassignments" and ensures that requests are not transferred without acknowledgment from the receiving division.

Departments are also required to communicate actively with requesters. Within five business days, staff must provide a resolution plan that explains how the issue will be addressed, including either an estimated completion date or the date of the next update. Ongoing communication must continue at least once per week, unless a future update date has already been provided. Public comments are limited to managers and supervisors to maintain message consistency and accuracy, with department head approval required for other staff to comment.

The GilroyConnect Standard Practices also specify when requests should be closed. Requests may be closed due to lack of information after two outreach attempts and one

week without a response. Requests that fall outside the City's jurisdiction are documented and referred to the correct agency before being closed, as the City does not track the progress of external entities. Additionally, tickets that involve long-term planning, evaluation, or queued capital projects can be closed once documented internally and responded to, since ongoing tracking of these extended timelines is not appropriate within the platform.

Once a request is resolved, staff are expected to close the ticket promptly and document the outcome. Where possible, photos of completed work are added to provide visual confirmation and reinforce transparency.

Finally, requests submitted by City Council members follow the same standards as those submitted by the public. They must be treated with professionalism and urgency but are not subject to expedited workflows or enhanced priority beyond established service expectations.

Overall, these practices create a unified framework that supports efficient operations, consistent communication, and improved customer service across City departments.

Adjustments to be Implemented

Communication Protocol Revisions

Staff will adjust their communication protocol to provide updates on GilroyConnect service requests. Under the current practice, each department is expected to provide an update on open requests at least once per week. Departments have not been able to consistently meet this requirement, particularly when a request reaches a point of delay, such as services waiting for materials or administrative procedural delays.

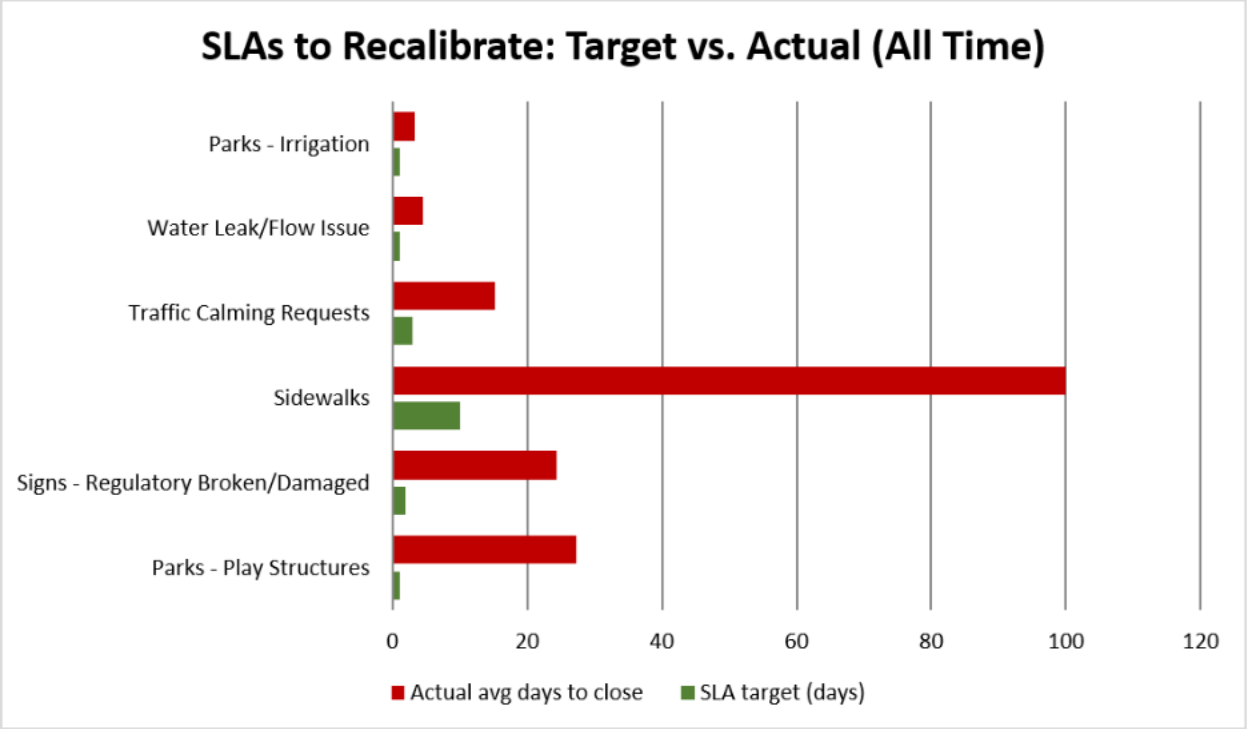
Under the revised protocol, staff will focus on completing and closing each service request within the applicable SLA timeframe. A separate update will not be required while the request remains within that initial SLA period. However, the requestor will still receive automatic system notifications anytime there is a status change (ticket changed to acknowledged, in progress, recategorized, etc.) during the SLA period. The requestor will receive an initial email when submitting the ticket that identifies the communication timeline expectation.

If the request is not completed by the end of the applicable SLA timeframe, staff will provide a status update at the end of that period and at each subsequent SLA-length interval until the request is resolved and closed. For example, a request with a seven-day SLA would receive an update after the first seven days if it remains unresolved, followed by additional updates every seven days. A request with a 20-day SLA would similarly receive an update every 20 days until resolution. Again, any change in the status of the ticket will receive an automatic email update generated by the system, regardless of how far along the SLA interval is.

This protocol will not apply to requests that are closed in GilroyConnect because they have been transferred to another work-order, tracking, or project-management system.

Examples include sidewalk repair requests or traffic-control-device requests that require longer-term evaluation, budgeting, design, or capital improvements. In such categories, the GilroyConnect request may be closed after the transfer is documented and the requester is informed of the process that will be used to track the matter going forward, consistent with current practice for these requests.

Adjustments to SLAs



Based on the data evaluated, it is evident that several categories require adjustments to their SLAs. For example, Parks – Irrigation, Water Leak/Flow Issue, Traffic Calming Requests, Signs – Regulatory Broken/Damaged, and Parks – Play Structures all have SLAs between one and three days. Although some of these requests can be resolved within that timeframe, it is not a realistic standard that can be met consistently.

Because an SLA begins as soon as a service request is submitted, staff need time to acknowledge the request, assess the issue, and communicate with the requester before the SLA expires. In some instances, requests are submitted under incorrect categories, resulting in the correct department not receiving the request until after the SLA has already passed.

Categories such as Sidewalks and Traffic Calming Requests have extended resolution timelines due to their complexity, budget constraints, and established procedural requirements. An adjustment to the SLA is necessary to establish timeframe that more accurately reflects the complexity of the work and coordination required.

ALTERNATIVES

None. This is an informational report.

FISCAL IMPACT/FUNDING SOURCE

None. This is an informational report.

PUBLIC OUTREACH

None. This is an informational report.

NEXT STEPS

Staff will schedule recurring annual updates on performance using established metrics in GilroyConnect. Adjustments will continue to be made to maximize performance within resource constraints. The City's performance target is to close 80% of service requests within the designated SLA timelines.

Attachments:

1. Exhibit A - GilroyConnect User Accounts by Month
2. Exhibit B – Service-Level-Agreement Master List
3. Exhibit C – Gilroy's SLA Performance Overview
4. Exhibit D1 through D4 – Benchmarking Review
5. Exhibit E – GilroyConnect Standard Practices

Exhibit A	
New GilroyConnect Accounts Created by Month	
2025	
2025 March	3
2025 April	48
2025 May	27
2025 June	32
2025 July	32
2025 August	21
2025 September	23
2025 October	27
2025 November	22
2025 December	28
2026	
2026 January	28
2026 February	18
2026 March	20
2026 April	40
2026 May	19
2026 June	22
Total	**410**

Exhibit B			
SLA Master List			
Maintenance Requests			
Request Category	**Department**	**SLA**	**Day/Days**
Blight	Community Development	30	days
Chemical Spill	Community Development	2	days
City Facility Damage	Administrative Services	4	days
Fire Hydrants	Utilities	5	days
Flooding	Public Works	1	day
Food Trucks/Food Vendors	Community Development	15	days
Garbage - In a Park	Public Works	2	days
Garbage - On Private Property	Community Development	30	days
Garbage - On Public Right-of-Way	Public Works	3	days
Graffiti - In a Park	Public Works	1	day
Graffiti - On City Property	Police Department	20	days
Graffiti - On Private Property	Police Department	25	days
Graffiti - On the Street/Sidewalk	Public Works	7	days
Inoperable/Abandoned Vehicles - On Private Property	Community Development	30	days
Inoperable/Abandoned Vehicles - On Public Right-of-Way	Police Department	20	days
Parking Issues - On Private Property	Community Development	15	days
Parking Issues - On Public Right-of-Way	Police Department	20	days
Parks	Public Works	14	days
Parks - Bench/Table Repairs	Public Works	7	days
Parks - Irrigation	Public Works	1	day
Parks - Landscaping	Public Works	14	days
Parks - Play Structures	Public Works	1	day
Parks - Restrooms	Public Works	1	day
Parks - Trees	Public Works	15	days
Recreational Vehicles - On Private Property	Community Development	30	days
Recreational Vehicles - On Public Right-of-Way	Police Department	20	days
Sewer Issues	Utilities	1	day

Shopping Carts - on Public Right-of-Way	Public Works	7	days
Sidewalks	Public Works	10	days
Signs - On Private Property	Community Development	20	days
Signs - Regulatory Broken/Damaged (example: stop signs)	Public Works	2	days
Signs - Signs on the Public Right-of-Way	Public Works	10	days
Signs - Wayfinding Broken/Damaged	Public Works	10	days
Smoking Violation	Community Development	10	days
Spills and Illicit Discharge	Community Development	2	days
Storm Drains	Public Works	7	days
Streetlights	Public Works	14	days
Streets	Public Works	14	days
Traffic Calming Requests	Public Works	3	days
Traffic Signals	Public Works	14	days
Trees	Public Works	15	days
Unhoused Encampments	Police Department	20	days
Unpermitted Construction	Community Development	45	days
Water Leak/Flow Issue	Utilities	1	day
Weeds - In a Park	Public Works	14	days
Weeds - On Private Property	Community Development	20	days
Weeds - Streets/Median	Public Works	14	days
Weeds - Vacant Lots	Community Development	30	days
Customer Service Requests			
Request Category	**Department**	**SLA**	**Days/Weeks**
Claim Form Request	Administrative Services Department	2	days
Email the City	Administration Department	7	days
Emergency Preparedness Presentation Request	Administration Department	7	days
Proclamation/Certificate Request	Administration Department	7	days
Special Event Permit Process	Economic Development Department	7	days

Exhibit C										
Gilroy's SLA Performance Overview										
	All Time		Trailing 12 Months		Trailing 6 Months		Trailing 3 Months		Trailing 30 Days	
Category	Created	% Closed Within SLA	Created	% Closed Within SLA	Created	% Closed Within SLA	Created	% Closed Within SLA	Created	% Closed Within SLA
Animals	26	85%	8	88%	0		0		0	
Blight	154	85%	149	85%	84	87%	49	86%	10	100%
Bollard Issue	3	67%	0		0		0		0	
Chemical Spill	12	92%	8	100%	1	100%	1	100%	0	
City Facility Damage	16	69%	13	77%	10	70%	2	50%	1	0%
Claim Form Request	5	60%	4	75%	3	100%	1	100%	0	
Email the City	75	59%	54	64%	27	69%	18	82%	7	83%
Emergency Preparedness Presentation Request	1	0%	1	0%	0		0		0	
Fire Engine Visit/Station Tour Request Form	1	0%	0		0		0		0	
Fire Hydrants	9	44%	6	17%	4	0%	2	0%	1	0%
Flooding	13	31%	11	18%	6	33%	4	0%	4	0%
Food Trucks/Food Vendors	40	65%	32	72%	12	100%	6	100%	3	100%
Garbage - In a Park	22	73%	12	67%	8	63%	6	50%	1	0%
Garbage - On Private Property	100	83%	60	83%	26	84%	12	91%	7	100%
Garbage - On Public Right-of-Way	189	54%	138	52%	74	58%	36	44%	9	67%
Graffiti - In a Park	70	34%	34	32%	17	29%	7	29%	1	100%
Graffiti - On City Property	80	84%	54	85%	39	92%	18	89%	7	86%
Graffiti - On Private Property	158	70%	79	62%	24	70%	10	33%	4	100%
Graffiti - On the Street/Sidewalk	45	51%	27	59%	19	63%	10	50%	3	100%
Inoperable/Abandoned Vehicles - On Private Prop	58	61%	34	65%	13	82%	8	75%	2	100%
Inoperable/Abandoned Vehicles - On Public Right	567	57%	500	59%	262	79%	148	84%	77	91%
Park Lighting Issue	0		0		0		0		0	
Parking Issues - On Private Property	43	67%	43	67%	23	74%	7	71%	2	100%
Parking Issues - On Public Right-of-Way	444	58%	370	58%	153	77%	88	79%	34	94%
Parks	32	59%	14	57%	1	100%	0		0	
Parks - Bench/Table Repairs	21	81%	14	86%	7	71%	3	67%	2	100%
Parks - Irrigation	22	32%	18	33%	8	38%	4	25%	3	33%
Parks - Landscaping	66	89%	63	91%	47	91%	21	95%	7	86%
Parks - Play Structures	22	26%	17	25%	10	20%	8	0%	4	0%
Parks - Restrooms	6	50%	3	100%	1	100%	0		0	
Parks - Trees	16	63%	11	55%	6	67%	4	100%	2	100%
Parks and Recreational Trails	0		0		0		0		0	
Proclamation/Certificate Request	1	100%	0		0		0		0	
Public Records Request	0		0		0		0		0	
Recreational Vehicles - On Private Property	19	95%	16	94%	9	100%	5	100%	3	100%

Recreational Vehicles - On Public Right-of-Way	196	42%	143	45%	26	92%	12	100%	9	100%
Sewer Issues	7	71%	5	60%	2	50%	0		0	
Shopping Cart - On Public Right-of-Way	93	75%	84	77%	51	84%	29	76%	7	100%
Shopping Carts	0		0		0		0		0	
Sidewalks	101	30%	68	43%	46	59%	28	75%	6	83%
Signs - On Private Property	45	76%	33	82%	11	91%	6	100%	2	100%
Signs - On the Public Right-of-Way	65	60%	53	68%	8	75%	5	60%	4	75%
Signs - Regulatory Broken/Damaged	26	23%	19	26%	9	22%	7	14%	4	0%
Signs - Wayfinding Broken/Damaged	9	56%	5	80%	3	100%	3	100%	1	100%
Smoking Violation	3	0%	3	0%	2	0%	2	0%	1	0%
Special Event Permit Process	2	50%	2	50%	2	50%	1	0%	1	0%
Spills and Illicit Discharge	6	40%	6	40%	5	25%	3	50%	2	0%
Storm Drains	11	55%	7	71%	5	80%	3	67%	1	100%
Streetlights	128	81%	101	89%	58	95%	20	89%	6	100%
Streets	303	57%	205	71%	122	78%	58	76%	13	92%
Tennis Court Issue	0		0		0		0		0	
TEST	3	67%	1	100%	0		0		0	
Traffic Calming Requests	53	38%	44	41%	22	68%	7	29%	1	100%
Traffic Signals	145	86%	124	94%	64	97%	24	100%	12	100%
Trees	101	48%	79	51%	40	69%	24	75%	7	67%
Unhoused Encampments	265	68%	203	69%	96	83%	51	90%	16	94%
Unpermitted Construction	28	80%	20	100%	8	100%	4	100%	1	
Water Leak/Flow Issue	48	40%	38	34%	26	27%	19	26%	9	33%
Weeds - In a Park	4	75%	2	50%	0		0		0	
Weeds - On Private Property	60	82%	33	69%	19	40%	11	43%	5	100%
Weeds - Street/Median	48	52%	26	46%	12	80%	7	100%	3	100%
Weeds - Vacant Lots	18	38%	11	56%	10	50%	7	60%	2	
TOTAL/AVERAGE	**4104**	**62%**	**3108**	**65%**	**1541**	**76%**	**809**	**75%**	**307**	**83%**

*Data for this report was collected on July 23, 2026. This report includes all service request categories to date, including active categories, categories that have been removed, and informational categories

Exhibit D1

Benchmarking Overview Narrative

GilroyConnect Benchmarking Analysis – Key Summary

Staff conducted a benchmarking review of 21 California agencies using the SeeClickFix platform to evaluate how the City of Gilroy's Service Level Agreements (SLAs) compared to peer jurisdictions. Eleven of these agencies actively use SLAs, though most apply them selectively and only to a limited number of request categories. Gilroy is one of the few agencies that assigns SLAs to all active service request categories, reflecting a more comprehensive approach to performance tracking.

Because agencies define and organize request categories differently, staff aligned categories based on the closest functional match. Many of Gilroy's categories matched only a small number of peer cities, and SLA timelines varied widely, ranging from 7 to 30 days for comparable service types.

This comparison has limitations. Findings are approximate due to limited public information about other cities' SLAs, differences in internal workflows, and variations in how jurisdictions define or close service requests.

Introduction and Methodology

To understand how Gilroy's SLAs compare to regional and similar-sized jurisdictions, staff identified peer agencies using the SeeClickFix platform. Staff began by reviewing Bay Area and nearby cities, later expanding to other cities in the State, contacting them directly to request their SLAs.

SLA documentation is not publicly posted by agencies and required substantial follow-up, including formal public records requests. Staff contacted 21 agencies; five provided information proactively, and sixteen responded to public records requests. Among these 21 agencies, 11 agencies actively use at least one SLA, and 10 agencies do not use SLAs. This variation suggests differing approaches to service delivery, workflow management, and performance tracking. To see the full list of cities used in the benchmarking comparison and how staff obtained their SLA data please see Exhibit D2.

Category Alignment Approach

To compare SLAs across jurisdictions, staff aligned each city's request categories with Gilroy's to the extent possible. Because cities define, structure, and use categories differently, the comparison relied on identifying the closest functional match rather than a strict name match.

Only categories with an assigned SLA were included, since many agencies maintain numerous categories but apply SLAs to only one or a few. Staff identified comparable categories based on purpose, naming, and service type (e.g., graffiti, garbage, weeds). When a peer city had a category similar to Gilroy's but without an SLA, staff used the closest functional equivalent rather than selecting an unrelated category simply because it contained an SLA. Some peer categories could not be matched due to limited information or because a city used highly specific categories not comparable to Gilroy's. These categories were excluded to maintain reporting consistency.

Overview of Peer City SLA Structures and Alignment

Exhibit D3 compares the number of service request categories and assigned SLAs used by peer cities, and how many SLA categories could be aligned with Gilroy's categories.

Key findings:

- Gilroy is one of three cities that assigns SLAs to all active categories.
- Peer cities using SLAs maintain an average of 30 request categories but assign only 19 SLAs on average.
- At the time of benchmarking, Gilroy maintained 53 active request categories, all with assigned SLAs.

GilroyConnect also includes closed-submission categories used for informational purposes. Because the City does not have visibility into how peer jurisdictions organize informational-only categories, staff could not determine whether these were included in other cities' data.

Cities varied significantly in their SLA strategies. Dublin, San Rafael, and Watsonville assign SLAs to all categories. In contrast, Diamond Bar and South San Francisco assign an SLA to only a single category. Seven of the eleven SLA-utilizing cities use ten or fewer SLAs.

Cities with fewer categories or fewer SLAs often use broad classifications. For example, Gilroy uses four separate graffiti categories (park, city property, private property, street/sidewalk), while cities such as Diamond Bar, Lake Elsinore, and San Rafael use a single "Graffiti" category.

Category names do not guarantee alignment of underlying work. A "Trees" category may include routine trimming, hazardous limb removal, full removal, or aesthetic maintenance depending on the city, each with different urgency and staffing considerations. Similar category names do not mean that similar requests are grouped or handled under the same category at all agencies.

The number of matched SLA categories varied widely. One peer city's service request categories aligned with 37 of Gilroy's categories, while others aligned with only one.

Variation in SLA Timeframes

Exhibit D4 uses a color-coding system to compare Gilroy's SLAs with peer cities:

- Green (34 categories): Gilroy's SLA is lower than the peer-city average.
- Yellow (3 categories): Gilroy's SLA is above the average but below the highest.
- Red (10 categories): Gilroy's SLA is the highest or tied for highest.
- Black (6 categories): No comparable SLA data available.

Gilroy's SLA is lower than the average in 34 categories, indicating shorter expected completion timelines for most comparable service types. For example, Gilroy's SLA for unhoused encampments is 20 days, compared to 45 days for a comparable agency.

Gilroy's SLA is above the peer average in three categories (Email the City, Parking Issues – Public Right-of-Way, and Weeds – Vacant Lots) but remains below the highest SLA among peer agencies. Gilroy's 20-day parking SLA reflects staffing levels and workload balancing; peer agencies range from 6 days (Dublin) to 30 days (Alameda).

Several categories where Gilroy's SLA is longer related to code enforcement, including blight and garbage on private property. These cases require private property-owner compliance, additional follow-up, and extended resolution timelines.

Across five categories, SLA timelines among peer cities ranged from 7 to 30 days, demonstrating substantial variation in service expectations. National City assigns a universal 7-day SLA to all categories, while Gilroy uses category-specific SLAs based on urgency, complexity, and resource availability.

Operational differences also influence SLA timelines. Some cities consider requests complete once they are forwarded to another system or after an initial response, resulting in shorter reported SLAs than cities that track requests through full resolution.

Overall, 32 categories aligned with three or fewer peer agencies, while 21 categories aligned with four or more. This limited alignment demonstrates the wide variation in how other agencies structure, name, and use service request categories.

Limitations

The benchmarking comparison is not a one-to-one comparison, as differences in how agencies define, structure, and apply service request categories are not known, limiting staff's ability to create precise category alignment.

Exhibit D2				
Method for Obtaining SLA Data from Peer Cities				
City	**Information Released Proactively**	**Records Provided through Public Records Request**	**Uses SLAs**	**Does Not Use SLAs**
City of Alameda		X	X	
City of Antioch		X		X
City of Berkeley		X		X
City of Camarillo		X	X	
City of Coachella		X		X
City of Diamond Bar		X	X	
City of Dublin	X		X	
City of Emeryville		X		X
City of Hanford		X		X
City of La Mesa		X		X
City of Lake Elsinore		X	X	
City of Milpitas		X	X	
City of Morgan Hill	X			X
City of National City		X	X	
City of Poway		X		X
City of San Clemente		X		X
City of San Rafael	X		X	
City of South San Francisco		X	X	
City of Tustin	X		X	
City of Walnut Creek	X			X
City of Watsonville		X	X	
	5	16	11	10

Exhibit D3			
Comparison of SLA Totals and Category Alignment			
City	**Number of Categories**	**Number of SLAs**	**Number of SLAs Matched to a City of Gilroy Category**
City of Gilroy	53	53	N/A
City of Alameda	56	34	24
City of Camarillo	27	6	8
City of Diamond Bar	18	1	1
City of Dublin	58	58	37
City of Lake Elsinore	25	4	3
City of Milpitas	36	35	34
City of National City	31	10	17
City of San Rafael	17	17	29
City of South San Francisco	26	1	1
City of Tustin	14	4	4
City of Watsonville	7	7	16

*City of Gilroy's number of active categories at the end of 2025.

Exhibit D4					
Benchmarking Comparison					
Categories	**City of Gilroy's SLAs**	**Min SLA Days**	**Max SLA Days**	**Average SLA Days**	**Number of Service Request Categories Matched Across Cities**
Blight	30	7	30	18.5	2
City Facility Damage	4	2	30	11.2	5
Claim Form Request	2	0	0	#DIV/0!	0
Email the City	7	0.3	15	6.8	4
Emergency Preparedness Presentation Request	7	0	0	#DIV/0!	0
Fire Hydrants	5	14	14	14.0	1
Flooding	1	2	7	4.5	2
Food Trucks/Food Vendors	15	3	3	3.0	1
Garbage - In a Park	2	3	14	8.5	6
Garbage - On Private Property	30	7	30	12.8	5
Garbage - On Public Right-of-Way	3	3	14	8.5	6
Graffiti - In a Park	1	5	20	9.5	6
Graffiti - On City Property	20	5	20	9.5	6
Graffiti - On Private Property	25	7	30	16.8	4
Graffiti - On the Street/Sidewalk	7	5	20	9.5	6
Hazardous Materials	2	0	0	#DIV/0!	0
Inoperable/Abandoned Vehicles - On Private Property	30	7	30	18.5	2
Inoperable/Abandoned Vehicles - On Public Right-of-Way	20	4	7	6.0	3
Parking Issues - On Private Property	15	7	30	18.5	2
Parking Issues - On Public Right-of-Way	20	6	30	14.3	3
Parks	14	10	21	15.3	3
Parks - Bench/Table Repairs	7	4	21	11.7	3
Parks - Irrigation	1	10	30	19.0	4
Parks - Landscaping	14	10	30	17.2	5
Parks - Play Structures	1	10	21	13.7	3
Parks - Restrooms	1	1	21	9.3	4
Parks - Trees	15	10	30	17.2	5
Proclamation/Certificate Request	7	0	0	#DIV/0!	0
Recreational Vehicles - On Private Property	30	7	30	18.5	2
Recreational Vehicles - On Public Right-of-Way	20	6	7	6.5	2
Sewer Issues	1	2	30	15.7	3
Shopping Cart - On Public Right-of-Way	7	3	3	3.0	1
Sidewalks	10	10	30	20.0	5
Signs - On Private Property	20	30	30	30.0	1
Signs - On the Public Right-of-Way	10	14	15	14.5	2
Signs - Regulatory Broken/Damaged	2	5	30	21.7	3
Signs - Wayfinding Broken/Damaged	10	5	30	21.7	3

Smoking Violation	10	10	20	15.0	2
Special Event Permit Process	7	0	0	#DIV/0!	0
Spills and Illicit Discharge	2	2	3	2.5	2
Storm Drains	7	10	30	18.0	3
Streetlights	14	5	30	15.0	3
Streets	14	5	30	15.8	5
Traffic Calming Requests	3	5	10	7.3	3
Traffic Signals	14	5	90	29.8	4
Trees	15	10	90	31.0	5
Unhoused Encampments	20	10	45	27.5	2
Unpermitted Construction	45	0	0	#DIV/0!	0
Water Leak/Flow Issue	1	2	2	2.0	2
Weeds - In a Park	14	10	45	22.0	5
Weeds - On Private Property	20	10	45	28.8	4
Weeds - Street/Median	14	10	45	21.0	5
Weeds - Vacant Lots	30	10	45	28.8	4

*This table is based off the list of service request categories active at the end of 2025. These categories were used as the basis for the benchmarking analysis conducted.

Legend		
Number of Categories	**Color**	**Description**
34	Green	Gilroy's SLA is lower than the average SLA used by comparison cities.
3	Yellow	Gilroy's SLA is higher than the average but not the highest among comparison cities.
10	Red	Gilroy's SLA is the highest or tied for the highest among comparison cities.
6	Black	No SLA data is available for comparison.

Exhibit E

GilroyConnect Standard Practices

1. **Departments are Responsible for Assigning Their Own Tickets**

- Action: The Administration Department is no longer dispatching service requests. Each department is responsible for assigning/recategorizing requests submitted into their department's categories.
- If a request is submitted to your department in error, it is the receiving department's responsibility to reassign and recategorize it appropriately.

2. **No Cold Reassignments**

- Action: When reassigning a request to another department/division staff must confirm with the next assignee that the request belongs to them before reassigning.

3. **Provide a Resolution Plan**

- Timeframe: Within five business days of submission
- Action: Share your plan to address the issue, including either an estimated resolution date, or the date you will provide the next status update.

4. **Provide Regular Updates**

- Timeframe: At minimum, updates must be provided once per week, unless a date for the next status update has already been provided to the requester.
- Action: Inform the requester that the request is still in progress and provide any relevant updates.

5. **Comments Limited to the Original Reporting Party, Managers, and Supervisors**

- Action: Limit public comments by staff to managers and supervisors. Department head approval required for all other staff.
- Comments have been restricted to not allow outside constituents to speak on requests that are not theirs.

6. **Close Tickets for Lack of Information**

- Timeframe: One week after two requests for additional information have been sent and no response has been received.
- Action: Notify the requester that their service request will be closed due to lack of information and close the request.

7. **Close Tickets Referred to Outside Agencies**
- Action: Service requests determined to be outside of the City's jurisdiction should be referred to the appropriate external agency, with relevant information documented in the public comments, and then closed.
- City staff will not monitor or track the performance of outside organizations in the system; however, we will continue to provide guidance to individuals seeking information regarding outside agencies when appropriate.

8. **Close Tickets Requiring Extended Resolution Timeframes**
- Action: Service requests involving long-term planning, evaluation, or queuing for future action, should be closed once the request has been reviewed, logged internally, and responded to.
- Examples: Traffic control measures (i.e., traffic signs, speed limit changes, stop signs/traffic signals), sidewalk and severe road damage (not including potholes), requests for new or enhanced facilities, unhoused encampments)

9. **Close and Confirm Completion**
- Timeframe: Immediately upon resolution
- Action: Close the request and provide a public comment detailing how the issue was resolved.

10. **Request Submitted by Council Members**
- Action: Treat requests from City Council members with the same urgency, professionalism, and communication standards as requests from other constituents.

11. **Pictures of Complete Work**
- Action: When possible, attach photos of complete work to show the requester/community the outcome of their requests and confirm resolution.

City of Gilroy
STAFF REPORT

Agenda Item Title:	**Consider Recommended Actions Before Adopting a Zoning Code Amendment to Section 30.41.31 (Specific Provisions – Noise) (FAIR Memo – Hilton)**
Meeting Date:	August 3, 2026
From:	Matt Morley, City Administrator
Department:	Community Development
Submitted by:	Sharon Goei, Community Development Director
Prepared by:	Michael Fossati, Planning Manager

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Staff recommends that the City Council authorize action 1, or actions 2 and 3 concurrently, before final adoption of any Zoning Code amendment to Section 30.41.31 (Specific Provisions – Noise):

1. Direct staff to draft regulations addressing noise-generating uses near residential zones, such as drive-through facilities, for a Zoning Code amendment.

   Or

2. Direct staff to prepare a Zoning Code amendment to Section 30.41.31; and
3. Direct staff to retain the services of a qualified acoustical engineer to conduct a technical analysis of the proposed amendment, quantify the actual reduction in noise levels experienced at residential property lines, and evaluate the feasibility of achieving the proposed standard without materially impacting commercial, industrial, and mixed-use development.

EXECUTIVE SUMMARY

On February 10, 2026, Councilmember Zach Hilton submitted a FAIR Memo proposing amendments to Gilroy City Code Section 30.41.31 (Specific Provisions – Noise) within Article 30.41 (Performance Standards). On April 20, 2026, the City Council reviewed the FAIR Memo and directed staff to return with recommended actions for consideration

before adopting a Zoning Code amendment. This staff report provides initial analysis and action items. Staff recommends that Council direct staff to draft regulations addressing noise-generating uses near residential zones, such as drive-through facilities, for a Zoning Code amendment. Alternatively, staff recommends that two other actions be considered together by City Council so that the acoustical analysis is available to the Planning Commission and City Council before final adoption of any amendment.

BACKGROUND

Article 30.41 of the Gilroy City Code establishes performance standards that apply to all uses in the City. This includes noise. Section 30.41.31 governs noise emissions from any premises and currently provides, in relevant part, that no use shall produce noise exceeding 70 dBA (L_{10}) at the property line of any residentially zoned property, except that the noise level may be exceeded for no more than 10 percent of the time.

On February 10, 2026, Councilmember Zach Hilton submitted a FAIR Memo (Attachment 1) proposing amendments to Gilroy City Code Section 30.41.31 (Specific Provisions – Noise) within Article 30.41 (Performance Standards). The proposal recommends three principal changes:

(1) Reduce the maximum noise level at the property line of any residentially zoned property from 70 dBA[1] (L_{10}[2]) to 60 dBA (L_{10}) between 7:00 a.m. and 10:00 p.m.;

(2) Remove the word “prohibited” from Section 30.41.31.

(3) Prohibit the use of outdoor power tools, yard, landscaping, and similar equipment between 10:00 p.m. and 7:00 a.m. Monday through Friday and between 10:00 p.m. and 9:00 a.m. Saturdays and Sundays, with no L_{10} exception.

Concerns with the current standards include the following:

(1) The 70 dBA daytime threshold is higher than the 60 dBA L_{dn}[3] maximum outdoor noise level for residential properties established in Table 9-1 of the Gilroy 2040 General Plan Potential Hazards Element; and

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[1] dBA means is a decibel value that has been passed through an A-weighting filter, which de-emphasizes very low and very high frequencies to approximate the sensitivity of the human ear.

[2] L_{10} means a statistical noise descriptor representing the A-weighted sound level exceeded for 10 percent of the measurement period, commonly used to characterize the upper range of fluctuating environmental noise such as traffic.

[3] L_{dn} means the Day-Night Average Sound Level from the 24-hour average.

(2) The current language is unclear because it states noise is “prohibited” but then allows a 10 percent exception; and

(3) The standard does not adequately address outdoor power equipment used on the property of commercial or industrial areas during nighttime and early morning hours.

On April 20, 2026, the City Council considered the FAIR Memo drafted by Councilmember Hilton and directed staff to return for future discussion. This staff report responds to that directive.

ANALYSIS

Current Noise Performance Standards

Gilroy City Code Section 30.41.31 currently establishes a single citywide daytime maximum of 70 dBA (L_{10}) at the property line of any residentially zoned property, with a 10 percent exception. The standard applies uniformly regardless of whether the noise source is located in an Industrial (M1, M2), Commercial (C1, C3), or other zoning district. The standard does not differentiate between long-duration steady noise sources (e.g., refrigeration units, HVAC) and short-duration intermittent sources (e.g., outdoor power tools).

Proposed Noise Performance Standards

Councilmember Hilton proposed a new Zoning Code amendment that would directly impact the existing performance standards regarding noise. Below is the language Councilmember Hilton has proposed under City Code Section 30.41.31 (b)(2).

Replaced text is shown as ~~strikethrough~~ and new text is shown underlined and in red.

> (b)(2) Commercial and Industrial Noise Impacting Residentially Zoned Properties. Noise emanating from properties that are zoned for uses other than residential is limited to a maximum of ~~70~~ 60 dBA (L_{10}) or less measured at the residential property line. Such noise is limited to the hours of 7:00 a.m. to 10:00 p.m. and ~~prohibited~~ between the hours of 10:00 p.m. and 7:00 a.m. the maximum noise level to be exceeded no more than ten percent (10%) of the time. The outside use of power tools, yard, landscaping and similar equipment is prohibited (not subject to the L_{10}) between the hours of 10:00 p.m. and 7:00 a.m., Monday through Friday and 10:00 p.m. and 9:00 a.m. Saturday and Sunday.

If adopted, these new standards would limit noise from commercial and industrial businesses located near residentially zoned areas. Staff has attempted to provide a clearer explanation of the proposed standards.

- During the day (7:00 a.m. to 10:00 p.m.), noise from commercial and industrial properties may not exceed 60 decibels at the boundary of a residential property. This decibel level is similar to normal conversation (approximately 55-65 decibel range) to moderate street noise (approximately 60-70 decibels).

- At night (10:00 p.m. to 7:00 a.m.), the "L_{10}" standard allows occasional louder bursts of noise at 60 decibels, but the noise level may only exceed the limit up to 10% of the time. For a nine-hour period, the maximum noise level can be exceeded only up to 54 minutes. Noise would need to be measured continuously in order to determine if it has exceeded 60 decibels 10% of the time out of the nine-hour period.

- In addition, using power tools, landscaping equipment, or similar outdoor machinery would be prohibited during nighttime hours and certain morning hours.

    - Weekdays: 10:00 p.m. to 7:00 a.m.
    - Weekends: 10:00 p.m. to 9:00 a.m.

There are a few concerns regarding the proposed 10 dB reduction. Although the change may seem small in numerical terms, it can be heard as a meaningful reduction in sound. Because sound levels are measured on a logarithmic scale, a 10 dB decrease represents a substantial drop in sound energy and a noticeable reduction in loudness, perceived roughly "as half as loud."

Data from acoustical study (Monterey Gateway Senior Housing Residential Project Noise and Vibration Assessment) indicates that ambient daytime hourly noise levels along Monterey Road range from 60 to 70 dBA.

These measured and projected levels already meet or exceed the proposed 60 dBA (L_{10}) daytime property-line threshold from transportation/traffic sources alone, which raises questions about the practical achievability of the proposed standard along Gilroy's primary commercial and mixed-use corridors without further technical analysis.

Staff recommends making minor adjustments to the proposed language to improve sentence clarity, as demonstrated below:

> (b)(2) Commercial and Industrial Noise Impacting Residentially Zoned Properties. Noise emanating from properties that are zoned for uses other than residential is limited to a maximum of ~~70~~ 60 dBA (L_{10}) measured at the residential property line. Such noise is limited to the hours of 7:00 a.m. to 10:00 p.m. ~~and prohibited b~~Between ~~the hours of~~ 10:00 p.m. and 7:00 a.m., the maximum noise level ~~to~~ may be exceeded no more than ten percent (10%) of the time. The outside use of power tools, yard, landscaping and similar equipment is prohibited (not subject to the L_{10}) between the hours of 10:00 p.m. and 7:00 a.m., Monday through Friday and 10:00 p.m. and 9:00 a.m. Saturday and Sunday.

Staff also recommends that, if City Council directs staff to draft a Zoning Code amendment, the direction should include retaining a qualified acoustical engineer to conduct a technical analysis of the proposed amendment language. This analysis should determine whether the proposed reduction can be achieved without materially impacting future commercial, industrial, and mixed-use development. See further details for Actions 2 and 3 below.

Alternatively, staff recommends that City Council consider additional land-use controls (e.g., prohibiting noise-sensitive uses next to residential neighborhoods) where noise levels exceed community expectations, to address noise concerns. For example, staff has received concerns in the past about noise from drive-through facilities near residential zones, especially menu-board speakers, order-confirmation displays, idling vehicles, and stacking queues. A workplan item to address noise impacts from drive-through facilities near residential areas has also been carried forward from prior budget cycles. These impacts can be addressed with use-specific regulations for drive-throughs (i.e. reorienting the menu-board and order-confirmation speakers away from adjacent residential property lines and requiring directional speakers with volume limiters calibrated to ambient conditions and establishing site-planning standards for drive-through facilities near residential zones, including required setbacks from residential property lines), rather than lowering the city-wide property noise maximum limit. See further details for Action 1 below.

General Plan Consistency

Before amending the Zoning Code, the City Council must determine that the proposed actions align with the General Plan. General Plan Goal PH 6 directs the City to protect residents from excessive noise. General Plan Policies LU 4.4 and LU 5.1 also direct the City to ensure commercial and industrial development is compatible with surrounding uses, including residential neighborhoods.

Action 1: Prepare specific regulations for drive-through uses associated with noise generation near residentially zoned districts

The City Council has expressed a desire to address noise from drive-through uses near residentially zoned properties, as it has been a department workplan item carried forward from prior budget cycles.

As staff allocates resources for a comprehensive zoning code update, the City may prepare a zoning amendment in the meantime, to modify or, where appropriate, prohibit drive-through uses near residential properties that generate noise above typical residential levels, without lowering the citywide property-line noise maximum limit.

A use-specific approach would address the impacts identified in the FAIR Memo by applying targeted regulations to drive-through uses, rather than lowering the citywide property-line noise maximum limit. This would maintain the general performance standard in Section 30.41.31 for other sources and provide staff with clear, enforceable

tools to regulate drive-through operations near residential zones. An acoustical engineer may not be required if the City Council selects this option.

Action 1 Pros and Cons

Pros	Cons
• Directly addresses the drive-through noise impacts specifically identified by City Council, targeting operational sources (menu-board speaker placement, order-confirmation displays, stacking queues) rather than the property line receptor for all uses. • Partially advances a department workplan item (Update Zoning Code and Zoning Map, including noise impacting residential properties and drive-throughs near residential areas). • Preserves the existing citywide 70 dBA (L_{10}) performance standard for commercial, industrial, and mixed-use sources, ensuring operators' prior investments in equipment and site design remain protected. • Enables more flexible policy options than a uniform decibel reduction, such as prohibiting new drive-throughs near residential zones when site-specific mitigation cannot ensure acceptable noise levels.	• This approach alone would not address noise impacts from non-drive-through uses within commercial, industrial, or mixed-use sources. • Existing legally established drive-throughs would continue to operate under current entitlements. Use-specific standards would mainly apply to new drive-throughs, expansions, and reconfigurations, which limits near-term relief for residents currently affected by existing operations. • Additional community outreach with existing drive-through operators, franchise holders, and property owners may be necessary. Vested-rights and takings considerations should be reviewed by the City Attorney before adoption.

<u>Action 2: Implement the FAIR Memo as Proposed by Councilmember Hilton</u>

Under this option, staff would prepare a Zoning Code amendment to Section 30.41.31 implementing the three changes identified in the FAIR Memo as written:

- Reduce the daytime (7:00 a.m. to 10:00 p.m.) maximum noise level at the property line of any residentially zoned property from 70 dBA (L_{10}) to 60 dBA (L_{10});

- Remove the term “prohibited” within City Code Section 30.41.31, and

- Prohibit the outdoor use of power tools, yard, landscaping, and similar equipment between 10:00 p.m. and 7:00 a.m. Monday through Friday and between 10:00 p.m. and 9:00 a.m. Saturdays and Sundays, with no L_{10} exception.

The amendment would apply uniformly citywide, regardless of zoning district. Existing operations that exceed the new standard would be subject to the City’s nonconforming-use provisions.

If the City Council directs staff to draft the Zoning Code amendment as proposed, staff will prepare a draft ordinance and schedule a noticed public hearing before the Planning Commission, followed by City Council introduction and adoption. The following table provides the pros and cons for directing staff to draft the Zoning Code amendment in its current form.

Action 2 Pros and Cons

Pros	Cons
• Provides the strongest protection for residential receptors by reducing the daytime property-line maximum from 70 dBA to 60 dBA — approximately a one-half reduction in perceived loudness. • Aligns the Zoning Ordinance directly with the 60 dBA L_{dn} maximum outdoor noise level for residential land uses established in General Plan Table 9-1. • Eliminates the existing ambiguity created by the word “prohibited” followed by an L_{10} exception, providing a clear and objective standard. • Implements General Plan Implementation Program No. 3 (Zoning Ordinance Noise Standards) directly and unambiguously. • Applies uniformly citywide, providing one consistent standard that is easier for applicants, residents, and Code Enforcement staff to understand and apply.	• Significant potential loss of investment by commercial retailers, restaurants, and mixed-use operators. Existing operations that have already invested in equipment, building improvements, and site layouts calibrated to the current 70 dBA standard could face compliance costs to retrofit equipment, install acoustic treatments, modify hours, or relocate noise-generating activities. In some cases, mitigation may not be feasible, and operators could be required to curtail activities or absorb a loss on prior investment. • Potential impact on economic development. A uniform 10 dBA reduction may discourage prospective retailers, restaurants with outdoor uses, and similar operators from locating or expanding in commercial and mixed-use corridors adjacent to residential zones, with potential implications for sales tax revenue and employment.

• Closes the long-standing gap on outdoor power equipment by establishing clear early-morning and weekend prohibitions.	• Does not differentiate between Industrial sources (M1, M2) and Commercial sources (C1, C3), even though the operational character and the relationship to surrounding residential uses can differ substantially. • Could create a large number of legally nonconforming operations citywide, requiring significant staff and City Attorney resources to administer transition periods and amortization considerations. • Background (ambient) noise levels in some commercial corridors near U.S. 101, the UPRR/Caltrain corridor, or arterial streets may already approach or exceed 60 dBA, which can make property-line attribution to a specific commercial source difficult and may increase enforcement and measurement complexity. • May increase enforcement challenges and complexity, with corresponding fiscal and staffing implications. • Existing operations adjacent to residential zones include grocery stores, restaurants with outdoor seating, drive-through facilities, automotive services, and similar uses that generate routine operational noise from refrigeration, rooftop HVAC, loading activity, drive-through speakers, and customer activity. Many of these operators have made capital investments calibrated to the current 70 dBA (L10) standard. • Several commercial corridors and mixed-use areas in Gilroy directly abut, or are across narrow streets from, residentially zoned properties. Examples include portions of the Downtown Specific Plan area, the First Street commercial corridor,

	the Monterey Street corridor, and various neighborhood commercial centers, making the proposed amendment as written infeasible.

Action 3: Retain the services of a qualified acoustical engineer to conduct a technical analysis of the proposed amendment

If the City Council directs preparation of a Zoning Code amendment, staff recommends retaining a qualified acoustical engineer to review the proposed language and assess whether the reduction can be achieved without significantly impacting future commercial, industrial, and mixed-use development.

Action 3 Pros and Cons

Pros	Cons
• Provides the City Council, Planning Commission, and community with an objective, technically defensible basis for any decision on the FAIR Memo amendment, rather than relying on staff estimates and anecdotal experience. • Uses site-specific Gilroy monitoring data rather than generalized standards, including confirmation of the preliminary findings drawn from the Monterey Gateway Noise Study. • Allows the amendment prepared under Action 2 to proceed with greater confidence or refined based on an alternative technical approach recommended by the acoustical engineer. • Supports meaningful public engagement by giving residents, commercial property owners, and	• Requires appropriation for professional services. Based on limited research, staff anticipates a cost range of approximately $50,000 to $100,000 depending on the number of monitoring locations, duration or measurements, and scope of the benchmarking analysis. • Extends the overall timeline for any Zoning Code amendment. A citywide acoustical analysis and report typically requires four to six months, with additional time needed for peer review, staff report preparation, Planning Commission review, and City Council action. • May result in findings that recommend a different technical approach than the FAIR Memo proposal. • Does not, by itself, provide immediate noise relief. During the study period,

mixed-use operators a common technical baseline for discussion at future Planning Commission and City Council hearings.	the existing 70 dBA (L_{10}) standard and current L_{10} exception language would remain in effect.

As an alternative to Action 1, staff recommends that both Actions 2 and 3 be considered together by City Council so that the acoustical analysis is available to the Planning Commission and City Council before final adoption of any amendment.

ALTERNATIVES

City Council may:

- Authorize only Action 1 (direct staff to prepare a Zoning Code Amendment to address drive-through uses near residentially-zoned areas) where staff will proceed with drafting a Zoning Code Amendment.
- Authorize only Action 2 (direct staff to prepare a Zoning Code Amendment) and proceed without a citywide acoustical analysis.
- Authorize only Action 3 (retain an acoustical engineer) and defer preparation of any Zoning Code amendment until the engineer's findings are received.
- Direct staff to research best practices from additional comparable California jurisdictions and return with a revised recommendation.
- Take no action.

FISCAL IMPACT/FUNDING SOURCE

Action 1 or 2 requires a Zoning Code amendment, which involves public notice, a Planning Commission hearing, and City Council introduction and adoption. Fiscal impacts include staff time for research, report preparation, public hearings, and legal review by the City Attorney's Office. These costs can be absorbed within the existing budget.

Action 3 requires funding for acoustical engineering professional services. Based on similar citywide noise studies, staff estimates costs between $50,000 and $100,000. If the City Council approves Action 3, staff will present a proposed budget amendment and identify a funding source.

PUBLIC OUTREACH

This item was included on the publicly posted agenda for this meeting.

NEXT STEPS

Direct staff on preferred option.

ATTACHMENTS

1. FAIR Memo from Councilmember Hilton, dated February 10, 2026
2. Gilroy City Code Section 30.41.31 (Specific Provisions – Noise) within Article 30.41 (Performance Standards)

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ZACH HILTON
Gilroy City Council Member
Livable Gilroy for All

February 10, 2026

Future City Council Initiated Agenda Item

City Code Chapter 30 Zoning Ordinance- I am requesting to place "City Code Chapter 30 Zoning Ordinance-Section 41 Performance Standards-Noise" on a future agenda with possible action to amend the code by ordinance with the goal of providing clear objective standards, when it comes to Commercial and Industrial Noise Impacting Residentially Zoned Properties. I am proposing two separate changes to the code.

Supporting Documentation:
We will continue to develop more residential units that are mixed use and near existing commercial and industrial developments. There are objective standards that we can put in place to make it clear what noises are allowed and what noises are limited in "Commercial and Industrial Noise Impacting Residentially Zoned Properties".

Amend the code by ordinance to add under section 30.41.31 the following changes.

• Commercial and Industrial Noise Impacting Residentially Zoned Properties. Noise emanating from properties that are zoned for uses other than residential is limited to a maximum of ~~*70*~~ 60 dBA (L10) *or less* measured at the residential property line. Such noise is limited to the hours of 7:00 a.m. to 10:00 p.m., and ~~*prohibited*~~ between the hours of 10:00 p.m. and 7:00 a.m. *the maximum noise level to be exceeded no more than ten percent (10%) of the time.*

• Commercial and Industrial Noise Impacting Residentially Zoned Properties. The outside use of power tools, yard, landscaping and similar equipment is prohibited (not subject to the L10) between the hours of 10pm-7am Monday through Friday and 10pm-9am Saturday and Sunday.

The word prohibited is misleading because of the L10 exception that is allowed from 10pm-7am. This happened in 2013 and 2019 when Chapter 30 Zoning code amendments took place and changes were made to Section 41. In 2013 they did a code adoption, and the yard equipment was in it, but just related to residential. The noise for commercial near residential hasn't changed. Then in Oct 2019 the wording for yard equipment in residential areas was removed, but the commercial and industrial impacting residential zones properties stayed the same. Changes are referenced in the current 30.41.31 (Ord. No. 2013-08, § 2 (Exh. A), 8-5-13; Ord. No. 2019-08, § 23, 10-7-19)

Sources Used:
https://www.codepublishing.com/CA/Gilroy/#!/Gilroy30/Gilroy3041.html#30.41.10

30.41.31 Specific provisions—Noise.

It shall be unlawful to generate noise within the city limits that exceeds the limits established in this section.

(a) Definitions.

"Decibel (dBA)" means a unit measuring the amplitude of sound or noise, weighted to the range of human hearing (A-weighting scale on a sound level meter).

"L_{10}" means the maximum noise level to be exceeded no more than ten percent (10%) of the time.

"Noise level" means measurement of sound in decibels (dBA) obtained by using a sound level meter at slow response.

"Sound level meter" means an instrument comprised of a microphone, an amplifier, an output meter and frequency weighing networks, used for measuring sound levels in decibel (dBA) units.

(b) Maximum Outdoor Noise Levels.

(1) Residential Noise Impacting Residential Properties. Fixed-source outdoor mechanical equipment installed after July 1, 2007 (e.g., pool, spa, air conditioning or similar equipment) is limited to a maximum of sixty (60) dBA Ldn measured at the property line or seventy (70) dBA (L_{10}) measured at the property line.

(2) Commercial and Industrial Noise Impacting Residentially Zoned Properties. Noise emanating from properties that are zoned for uses other than residential is limited to a maximum of 70 dBA (L_{10}) measured at the residential property line. Such noise is limited to the hours of 7:00 a.m. to 10:00 p.m., and prohibited between the hours of 10:00 p.m. and 7:00 a.m.

(c) Exceptions to the Exterior Noise Limits Listed in Subsection (b) of This Section.

(1) Persons, equipment, vehicles, alarms or sirens utilized in essential activities necessary to preserve, protect or save lives or property from danger, loss or harm;

(2) Refuse and recycling collection vehicles when operating between the hours of 5:00 a.m. and 6:00 p.m.;

(3) Special events operating in compliance with an approved special events permit; and

(4) City-approved activities on public properties. (Ord. No. 2013-08, § 2 (Exh. A), 8-5-13; Ord. No. 2019-08, § 23, 10-7-19)